



Planning Statement

Kenilworth Conference Centre,
Glasshouse Lane,
Kenilworth

Vistry Homes

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Appendix 1 – Affordable Housing and Vacant Building Credit Statement

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Prepared by:

Richard West

BA (Hons)

MRTPI

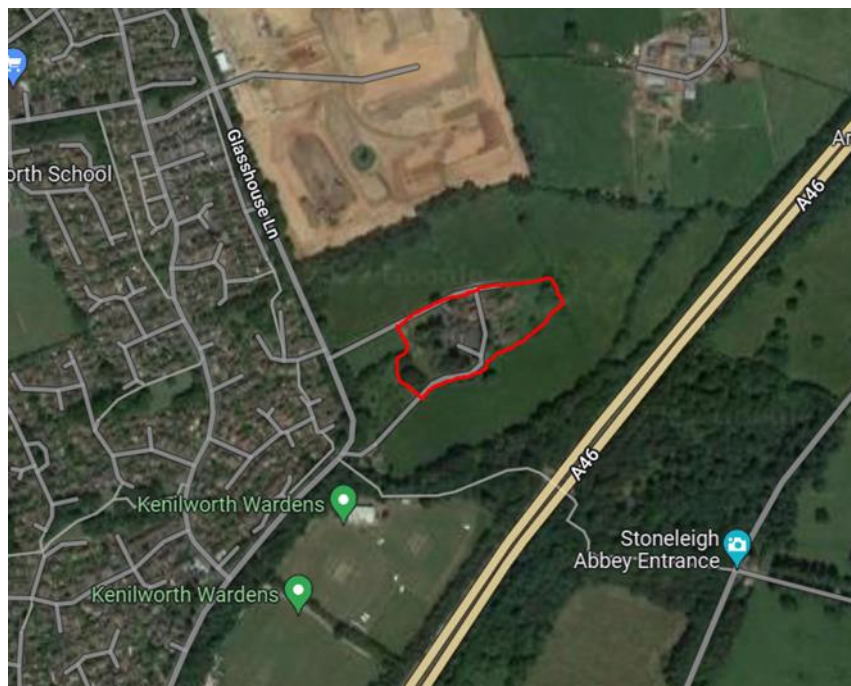
1. Introduction

- 1.1 Cerda Planning Limited has been instructed by Vistry Homes to act on their behalf in respect of submitting a full planning application for the demolition of existing buildings and erection of 55 dwellings and associated works at the Former Kenilworth Conference Centre/Woodside Hotel, Glasshouse Lane, Kenilworth.
- 1.2 The site is located within the administrative boundary of Warwick District Council.
- 1.3 This application is submitted following a pre-application enquiry with the local planning authority (LPA).
- 1.4 This statement provides a description of the site and background, planning history, and the development proposals. The relevant policies of the adopted plan are set out along with other material planning considerations including the National Planning Policy Framework (NPPF) (2021).
- 1.5 The statement continues to set out the main issues and assesses how the proposal accords with the policies of the development plan and other material planning considerations.
- 1.6 Having assessed the proposal against current local and national policies, and material planning considerations, conclusions are drawn. The conclusions indicate that the proposed development is in accordance with the relevant policies of the development plan and therefore the application should be granted permission without delay.
- 1.7 Full justification for the rationale behind the proposal is given in this statement and should be read in conjunction with the other documents submitted with the application. The documents include the following:
 - Completed Application Forms
 - CIL Form 1
 - Full set of Plans (see Issue Sheet)

- Affordable Housing and Vacant Building Credit Statement (appended to this Statement)
- Air Quality Assessment
- Archaeological WSI
- Bat Survey Report
- Biodiversity Calculation
- Design and Access Statement
- Ecology Statement
- Flood Risk Assessment and Drainage Strategy
- Heritage Statement
- Housing Mix Statement (within this Statement)
- Noise Impact Assessment
- Open Space Statement (within this Statement)
- Site Investigation
- Transport Statement
- Travel Plan
- Tree Survey and Arboricultural Impact Assessment
- Water Efficiency/Sustainability Statement

2. Site Description and Background

- 2.1 The application site is situated within the administrative area of Warwick District Council (WDC).
- 2.2 The site is located on the eastern side of Kenilworth and forms part of a wider development area of the eastern side of Kenilworth, although it is noted that the hotel and land surrounding did not form part of the Land East of Kenilworth Development Brief (March 2019).
- 2.3 To the west of the site is Glasshouse Lane, to east and south is the A46. The site is immediately adjoined by land to the north, east and west which benefits from an outline consent for development, and is presently subject to an application for reserved Matters approval. The location of the site can be seen in the below image, broadly identified by the red line.



- 2.4 The site comprises a Woodside Hotel and conference centre, originally dating back to the nineteenth century. The building on the site has been identified as a locally listed building by the Council, constituting a non-designated heritage asset.

- 2.5 The building is set within a small plot previously surrounded by agricultural land. The building is built over one and two-storeys, though with a three-storey entrance tower. It comprises the original building though is surrounded on almost all flanks by post-war extensions. The building now sits in grounds comprising a cluster of post-war detached hotel buildings (including bedroom blocks and swimming pool). Small areas of landscaped grounds and open space (including tennis court) exist around the parts of the property as well as mature specimen redwood trees, likely dating from the nineteenth century, near to the house.
- 2.6 The building footprint is now also unrecognisable from that originally seen in the mid-nineteenth century. The detached accommodation blocks and wider hotel facilities to the east further compound the overall perception of a heavily altered, former minor country house. The former grounds of Woodside have seen substantial changes resulting, not least, from the construction of the post-war detached buildings. The original landscaped gardens now have extensive areas of car parking overlooked by the frontage of Woodside.
- 2.7 There are several mature trees on the site, none of which are subject to a Tree Preservation Order. The tree survey recorded 41 no. individual trees, comprising: of 8no. category A, 18no. category B, 9no. category C and 6no. category U, and 14no. groups of trees, comprising of: 2no. category B and 12no. category C retention value.
- 2.8 The site is within Flood Zone 1 as shown on the Environment Agency flood maps.
- 2.9 The site is not subject to any restrictive land designations, having been removed from the Green Belt in the adopted Local Plan.
- 2.10 The site is understood to form part of Scheduled Ancient Monument (Roman Settlement at Glasshouse Wood) and with potential Sites of Importance for Nature Conservation (SINC) to east/ southeast in the area of woodland. There is an Area of Ancient Woodland to the south.
- 2.11 The Woodside Hotel is provided with an existing established vehicular access from Glasshouse Lane in the south west corner, which is provided in the form of a priority junction arrangement. The existing access is provided with visibility splays of 2.4m x

43m in line with the existing 30mph speed limit. The existing access is some 6.0m in width suitable for two-way movements and serves a single private dwelling.

Background

- 2.12 As noted above, the site comprises the former Woodside Conference Centre. The business operated making a loss and subsequently went into receivership. The Site was then marketed in 2020 for the purpose of selling it on as an operational Hotel. The marketing material was circulated to a number of Regional and National Hotel Operators (a copy of the marketing material can be provided on request). Unfortunately, there were no operators that were willing to take asset on and the Hotel closed later that year.
- 2.13 in the interim period, and prior to the applicant purchasing the site, the hotel was stripped and vandalised, and is presently in a poor state of repair. Therefore, the hotel is now at a point where it would be uneconomical to make the required refurbishments to reopen as a hotel.

3. Planning History

3.1 According to the LPA's website there has only been two planning applications relevant to the site; erection of an orangery in 2017 and prior approval for demolition of the building; details of the Prior Approval application can be seen below.

3.2 W/22/0570 – Prior approval for complete demolition of buildings serving site known as former Woodside Hotel and Conference Centre – refused on 09/05/2022. The reasons for refusal are as follows:

1. *Policy NE2 of the Warwick District Local Plan 2011-2029 states that development will not be permitted that will destroy or adversely affect protected, rare, endangered or priority species unless it can be demonstrated that the benefits of the development clearly outweigh the nature conservation value or scientific interest of the site and its contribution to wider biodiversity objectives and connectivity. Policy NE2 goes on to state that all proposals likely to impact on these assets will be subject to an ecological assessment.*

Paragraph 99 of Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System advises that it is essential that the presence or otherwise of protected species, and the extent to which they might be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations will not have been addressed on making the decision. Circular 06/2005 advises that the need to ensure that ecological surveys are carried out should only be left to conditions in exceptional circumstances. No such circumstances exist in this case.

Therefore, in the opinion of the Local Planning Authority insufficient information has been provided to demonstrate that the proposed development would not adversely affect protected species. The

development is thereby considered to be contrary to the aforementioned policy and guidance.

2. *The NPPF states that decisions should minimise impacts on and provide net gains for biodiversity. It also states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Local Plan Policy NE3 states that new development will be permitted provided that it protects, enhances and / or restores habitat biodiversity. Development proposals will be expected to ensure that they lead to no net loss of biodiversity, and where possible a net gain, where appropriate, by means of an approved ecological assessment of existing site features and development impacts.*

It has not been adequately demonstrated that the development would not lead to a net biodiversity loss. The proposal is therefore considered to be contrary to the aforementioned policies.

- 3.3 In addition to the above, it is identified that Historic England received a request to consider the Woodside Hotel for statutory listing, with a determination issued on 9th May 2022. The assessment by Historic England concluded that the criteria for listing are not fulfilled and Woodside Hotel is not recommended for listing. The countersigning comments identify that Woodside Hotel, a small country house of C19 date with later alterations, has local interest as an example of a house of its size and date with some features of quality, however the design of the building is not of particular note for its date, and later alterations have eroded its interest. This local interest is reflected by virtue of its inclusion on the Council's local list.
- 3.4 Further to the above, it should be noted that this planning application is made concurrently to the submission of an application for Prior Approval for the demolition of the existing buildings on the site, addressing the previous reasons for refusal, as set out above.

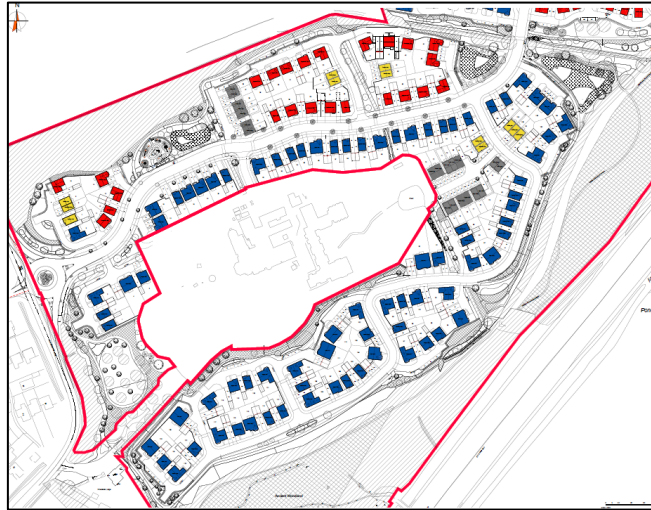
3.5 The land immediately surrounding the appraisal site also has relevant planning history. An Outline planning application has been granted permission and a Reserved Matters application is pending consideration, with a resolution to grant permission by the LPA's planning committee. The details of these applications are set out below:

W/18/1635 – Demolition of existing farmhouse and agricultural buildings and outline planning application for residential development of up to 620 dwellings (Use Class C3), new primary school (Use Class F.1) including means of access into site (not internal roads), parking and associated works, with all other matters (relating to appearance, landscaping, scale and layout) reserved – granted subject to conditions and a s106 agreement on 16/04/2021.

3.6 Whilst the above application was approved in Outline form, an illustrative masterplan was submitted to demonstrate one way in which the site could be developed. A copy of the illustrative masterplan can be seen below in two extracts; showing the wider site, and an extract surrounding the appraisal site.



- 3.7 W/21/1811 – Application for reserved matters application for layout, scale appearance, materials and landscaping for 620 dwellings in pursuance of outline planning permission W/18/1635 – approved on 18.01.2023.
- 3.8 A copy of the Site Layout for the southern parcel of the Reserved Matters submission, surrounding the appraisal site, can be seen below.



- 3.9 To the north of site, beyond the land immediately north subject to the application for residential development, is Southcrest Farm. On Southcrest Farm, an application has been granted permission for a school, as follows:
- 3.10 W/19/0655 – Demolition of two residential properties and a collection of farm buildings, and erection of a two to three storey secondary school and sixth form building and a single storey facilities management building, with associated access and egress from Glasshouse Lane, parking spaces for cars, school buses, bicycles, internal drop-off zones, sports pitches, landscaping and auxiliary outbuildings – granted on 19/12/2019. An extract of the masterplan can be seen below:



3.11 North of the school site, permission has been granted for 99 residential dwellings, as follows:

3.12 W/19/1200 – Outline application for demolition of existing dwelling house and outbuildings; residential development of up to 99no. dwellings including the creation of a new vehicular access, open space, landscaping and surface water attenuation (all matters reserved except access) – granted 17/12/2020.

3.13 W/21/0550 – Reserved Matters approval for 99 no. dwellings, with associated infrastructure and landscaping. – granted on 22/08/2022. A copy of the Site Layout plan can be seen below:



4. Details of the Proposals

- 4.1 This application seeks full planning permission for the demolition of existing buildings and erection of 55 dwellings and associated works at the Former Kenilworth Conference Centre/Woodside Hotel, Glasshouse Lane, Kenilworth.
- 4.2 As noted above, the existing buildings on the site comprise the former Woodside Conference Centre. Following the closure of the business, the buildings have fallen into a poor state of repair in the interim period and are proposed to be demolished as part of this application.
- 4.3 The proposed redevelopment of the site will deliver 55 dwellings, delivering a range of 1–5-bedroom units. The dwelling types provided include a mix of both flats and houses, for both affordable and market sale. 9no. of the homes will be delivered as affordable, with 46no. private dwellings.
- 4.4 The development would provide a high-quality landscape-led approach to the delivery of open space, enhancing the existing central landscaped areas for the benefit of residents. It is proposed to deliver a range of amenity, natural and parks and gardens typologies within the site.
- 4.5 The proposed development seeks to retain as many as trees as possible, particularly those of higher categories. The proposed development would result in the loss of 1no A category tree, 10no B category trees, 21no C category trees and 6 U category trees.
- 4.6 The site is proposed to have two point of vehicular access. The central and eastern parcels of the site would be accessed from a central road, adjoining the spine road of the adjoining development on the northern side of the site. A secondary access, comprising a private driveway, would adjoin Glasshouse Lane entering the site from the south western corner, and serving the dwellings to the west of the open space.
- 4.7 The proposed drainage strategy includes a mix of SUDs features including an attenuation pond to the south of the open space, rainwater gardens, and

permeable paving. Additionally, attenuation tanks are provided at the eastern end of the site due to the topography, to provide greater attenuation before a controlled outfall to the existing drainage ditch.

Pre-application Enquiry

4.8 Prior to the submission of this application, the applicant engaged with the LPA through a pre-application enquiry including submission of proposals for 55 dwellings. Following a meeting held on 16.12.2022, a written response was provided by the LPA on 06.01.2023.

4.9 The pre-application responses is summarised as follows:

- The loss of visitor accommodation is not resisted in policy;
- Residential development in this location is supported in policy;
- The proposals should have regard to the Land East of Kenilworth Development Brief and adjoining development site with regards scale, being predominantly 2-storey with some 2 ½ storey development;
- The council does not support an executive area of the development;
- The development should accord with the Garden Towns, Villages and Suburbs SPD and include street trees;
- The parking area around the flats is poorly laid out and should be redesigned and broken up with soft landscaping;
- Connectivity and links to the wider site parcels should be explored, particularly focused on pedestrian and cycle routes;
- It is important to respond to the landscape character and significant landscape features on the site, and that any landscaping and open space has regard to the National Character Area profiles, which emphasis on native hedgerows and mature oaks;
- Officers suggest a more circular style development with a road branching off to the narrower section of the site;

- At present, insufficient information is submitted to allow proper consideration of the harm of the loss of non-designated heritage, and how this is weighed against public benefits. The starting point for consideration, should be retention of the existing building;
- A programme of archaeological fieldwork may be required;
- Separation distances in the Council's SPD should be adhered to with regards to achieving a high-quality living condition for future occupiers, along with considering the relationship to existing trees;
- A noise impact assessment will be required to consider the effects of increased vehicle movements;
- There maybe some conflict with the 45 degree guideline between the proposed plots, and plots on the adjoining site (now approved);
- The proposals should include 10% visitor parking, which can be on-street, subject to effects on highway safety;
- There are concerns regarding the long and narrow driveway serving plots 35 to 43; as well as the ability to collect refuse within parts of the site;
- Occupiers should not be required to carry waste more than 30m to a storage collection point, and storage points should be within 10m or 15m of the highway, dependent on vehicle size; plots 35-43 would exceed these requirements;
- The development should achieve a net gain in biodiversity;
- The central 'green' area is crucial to the landscaping of the site, and this needs careful consideration given the mature trees and the amenity benefit that this area provides for the site;
- All new major developments must incorporate SuDS that provide biodiversity, water quality and amenity benefits and be in accordance with the Warwickshire Surface Water Management Plan;

- The proposed mix is broadly in line with the requirements of the Council's Housing Mix Guidance. However, there is no justification provided for a lack of provision of 1-bedroom dwellings, therefore the Council would expect to see the mix provided in accordance with the guidance;
- The Council's preferred affordable tenure is 25% First Homes, 60% Social Rent, 10% Affordable Rent, 5% Intermediate Housing / Shared Ownership;
- Evidence will need to be provided to demonstrate that Vacant Building Credit is not inapplicable on this site;

4.10 Following receipt of the pre-application written response, the proposals have been amended having regards to the comment, as follows:

- The size/scale of some dwellings has been reduced to ensure a maximum height of 2 ½ storeys
- The area previously identified as executive area has been removed, to be replaced with an area of open space for all residents
- A significant number of street trees have been included within the design to accord with the Garden Towns, Villages and Suburbs SPD
- The parking serving the flats has been redesigned to include shorter runs of parking, broken up with more soft landscaping
- Pedestrian and cycle connectivity is provided to the wider site at the northern access point
- Particular regard has been paid to ensuring the retention of existing vegetation on-site. The private driveway on the western end of the site has been divided into two private driveways to limit the extent and effect of the incursion within root protection areas
- A more circular style development with a road branching off to the narrower section of the site was explored but is not feasible due to the constraints of the vegetation and irregular shape of the site

- A Heritage Statement has been prepared to accompany the application. Although, it should be noted that the application is made concurrently to a demolition notification for the existing buildings
- The eastern end of the site has been replanned to provide a better relationship between the approved dwellings on the wider site and those proposed as part of this application
- The dwellings adjoining the start of the main access road have been replanned to provide a better relationship with the street scene
- A noise impact assessment has been submitted with the application
- A significant increase in visitor parking has been provided, spread across the site, including areas at the western end, within the flat parking area, on the northern side, and at the eastern end.
- There private driveway at the western end has been amended to provide two driveways, as well as designed to have enhanced specification to allow refuse vehicles to access the driveway. Tracking is provided to show a refuse vehicle accessing the private driveways.
- A waste strategy plan has been provided to demonstrate bin collection point locations and bin pull distances
- The development should achieve a net gain in biodiversity habitat units and significant increase in hedgerow units;
- The central 'green' area has been given careful consideration given the mature trees and the amenity benefit that this area provides for the site;
- A drainage strategy has been prepared incorporating SuDS that provide biodiversity, water quality and amenity benefits;
- Justification is provided for a lack of provision of 1-bedroom dwellings;
- Evidence is provided to demonstrate that Vacant Building Credit is not inapplicable on this site;

4.11 As set out above, following the pre-application comments, significant amendments have been made to the layout to ensure compliance with the relevant policies, design guidance, and advice provided from officers.

5. Planning Policy Context

5.1 There is no relevant planning history in respect of the appeal site.

5.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires that, inter alia:

“In dealing with an application for planning permission ... the authority shall have regard to—

the provisions of the development plan, so far as material to the application, (c) any other material considerations.”

5.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

“if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

5.4 The National Planning Policy Framework, (NPPF) states at paragraph 2:

“Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions.”

5.5 The Development Plan for the area comprises the Warwick District Local Plan 2011-29. The Local Plan was adopted in September 2017 and allocates development until 2029. In addition to the Local Plan, the Kenilworth Neighbourhood Development Plan 2017-2029 was Made in November 2018.

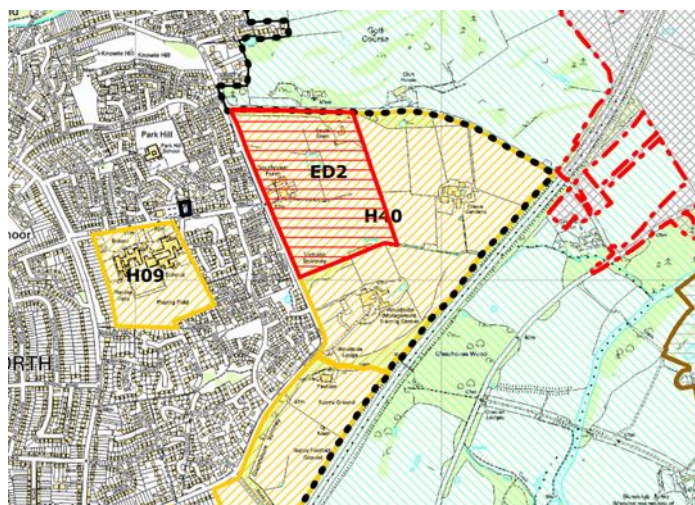
5.6 The most relevant policies of the Development Plan are as follows:

Local Plan 2011-29

5.7 DS3 – Supporting Sustainable Communities – sets out that the Council will promote high quality new development including: delivering high quality layout and design

that relates to existing landscape or urban form and where appropriate, is based on the principles of garden towns, villages and suburbs.

- 5.8 DS4 – Spatial Strategy – sets out that the Council's Spatial Strategy focuses growth within and adjacent to built-up areas. The majority of growth will be focused in main urban areas of Warwick, Leamington, Whitnash and Kenilworth, and the southern edge of Coventry.
- 5.9 DS5 – Presumption in Favour of Sustainable Development – reiterates the presumption as set out in the NPPF.
- 5.10 DS6 – Level of Housing Growth – sets out that provision will be made for a minimum of 16,776 new homes between 2011 and 2029.
- 5.11 DS7 – Meeting the Housing Requirement – sets out that 6,454 dwellings will be delivered from sites within the plan and 1,010 units will be delivered through a windfall allowance.
- 5.12 DS10 – Broad Location of Allocated Housing Sites – sets out the 1,593 homes will be delivered through greenfield sites in Kenilworth.
- 5.13 DS11 – Allocated Housing Sites – sets out housing allocations, including H40 – East of Kenilworth (Crewe Lane, Southcrest Farm and Woodside Training Centre) (Policy DS12) to deliver 640 dwellings, with infrastructure requirements including new secondary school, primary school and community facilities. An extract of the policy map showing the allocation can be seen below.



- 5.14 DS15 – Comprehensive Development of Strategic Sites – requires proposals for the allocated strategic sites (including H06 & H40) will be approved where they represent a comprehensive development scheme for the whole site. There will be a requirement to demonstrate this by the submission of either a Development Brief or a Layout and Design Statement as appropriate to be approved by the Local Planning Authority (Policy BE2). The Development Brief or Layout and Design Statement should provide delivery of infrastructure including: Land for secondary school and primary schools (see Policy DS12) A community meeting place Retail facilities: a convenience store of no more than 500sq. m gross floorspace. A number of other smaller stores may also be provided
- 5.15 H0 – Housing – sets out that to ensure the district has the right amount, quality and mix of housing to meet future needs this Plan will: provide in full for the district's housing requirement; ensure new housing development is in locations which enable sustainable lifestyles, protect the aspects of the district that are most highly valued and which, where appropriate, support and regenerate existing communities; and ensure new housing delivers the quality and mix of homes needed in the district including affordable homes, a mix of homes to meet identified needs
- 5.16 H1 – Directing New Housing – sets out that housing development will be permitted within the urban areas as identified on the policies map. As noted above, the site is within the urban area.
- 5.17 H2 – Affordable Housing – sets out that residential development on sites of 11 or more dwellings will not be permitted unless provision is made for 40% affordable housing.
- 5.18 H4 – Securing a Mix of Housing – requires proposals for residential development to include a mix of market housing that contributes towards a balance of house types and sizes across the district, including the housing needs of different age groups, in accordance with the latest Strategic Housing Market Assessment.
- 5.19 SC0 – Sustainable Communities – requires new development should be high quality and should ensure that it is brought forward in a way which enables strong communities to be formed and sustained

- 5.20 BE1 – Layout and Design – sets out that new development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. Development proposals will be expected to demonstrate that they adhere to the criteria within the policy.
- 5.21 BE2 – Developing Strategic Housing Sites – requires development sites of over 200 dwellings, sites that (in combination with other sites) form part of a wider development area that exceeds 200 dwellings or other developments that have a significant impact on the character and appearance of an area will be expected to comply with a development brief. Where a development brief is absent for a strategic site, planning applications should comply with Policy BE1 and should be accompanied by a Layout and Design Statement providing detailed information to address the information in relation to the matters set out in a) to k) below.
- 5.22 BE3 – Amenity – sets out that development will not be permitted that 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 and occupiers of the development
- 5.23 BE5 – Broadband Infrastructure – sets out that residential developments will be encouraged to provide on-site infrastructure, including open access ducting to industry standards, to enable all premises and homes to be directly served by fibre optic broadband technology
- 5.24 TR1 – Access and Choice – sets out that development will only be permitted that provides safe, suitable and attractive access routes for pedestrians, cyclists, public transport users, emergency vehicles, delivery vehicles, refuse vehicles and other users of motor vehicles, as appropriate, and must meet the criteria set out in the policy.
- 5.25 TR2 – Traffic Generation – requires all large-scale residential developments to be accompanied by a Transport Assessment/Statement, including mitigations, as appropriate.
- 5.26 TR3 – Parking – requires development to provide parking provision in accordance with the criteria set out in the policy.

- 5.27 HS1 – Healthy, Safe and Inclusive Communities – requires the potential for creating healthy, safe and inclusive communities being taken into account when considering all development proposals; and provides criteria required to support proposals.
- 5.28 HS4 – Improvements to Open Space, Sport and Recreation Facilities – requires contributions from developments to provide, improve and maintain appropriate open space, sport and recreational facilities to meet local and district-wide needs.
- 5.29 HS6 – Creating Healthy Communities – requires that development proposals address the key requirements associated with delivering health benefits to the community, as set out in the policy.
- 5.30 HS7 – Crime Prevention – requires the layout and design of development will be encouraged to minimise the potential for crime and antisocial behaviour and improve community safety.
- 5.31 CC1 – Planning for Climate Change Adaption - sets out that all development is required to be designed to be resilient to, and adapt to the future impacts of, climate change through the inclusion of the adaptation measures where appropriate.
- 5.32 FW1 – Reducing Flood Risk – requires developments to be considered in accordance with the sequential and exceptions tests.
- 5.33 FW2 – Sustainable Urban Drainage – sets out that all new major developments must incorporate SuDS that provide biodiversity, water quality and amenity benefits and be in accordance with the Warwickshire Surface Water Management Plan. There will be a presumption against underground storage of water, and it should support the delivery of green infrastructure.
- 5.34 FW3 – Water Conservation – sets out that the Council will require new residential development of one dwelling or more to meet a water efficiency standard of 110 litres / person / day. This includes five litres / person /day for external water usage.
- 5.35 FW4 – Water Supply – expects developers to ensure that there is adequate water supply to serve existing and proposed developments.

- 5.36 HE3 – Locally Listed Historic Assets – sets out that development that would lead to the demolition or loss of significance of a locally listed historic asset will be assessed in relation to the scale of harm or loss and the significance of the asset.
- 5.37 HE4 – Archaeology – sets out that development will not be permitted that results in substantial harm to Scheduled Monuments or other archaeological remains of national importance, and their settings unless in wholly exceptional circumstances
- 5.38 NE1 – Green Infrastructure – sets out that the Council will protect, enhance and restore the district's green infrastructure assets and strive for a healthy integrated network for the benefit of nature, people and the economy.
- 5.39 NE2 – Protecting Designated Biodiversity and Geodiversity Assets – sets out that the Council will protect designated areas and species of national and local importance for biodiversity and geodiversity as set out below.
- 5.40 NE3 – Biodiversity – sets out that new development will be permitted provided that it protects, enhances and / or restores habitat biodiversity. Development proposals are expected to ensure that they lead to no net loss of biodiversity, and where possible a net gain, where appropriate, by means of an approved ecological assessment of existing site features and development impacts;
- 5.41 NE4 – Landscape – sets out that new development will be permitted that positively contributes to landscape character. Development proposals will be required to demonstrate that they meet the criteria set out in the policy.
- 5.42 NE5 – Protection of Natural Resources – requires development proposals to ensure that the district's natural resources remain safe, protected, and prudently used.
- 5.43 DM1 – Infrastructure Contributions – expects development to provide, or contribute towards provision of: a) Measures to directly mitigate its impact and make it acceptable in planning terms, and b) Physical, social and green infrastructure to support the needs associated with the development.

Kenilworth Neighbourhood Development Plan 2017-29

- 5.44 KP4 – Land East of Kenilworth – sets out that development proposals for housing on land released from the Green Belt east of Kenilworth, will be supported where they

accord with a Development Brief. The policy includes general principles to inform the Development Brief and/or Layout and Design Statement.

- 5.45 KP8 – Traffic – sets out that changes and additions to the road system in Kenilworth arising from the accommodation of additional traffic from new housing and changed locations for schools and sports facilities should give priority to pedestrians and cyclists, improve safety and assist traffic flows while also accommodating the needs of public transport.
- 5.46 KP9 – Cycle Routes – requires proposals to create new dedicated cycle routes to connect the existing and new residential areas of the town with the Town Centre along the indicative connections on the policies map.
- 5.47 KP11 – Footpaths – sets out that new or improved footpaths that serve or connect new and existing parts of Kenilworth should be constructed and maintained to a standard to accommodate both pedestrians and mobility scooters and a shared use with cyclists when it is safe to do so.
- 5.48 KP12 – Parking Standards – sets out that development proposals should incorporate parking and cycle spaces at or above the numerical and design expectations set out in the Warwick Parking Standards SPD.
- 5.49 KP13 – General Design Principles – sets out that development proposals should achieve a standard of design that is appropriate to the local area and demonstrate regard for the design principles set out in the policy.
- 5.50 KP15 – Environmental Standards of New Buildings – sets out that development proposals are encouraged to adopt higher environmental standards of building design and energy performance such as the Passivhaus or similar.
- 5.51 KP20 – sets out that development proposals should avoid or minimise the loss of mature trees that contribute to the street scene and combat pollution improving air quality. Where mature trees are to be lost then the landscape scheme should make provision for replacements of the same or similar species planting in locations that also contribute to the street scene.
- 5.52 KP21 – Flooding – requires developers to have regards to the EA's flood maps at the earliest possible stage.

5.53 In addition to the Development Plan, this is supported by a number of Supplementary Planning Documents, including the following:

- East of Kenilworth Development Brief SPD (March 2019)
- Affordable Housing SPD (June 2020)
- Air Quality and Planning SPD (January 2019)
- Public Open Space SPD (April 2019)
- Parking Standards (June 2019)
- Residential Design Guide (May 2018)
- Developer Contributions (July 2020)
- Gardens Towns, Villages and Suburbs (May 2021)

6. Assessment of the Proposals

6.1 Having set out a description of the site and its context, the background to the application, together with the proposed development and consideration of relevant planning policy against which to assess the proposals, the remainder of this statement sets out the case for development of the site.

6.2 It is considered that the proposals raise the following matters for consideration:

- The principle of development
- Layout and design
- Heritage and archaeology
- Housing mix and tenure
- Play and open space
- Trees
- Highways and access
- Noise
- Air quality
- Flood risk and drainage
- Climate Change/Sustainability
- Contamination

6.3 These matters are dealt with in turn below.

Principle of Development

6.4 In establishing the principle of development, there are two main considerations: loss of visitor accommodation and suitability for residential development.

Loss of Visitor Accommodation

- 6.5 Whilst the lawful use of the premises is for a hotel, the policies of the Development Plan only seek to restrict the loss of visitor accommodation within the town centre. There are no Development Plan policies within the Local Plan or Neighbourhood plan which restrict the loss of hotels outside the town centre. Therefore, the loss of existing accommodation should be considered acceptable. This position was confirmed in the pre-application enquiry.

Suitability for Residential Development

- 6.6 The site lies inside the urban boundary of Kenilworth. Whilst the site does not form part of the Development Brief SPD for Land East of Kenilworth anticipated for residential growth, this is due to the site still operating as a hotel when the document was adopted in 2019. The absence of inclusion does not preclude the site subsequently coming forwards.
- 6.7 Policy H1 of the Local Plan seeks to direct new residential development within the boundary of the Urban Areas, Growth Villages and Limited Development Villages. Additional residential development beyond that originally planned for at Land East of Kenilworth has been approved, as set above in the planning history section for the wider area.
- 6.8 In addition to the above, the site forms part of allocated housing site (H40). The allocation seeks an approximate number of dwellings to be delivered but this does not place a maximum cap on housing delivery and should be considered as a minimum requirement over the plan period.
- 6.9 Therefore, the principle of the provision of additional residential units in this location should be considered to be acceptable.

Layout and Design

- 6.10 The approach to the layout and design of the site has been collaboratively developed following the opportunities and constraints of the site, and through pre-application engagement with the local planning authority. A full assessment is set out in the accompanying Design and Access Statement but is summarised below.

- 6.11 The Design Strategy has been further developed to ensure that a high-quality design is achieved, whilst the recognition of the constraints and opportunities will ensure that the proposed development is sensitively integrated on the site and into the surrounding landscape and area around Glasshouse Lane.
- 6.12 Successful urban design is reliant upon reaching an appropriate relationship between community needs, development principles, development form and a positive response to local conditions in Kenilworth. The principles which have been developed to guide the design have been derived from the site evaluation in conjunction with the delivery of a high quality development that benefits Kenilworth.
- 6.13 The application aims to provide a scheme that is well integrated and harmonises with the neighbouring context, landscape and the local area, generally in terms of density, scale, layout, access, and appearance. without detracting from the historic and natural charm of the town, building on the following principles:
- Integration of the development into the existing landscape and urban fabric of the area in relation to height and scale.
 - Creating a good connection in terms of vehicular/walking/cycling with the surrounding area.
 - Ensuring inclusiveness adaptability and diversity through an acceptable use of tenure.
 - Providing architecture that reflects the local vernacular and respecting the surrounding massing as most staff are service.
 - The connectivity of the site to the rest of the village.
 - Does not detract from the heritage assets of the town.
- 6.14 The proposals are landscape-led being focused around the existing vegetation on the site which will be enhanced to provide a central green space for residents to enjoy. The dwellings have been arranged to provide views between plots of the site's green centre where possible. A strong and cohesive community element has been integrated into the plan by providing a

generous communal green area for people to socialise and enjoy the surroundings.

- 6.15 At the western end of the site is a lower density of development, responding to the green space and providing natural surveillance. Centrally within the site, and adjoining the open space, an apartment block is proposed, which seeks to respond to the character of the existing buildings on the site. Towards the eastern end of the site is a more typical form of development which responds to the character of the adjoining approved development.
- 6.16 The massing strategy for the site respects the existing built forms and is informed by topography and surrounding building heights that range from small 1 storey bungalows to 2 and 2 ½ storey houses.
- 6.17 A range of house types are being proposed to accommodate a variety of household types with 1 bed, 2 bed, 3 bed, 4 bed and 5 bed homes on offer. The scale of development offers the opportunity to integrate a mix of housing styles that provide variation and add value.

Heritage

- 6.18 The existing building on-site is locally listed and therefore comprises a non-designated heritage asset. Historic England previously assessed and deemed that Woodside did not meet the criteria for inclusion on the statutory list.
- 6.19 This application is accompanied by a Heritage Statement, assessing the significance of the existing building and the effect of the proposals. The Statement should be read in full, but is summarized below.
- 6.20 The report concurs with Historic England conclusions to the application to statutorily list Woodside. It does not retain sufficient significance, or indeed exhibit sufficient remaining architectural interest and design flair, to merit statutory listing. Its historic interest is limited to several locally notable individuals, though with no known direct contribution from their association with Woodside to their eminence. The building has seen a great deal of unsympathetic alteration both internally and externally which has eroded a great deal of its architectural interest. The building can no longer easily be appreciated as a

former small country house, particularly so, when viewing internally. These changes have altered the legibility and, in doing so, have resulted in the loss of original fabric.

- 6.21 Woodside exhibits some limited evidential and aesthetic value as a former minor country house with limited design flourishes, resulting from the high level of harmful alterations seen to the exterior and interior of the building. At best, Woodside is a heritage asset of low, local, significance, but this low local interest has been substantially eroded. Setting now makes a very low contribution, at most to the overall significance. Woodside is a non-designated heritage asset which sits at the lowest end of the significance scale for a non-designated heritage asset.
- 6.22 The proposal is for the wholesale demolition of Woodside and the redevelopment of the Site for residential development. The demolition of Woodside will result in the total loss of a building of low local interest. This will give rise to a high level of harm. Whilst the building, and its composite significance, will be completely lost in any demolition, a programme of building recording will go some way to reducing the harm by recording the significance of the building for posterity. This programme of building recording can be secured by an appropriately worded condition.
- 6.23 The harm caused to the non-designated asset engages paragraph 203 of the NPPF which requires the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 6.24 In considering a balanced judgement, there are clear benefits in delivering residential development, including
- The provision of 55 homes in a sustainable location;
 - The delivery of 9no affordable homes;

- Limiting the need for loss of further green belt through the emerging South Warwickshire Local Plan;
- Redevelopment of a vacant brownfield site in a poor state of repair;
- Direct and indirect job creation during the construction period;
- Additional future resident expenditure to support local facilities, services and businesses;
- Delivering a biodiversity net gain; and
- Achieving a high-quality scheme including managing the existing valued landscape features.

6.25 It is noted that as of April 2022, the published housing land supply position was 5.08 years. Whilst this is above the five-year supply requirement, the five-year requirement is a minimum and the position is only marginally above this, adding weight to the delivery of housing.

6.26 It is the applicant's view, that when undertaking a balanced judgement, the benefits of the development, outweigh the high level of harm caused to a building of low local interest through its demolition, noting that some harm can be mitigated through a programme of historical recording.

6.27 Notwithstanding the above, a prior approval application for demolition of the building is submitted concurrently to this application, addressing the previous reasons for refusal. The forthcoming demolition consent is a material planning consideration and offers a realistic fallback position. Therefore, the extent of harm caused to the significance of the building should be considered in this context. It should also be noted that, the programme of historic recording cannot be secured through the demolition prior approval, but could be through approval of this consent, offering benefit in approving this development.

Housing Mix and Tenure

6.28 Policy H4 of the Local Plan requires *the sizes, types and tenures of homes provided will be determined on the basis of local need as identified in the latest*

Strategic Housing Market Assessment and, where appropriate, by other local needs surveys and information.

6.29 The above policy identifies that the starting point for consideration of mix for both market and affordable will be the latest Strategic Housing Market Assessment. The most recent SHMA is the Joint Coventry and Warwickshire SHMA (2013). The guidance on housing mix within the SHMA are set out in the below tables:

Table 2: Guidance on Market Housing Mix

MARKET	1-bed	2-bed	3-bed	4+ bed
Coventry	5-10%	25-30%	40-45%	20-25%
North Warwickshire	5-10%	34-40%	45-50%	5-10%
Nuneaton & Bedworth	5-10%	35-40%	45-50%	10-15%
Rugby	5-10%	25-30%	40-45%	20-25%
Stratford-on-Avon	5-10%	35-40%	40-45%	15-20%
Warwick	5-10%	25-30%	40-45%	20-25%
HMA	5-10%	30-35%	35-40%	15-20%

Table 3: Guidance on Affordable Housing Mix

AFFORDABLE	1-bed	2-bed	3-bed	4+ bed
Coventry	20-25%	30-35%	25-30%	15-20%
North Warwickshire	35-40%	30-35%	20-25%	5-10%
Nuneaton & Bedworth	40-45%	25-30%	20-25%	5-10%
Rugby	30-35%	30-35%	20-25%	5-10%
Stratford-on-Avon	15-20%	35-40%	35-40%	5-10%
Warwick	30-35%	25-30%	30-35%	5-10%
HMA	30-35%	30-35%	25-30%	5-10%

6.30 Having regards to the above, the below table sets out the proposed housing mix, against the requirement for both market and affordable housing.

House type and size	Requirement (%)	Provision No.	Provision %	Difference %
Affordable				
1 bed	30-35	2	22	-8
2 bed	25-30	3	33	+3
3 bed	30-35	3	33	0
4+ bed	5-10	1	11	+1
Market				
1 bed	5-10	0	0	-5
2 bed	25-30	16	35	+5

3 bed	40-45	14	30	-10
4+ bed	20-25	16	35	+10

6.31 The approved development on the wider allocation, recently approved, was supported with the following market and affordable mix, as set out in the table below.

House type and size	Requirement (%)	Provision No.	Provision %	Difference %
Affordable				
1 bed	30-35	30	11.9	-17.9
2 bed	25-30	90	36.3	+6.3
3 bed	30-35	100	40.3	+5.3
4+ bed	5-10	28	11.3	+1.3
Market				
1 bed	5-10	0	0	-5
2 bed	25-30	77	20.7	-4.3
3 bed	40-45	196	52.7	+7.2
4+ bed	20-25	99	26.6	+1.3

6.32 The committee report for the above application set out that:

'The market housing mix does not fully accord with the Housing Mix as set out within the Housing Mix SPD with the omission of 1 bed houses. Having considered this in the context of the development, the applicants have advised that the market demographic in the area has no demand for private 1 bed units and a higher demand for 3 bed units.'

6.33 It continues, in relation to affordable housing:

'Whilst the figures set out in the table above show differences to the Housing Mix as set out within the SPD, the application is being delivered in partnership with Milverton Homes which is a Warwick District Council

Housing initiative. The plans submitted reflect the proposed tenure mix and provision based upon the demands within the local area.'

- 6.34 The above sets out that, it is acknowledged that a deviation in relation to under provision of 1 bed market units is considered acceptable in this location, based on demand and need. It is the Applicant's view that the same demand and need still applies in relation to 1-bed units and therefore the under provision is justified, with additional units being provided as 2-bed units.
- 6.35 Additionally, the application for the wider site increased provision of 3-bed units by 30 units over the target. In light of this overprovision on the wider site, this application seeks to rebalance the overall provision by providing less 3-beds units, and a greater number of 4-bed units. It should be noted that whilst the provision of 4-bed units, is 10% of the target range, this equates to only 4 units.
- 6.36 It should be considered that the housing mix is suitable and acceptable for this particular development.
- 6.37 In relation to the provision of different tenures, it is proposed that 9 no. (16.36%) of affordable homes are to be provided. Whilst it is acknowledged that the starting point for consideration is 40%, the reduction in provision is appropriate by virtue of the application of Vacant Building Credit, as set out in the LPA's Affordable Housing SPD. Further consideration of this matter is detailed in the Affordable Housing and Vacant Building Credit Statement, appended to this Statement.

Play and Open Space

- 6.38 On all residential developments of 11 or more dwellings* there will be a requirement for public open spaces provision in accordance with the standards specified in this SPD. The District Council will expect developers to meet the overall open space requirement; however it may apply a degree of flexibility to the individual types of space having regard to the Parks and Open Space Audit and the particular circumstances of the development site in question.

Quantity

6.39 In order to maintain the current average provision of POS, a minimum of 5.47ha of unrestricted public open space will be required per 1000 head of population. The proportion of this space given to each of the 5 typologies is as follows:

- Amenity Green Space: 17%
- Parks and Gardens: 35%
- Natural Areas including Urban Woodland: 35%
- Allotments, Community Gardens and Urban Farms: 7%
- Children / Youth Areas: 6%.

Applying the Standard

6.40 The amount of land required to meet the standard is determined by first calculating the population of the proposed development.

6.41 To calculate the total open space required, divide the number of people from the development (see above) by 1,000 and then multiply by the open space standard of 5.47 (hectares).

House Size	Number of Units	Population Per Household	Population
1-bed	2	1.5 (as per SPD)	3
2-bed	19	2	38
3-bed	17	3	51
4-bed	10	4	40
5-bed	7	5	35
Total			167

6.42 Calculation = $167 / 1,000 \times 5.47\text{ha} = 0.91\text{ha}$

6.43 Having regards to the above, the starting point for provision is as follows:

- Total requirement = 0.91ha – broken down as follows:
- Amenity Green Space: 17% = 0.15 ha
- Parks and Gardens: 35% = 0.31 ha
- Natural Areas including Urban Woodland: 35% = 0.31 ha
- Allotments, Community Gardens and Urban Farms: 7% = 0.06 ha

- Children / Youth Areas: 6% = 0.05 ha

6.44 The below table sets out the requirement against the proposed delivery:

Open space typology	Requirement (starting point) (rounded)	Proposed delivery
Amenity Green Space	0.15 ha	0.0693 ha
Parks and Gardens	0.31 ha	0.2529 ha
Natural Areas including Urban Woodland	0.31 ha	0.2353 ha
Allotments, Community Gardens and Urban Farms	0.06 ha	0 ha
Children / Youth Areas	0.05 ha	0 ha
Total	0.91ha	0.5575 ha

6.45 As can be seen above, there are marginal under-provisions in relation to amenity green space, parks and gardens and natural areas. However, the central area of the site has been utilized to provide a high-quality space for future residents. There is a degree of overlap between the parks and gardens, and natural areas, typologies and the treatment of this area can be amended accordingly to offer the typology of preference if required. Notwithstanding, the site will benefit from the delivery of open space as part of the wider scheme, also delivered by the applicants.

6.46 There is no provision on-site in relation to allotments or children/youth area, but it is not considered necessary to provide such typologies for a development of this size, especially when considering that these typologies are provided within the wider development, and can be accessed by future residents. As can be seen from the below extract of the site plan for the wider site, there is an existing equipped play space, immediately to the north of the site access.



6.47 Having regards to the above, it is considered that the open space provision on the site is justified.

Trees

6.48 The proposed development is landscape-led seeking to retain and utilize as much of the existing open areas and vegetation of the site as possible. The application is accompanied by an arboricultural impact assessment, ecological assessment and biodiversity net gain calculation.

6.49 The arboricultural impact assessment should be read in full but is summarised as follows.

6.50 There are several mature trees on the site, none of which are subject to a Tree Preservation Order. The tree survey recorded 41no. individual trees, comprising: of 8no. category A, 18no. category B, 9no. category C and 6no. category U, and 14no. groups of trees, comprising of: 2no. category B and 12no. category C retention value.

- 6.51 The proposed development seeks to retain as many as trees as possible, particularly those of higher categories. The proposed development would result in the loss of 1 no A category tree, 10 no B category trees, 21 no C category trees and 6 U category trees.
- 6.52 The RPA is an area equivalent to a circle with a radius 12 times the diameter of the trees measured at 1.5 metres for single stemmed trees. The RPA is an area in which no ground works should be undertaken without due care in relation to the retained tree(s), to avoid soil compaction, changes in levels or soil contamination which could alter the trees condition and/or stability. The shape of the RPA and its exact location will depend upon arboricultural considerations and ground conditions.
- 6.53 The proposed development will result in 3 new RPA incursions, but mitigations are proposed. These are outlined below:
- T18 (Wellingtonia) –
 - New RPA incursion of 115m² out of a total RPA of 707m² = New RPA incursion of 16%.
 - Mitigation – New hard surface installed using no-dig cellular tree root protection
 - T21 (Sycamore) –
 - New RPA incursion of 23m² out of a total RPA of 452m² = New RPA incursion of 5%
 - Mitigation – Minor incursion, no specific mitigation required
 - T22 (Corsican pine) –
 - New RPA incursion of 33m² out of a total RPA of 238m² = New RPA incursion of 13%
 - Mitigation – Minor incursion, no specific mitigation required
- 6.54 The arboricultural impact assessment, also includes an arboricultural method statement.
- 6.55 It is considered that the trees of notable significance on the site are retained and that the loss of some trees on-site can be wholly mitigated through

planting as part of the proposals, and as demonstrated on the submitted planting plans.

Highways and access

- 6.56 This application is accompanied by a Transport Statement and a Travel Plan. These documents should be read in full but are summarised as follows:

Sustainability and Accessibility

- 6.57 The development site is within a highly sustainable location, close to key local centres, which offer a wide range of employment, education, retail and healthcare facilities within walking distance of the site.
- 6.58 A good provision of existing walking and cycling routes are available from the site and local bus services are of high frequency to both local and regional destinations. There are ample opportunities for potential future residents of the site to be able to travel by sustainable modes of transport, which is consistent with the policies set out in paragraph 110. of the NPPF.
- 6.59 The implementation of a Travel Plan with a package of measures are provided in support of this application for future residents too offer and promote accessibility to existing infrastructure and services.

Road Safety

- 6.60 A review of Personal Injury Accident data covering the latest available five-year period has been undertaken which has confirmed that no accidents have occurred within the study area. As a result, it is not considered that locally there are any existing highway safety concerns locally to the development site, which would potentially be exacerbated by the development proposals.

Vehicular Access

- 6.61 The proposals are to provide a continuation of the existing approved site road to serve the majority of dwellings proposed. The 5.5m carriageway width and 2.0m pedestrian footway align with the existing approved road layout.

Vehicular visibility for driver emerging from the estate road onto the approved spine road are provided with 2.4m x 25m in line with a 20mph design speed.

- 6.62 The existing access with Glasshouse Lane is to be retained as its use is already established. Given the reduction in vehicle trips from the former hotel site to residential it is considered that this existing access is approached to serve the proposals.

Traffic Generation

- 6.63 In comparison to the operation of the former hotel site the development proposals represent a reduction and minor increase during the morning and evening peak hours respectively. Over the daily profile the development proposals represent a net reduction of -63 two-way vehicle movements, which is a betterment in road network capacity terms.
- 6.64 In addition, the analysis supporting the 620-dwelling approval assessed a scenario of 700-dwellings. The traffic generated by the proposed 55 dwellings does not exceed the assessment levels undertaken. This coupled with the outputs of junction performance modelling, which confirms that local junctions operate within theoretical capacity indicates that the proposed development will not result in any adverse impact to road network operation. As a result, the development proposals are in line with paragraph 111. Of the NPPF as the development proposals do not represent any residual cumulative impact upon the road network.

Car Parking Provision

- 6.65 The proposed development is to provide a total of 150 car parking spaces. This level of provision is in line with the Warwick District Council Parking Standards, supplementary planning guidance, adopted in June 2018. As a result, the level of car parking provision is in line with Policy TR3 of the Warwick District Council Local Plan adopted September 2017.

Cycle Parking Provision

- 6.66 The proposed development is to provide a total of 166 cycle parking spaces. This level of provision is in line with the Warwick District Council Parking Standards, supplementary planning guidance, adopted in June 2018. As a result, the level of cycle parking provision is in line with Policy TR3 of the Warwick District Council Local Plan adopted September 2017.

Servicing Arrangements

- 6.67 It has been confirmed that the development site can be adequately serviced by a large refuse vehicle and leave the site in a forward gear, which is essential in highway safety terms and is in line with paragraph 112 of the NPPF. The Transport Statement includes tracking for refuse vehicles and fire appliance from both accesses. This is in line with Policy BE1 of the Warwick District Council Local Plan, which states that the development should make sufficient provision for sustainable waste management that including facilities for kerbside collection.

Conclusion

- 6.68 Consequently, considering the assessment undertaken and presented within this Transport Statement and Travel Plan, it is considered that there are no significant highways or transportation matters that should preclude the Local Planning Authority from approving this planning application.

Noise

- 6.69 The pre-application response identified that a noise assessment should be submitted to consider the effects of noise from the A46 to the east of the site. Therefore, a noise assessment is submitted with this application. The report comprises a temporary assessment based on the findings of the noise report from the wider site; but a new noise survey and an impact assessment will be undertaken for the site in 2023 and therefore will be updated accordingly.
- 6.70 Based on the results of the previous noise survey undertaken and the ventilation strategy proposed for the development, required sound insulation performance for the façade elements have been determined. Calculations

indicate that double glazed windows and acoustic trickle vents would provide sufficient sound insulation to achieve the target internal ambient noise levels.

- 6.71 An assessment of the external amenity areas has also been undertaken for the scheme. It is expected that the noise levels at the amenity spaces proposed within the site boundaries will achieve the target external noise limit of 55 dB LAeq,16h.
- 6.72 Atmospheric plant noise emission limits have been established and are likely to be achieved with appropriate consideration for the selection of low-noise plant and proprietary attenuation measures as appropriate during technical design.

Air Quality

- 6.73 The pre-application response identified that an air quality assessment should be submitted with this application and therefore one accompanies this submission. The report is summarised as follows.
- 6.74 A qualitative construction dust risk assessment has been undertaken in line with IAQM guidance. Through good practice and implementation of appropriate mitigation measures outlined, it is expected that the release of dust would be effectively controlled and mitigated, with resulting effects considered to be 'not significant'. All dust impacts are considered to be temporary and short-term in nature.
- 6.75 By following development classification criteria provided in WDC's Air Quality SPG, the Proposed Development has been classified as a Medium development and the need for detailed dispersion modelling to assess the significance of potential impacts off-site has been scoped out of this assessment, as vehicle traffic movements associated with the Site are expected to result in a net reduction when compared to the previous use of Woodside Conference Centre. Based on the distribution from the Site, no roads will receive a gross increase in AADT above the WDC SPG assessment criteria for a Major development, even before applying the net change analysis. As such, it is not anticipated that any significant impacts on local air quality will

occur and the Proposed Development is considered to be compliant with the NPPF and local Planning Policies.

- 6.76 A qualitative exposure assessment has been undertaken. The Site location is considered to be compliant with relevant AQALs and is therefore considered suitable for its proposed use, in planning terms.
- 6.77 Despite the Medium development classification, it was considered reasonably conservative to include an Emissions Mitigation Assessment (including damage costs), based on the gross trips associated with the Proposed Development, to ensure that appropriate and proportionate mitigation measures are provided. The total value required has been calculated as £11,805.8, which will be offset within the scheme through provision of Type 2 and 3 mitigation, as required by WDC.
- 6.78 From the evidence presented, and by following the guidance, the Proposed Development is expected to comply with all relevant air quality policy. As such, air quality should not pose any significant obstacles to the planning process.

Flood Risk and Drainage

- 6.79 This application is accompanied by a Flood Risk Assessment and a drainage strategy plan. The findings of the Flood Risk Assessment are summarised as follows.
- 6.80 The site is located within Flood Zone 1, meaning there is a less than 0.1% annual probability of fluvial/tidal flooding occurring. This is the lowest flood zone classification given by the EA and is considered safe from flooding. It has also been assessed that the impact of climate change will not significantly change the probability of flooding at the site. In accordance with the NPPF, the application of the Sequential and Exception Tests are not required.
- 6.81 Other sources of flood risk were also assessed at the proposed development area, as well as the impact of the development on flood risk elsewhere.
- 6.82 Tidal flood risk was discounted, due to the sites location inland being far beyond the tidal reach. Surface water flooding was assessed to be low and will

therefore require no mitigation. The risk of flooding from infrastructure failure was assessed to be low and therefore no mitigation will be required.

- 6.83 Groundwater flood risk was assessed to be low and will therefore require no mitigation.
- 6.84 The impact of the development on flood risk elsewhere was also assessed to be low, due to the general low risk of flooding in the area and the site being outside of the 1% AEP fluvial flood event.
- 6.85 Any residual risk from surface water and sewers, as well as the impact of the development on flood risk elsewhere, are addressed through the proposed drainage strategy.
- 6.86 This FRA therefore demonstrates that, in respect of flood risk, the proposed development of the site:
- Is suitable in the location proposed.
 - Will be adequately flood resistant and resilient.
 - Will not place additional persons at risk of flooding, and will offer a safe means of access and egress.
 - Will not increase flood risk elsewhere as a result of the proposed development through the loss of floodplain storage or impendance of flood flows.
- 6.87 The application is therefore concluded to meet the flood risk requirements of the NPPF.
- 6.88 A drainage strategy plan has been provided with this application. The proposed drainage strategy includes a mix of SUDs features including an attenuation pond to the south of the open space, rainwater gardens, and permeable paving. Additionally, attenuation tanks are provided at the eastern end of the site due to the topography, to provide greater attenuation before a controlled outfall to the existing drainage ditch.

7. Conclusions

- 7.1 Cerda Planning Limited has been instructed by Vistry Homes to act on their behalf in respect of submitting a full planning application for the demolition of existing buildings and erection of 55 dwellings and associated works at the Former Kenilworth Conference Centre/Woodside Hotel, Glasshouse Lane, Kenilworth.
- 7.2 The submission follows a pre-application enquiry with the local planning authority.
- 7.3 The proposed development would result in the total loss of the existing locally listed building on the site. However, it is considered that the loss is outweighed by the benefits of the proposal, and a programme of historic recording can be achieved by condition. Notwithstanding this, a prior approval application for demolition of the buildings is submitted concurrently to this application.
- 7.4 The proposed development would deliver a high quality landscape-led approach to a residential development of 55 dwellings, including the provision of affordable housing. The proposed development has been amended having regards to the comments received by the local planning authority through the pre-application, resulting in a high-quality design. Additional technical information provided with the application to demonstrate that is deliverable without adverse impacts.
- 7.5 Having assessed the proposal against current local and national policies, and material planning considerations, the conclusions indicate that the proposed development is in accordance with the relevant policies of the development plan and therefore the application should be granted permission without delay.

Appendix 1 – Affordable Housing and Vacant Building Credit Statement



Affordable Housing and Vacant Building Credit Statement

Kenilworth Conference Centre, Kenilworth

The Council will require 40% of the total (gross) number of dwellings provided on the site to be affordable.

Policy H2 (Affordable Housing) sets out the affordable housing requirement on residential development sites. All schemes providing self-contained units of accommodation, whether in new-build or conversion schemes, will be subject to the policy. It is expected that the affordable housing will be provided on the development site. This will ensure that new developments contribute towards mixed and balanced communities.

There will be occasions where meeting the affordable housing requirement will not result in a round number of dwellings. For example, if a development is of 16 dwellings, the 40% affordable housing requirement is for 6.4 houses. In such cases, the fraction shall be rounded up to the nearest whole number – in this instance to 7 dwellings. This approach will ensure that applicable sites will deliver at least 40% Affordable Housing, thereby ensuring the delivery of much needed housing opportunities.

The proposed development seeks to deliver 55 dwellings and therefore, a starting point for provision would be 22 homes.

Notwithstanding the above, the LPA's Affordable Housing SPD reflects the policy at Paragraph 64 of the National Planning Policy Framework. Paragraph 64 of the NPPF sets out that in order to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due will be reduced by a proportionate amount, equivalent to the existing gross floorspace of the existing buildings.

The proportion of the vacant building floor space, as part of the total new floor space, should be used to calculate the proportion of the affordable housing required by the policy, as summarised in the following formula:

$(\text{Net change in Floorspace} / \text{Proposed Floorspace}) \times \text{Policy Requirement} = \text{Site Affordable Housing Requirement}$

The Council's SPD provides an illustrative example of the above calculation, as follows:

- A proposed new development for 100 homes (with a floor space of 125 sq. metres each) results in total proposed floor space of 12,500 sq. metres.
- Policy H2 requires 40% affordable housing - which equates to 40 affordable homes and 60 market homes.
- However, there are existing vacant buildings on the site with a floorspace of 5,000 sq. metres
- The difference between the gross floorspace of the vacant buildings and the proposed new build floor space is 7500 sq m
- Therefore the affordable Housing requirement on this site is $(7500/12500) \times 40 = 24\%$. This equates to 24 dwellings.

Having regards to the above calculation, the worked example for the proposed development is as follows:

Worked calculation for proposed scheme:

- New development for 55 homes results in total proposed floor space of 6,536.1 sq. metres (as shown on site layout).
- Policy H2 requires 40% affordable housing - which equates to 22 affordable homes and 33 market homes.
- However, there are existing vacant buildings on the site with a floorspace of 3,932.4 sq. metres (taken from Area Referencing Report submitting as part of the application)
- The difference between the gross floorspace of the vacant buildings and the proposed new build floor space is 2,603.7 sq. metres (6,536.1 – 3,932.4)
- Therefore the affordable Housing requirement on this site is $(2,603.7/6,536.1)*40 = 15.934\%$. This equates to 8.76 dwellings (rounded up to 9 dwellings).

In accordance with the above, the proposed development will deliver 9no. affordable homes.

The tenure of the affordable homes will be agreed in discussion with the Council's Affordable Housing Officer.

It is noted that Vacant Building Credit does not apply to vacant buildings which have been abandoned or have been vacated for the sole purpose of redevelopment. VBC can be applied for on sites that demolish a vacant building to make way for housing development, and for applications bring a vacant building back to use as dwellings.

In the LPA's pre-application written response, it was identified that:

'However, importantly, the Affordable Housing SPD states that vacant building credits does not apply to vacant buildings which have been abandoned or have been vacated for the sole purpose of redevelopment. This will need careful consideration as part of any forthcoming application - during the pre-application meeting you stated that the hotel was closed during the pandemic and was not able to re-open for financial reasons. However, the application site forms part of a large housing allocation within the Local Plan, therefore there would be clear intention for the site to be redeveloped for the purpose of new housing, and thus not re-open the hotel on this basis. Moreover, it is assumed that the current developer (who is a housing developer) would have acquired the land on the understanding that the site is suitable for housing redevelopment. On the basis of the information available, the Council would not accept the use of vacant building credits and the proposal would have to provide 40% affordable housing.'

The above identifies that during the pre-application, there was insufficient information to confirm that VBC does apply, along with some concern that following the closure of the hotel there is a clear intention for the site to be redeveloped for the purpose of housing, and therefore not re-open the hotel. However, in this instance, it is essential to consider the precise wording of the LPA's SPD. The SPD states:

'This Credit does not apply to vacant buildings which have been abandoned or have been vacated for the sole purpose of redevelopment.'

On the first point, whilst the building has fallen into a poor state following the previous tenants vacating the premises, there is no dispute that the building has not been abandoned.

On the second point, the wording is clear that the credit won't apply where the sole purpose of vacating the building is for redevelopment. In this instance, the building was vacated as a result of the financial difficulties of operating the business, and not for the purposes of redevelopment.

The Woodside Conference Centre was making a loss and subsequently went into receivership. The Site was then marketed in 2020 for the purpose of selling it on as an operational Hotel and was sent to a number of Regional and National Hotel Operators. Unfortunately, there was no operators that were willing to take asset on and the Hotel closed later that year.

Whilst Vistry intend on redeveloping the site for residential development, the previous tenants vacated the building for an entirely unrelated matter. The policy is clear that VBC will only not apply where the sole purpose of the vacating was for redevelopment, which is not applicable in this instance.