

# Warwick District Council

Village Housing Options and Settlement  
Boundaries Consultation

Representation On Behalf Of  
Sharba Homes

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**REPORT TITLE**

**Representation to Warwick District Council in response to Warwick Village  
Housing Options and Settlement Boundaries Consultation**

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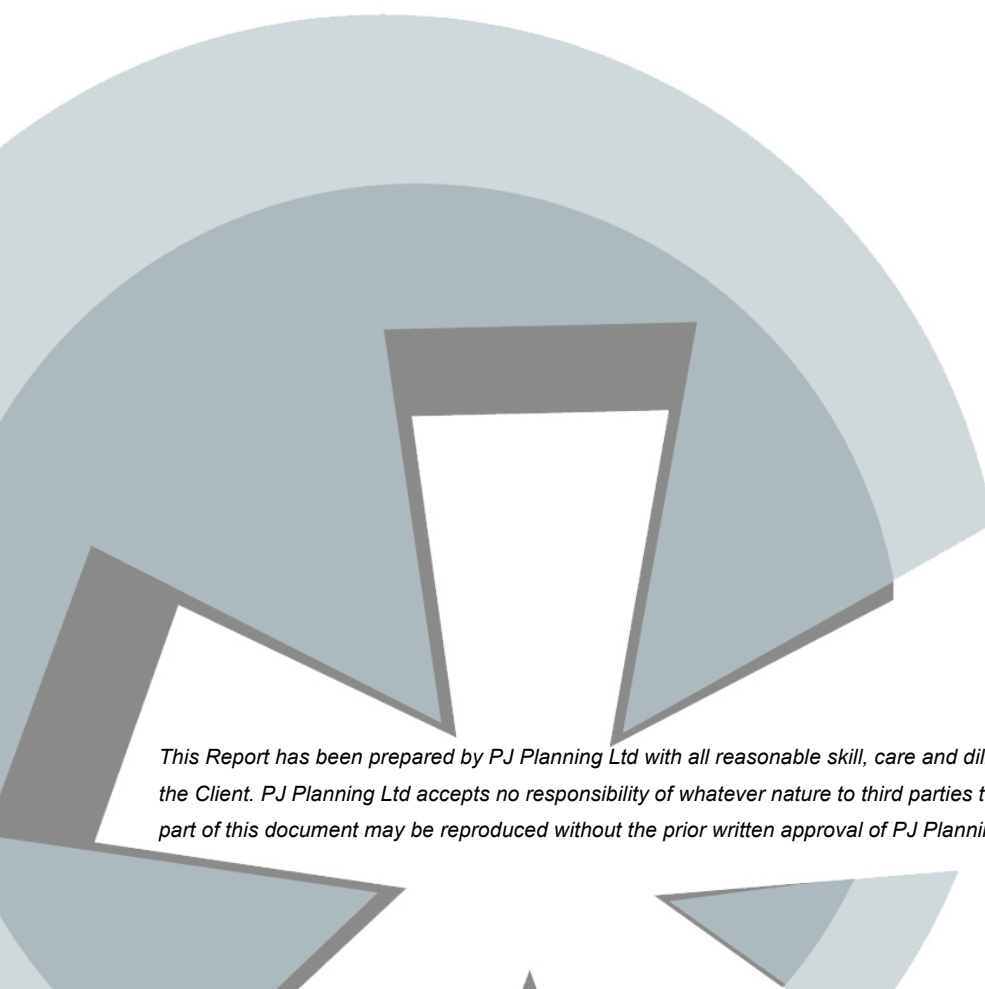
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## **INITIAL OBSERVATION**

The main report makes it clear that, whilst the publication sets out Warwick District Council's preferred village site allocations for new housing and indicative proposals for new village boundaries, its principal function is to help inform the new Local Plan for Warwick District.

In other words, the document has no status as policy – it is simply part of the evidence base leading to the New Local Plan. Evidence gathering is a normal stage in the preparation of a Local Plan and we can have no objection to the local planning authority doing this.

However, this suite of documents goes far beyond building an evidence base from which to develop the New Local Plan. Indeed, despite the fact that it is claimed not to be policy it entirely predetermines a number of key Development Plan policies:

- Green Belt
- Settlement boundaries
- Site identification

It is said in the option report that the finalized list of proposals will be integrated into the Submission Draft Local Plan or a supporting Development Plan Document (DPD) on the villages. At the appropriate time, we are instructed to submit to the Inspector at the relevant Examination that the predetermination of these key issues in the absence of full, accurate and objective evidence will render the policy materially unsound. We set out below why we believe that the evidence upon which the predetermined policies are based is neither full nor accurate nor objective.

## **OVERALL HOUSING REQUIREMENT**

The very starting point for this document is wrong. The whole document is based on an *estimated* requirement for 12,300 dwellings over the plan period. The latest SHMA puts the *assessed* requirement at 14,400, meaning that the residual need is 8,722 rather than 6,622.

Thus, the process has begun from entirely the wrong premise and is based on evidence which is partial, inaccurate and subjective. It also shows how there is no connection between the suite of documents which will make up the evidence base for the new Local Plan, completely restricting the ability for the documents to be read harmoniously.

This fundamental flaw has consequences that are explored below, consequences that effectively render the whole process materially unsound.

## **GREEN BELT**

### **General**

It is in the area of the Green Belt Review that the Options Report is perhaps most unsound.

Nothing in Section 3 of the Options Report demonstrates that the local planning authority has followed the approach set out in the NPPF and all government policies that preceded the Framework, in particular that Exceptional Circumstances must be demonstrated before Green Belt boundaries are amended.

The approach set out in Section 5 and Appendix 8 is entirely irrelevant. There is no place for a complete reassessment of Green Belt from first principles, which is what this exercise tries to do.

The re-assessment of sites against the purposes of Green Belt is entirely the wrong starting point. All of the decisions relating to these purposes were taken when the Green Belt was adopted and the permanence of the Green Belt boundaries must continue to be taken as the starting point, irrespective of the local planning authority's current views.



The local planning authority must, first, demonstrate that there are Exceptional Circumstances that compel the boundary should be changed. Following that, there will need to be an assessment of where those boundary changes would result in the most sustainable pattern of development and whether they unreasonably offend against the purposes of Green Belt. It is only then that individual sites should be compared against each other, and not before. In fact, whilst there are suitable sites outside of green belt, it can be argued that these should always be considered in full, and exhausted before sufficient Exceptional Circumstances exist to begin the Green Belt Review process.

The exercise undertaken by the local planning authority is precisely the wrong way around, and as the antithesis of a correct assessment, leads to counter-intuitive recommendations that are therefore materially unsound

### **Exceptional Circumstances**

It is clear from Section 3 of the Options Report that the local planning authority believes that the necessary Exceptional Circumstances *have* been demonstrated to justify development in the Green Belt and a review of Green Belt Boundaries.

There are two aspects to this assertion:

- Much is made of the needs of Green Belt villages to grow and to be sustainable. However, this is nothing more than a casual rethink of longstanding policy – ‘casual’ because it does not appear to be supported by any compelling evidence. The nature of Green Belt is that it is long-lasting and Green Belt policy has always been intended to be permanently restrictive. A simple change of mind by the local planning authority does not meet the standard required by the courts for ‘Exceptional’, or ‘Very Special’ circumstances to override this permanence.
- It may be argued that the Green Belt needs to be reviewed in order to accommodate the level of housing growth anticipated. Recent decisions have held that, in itself, this argument is insufficient to provide the ‘Very Special Circumstances’ in respect of planning appeals and it follows that it would be insufficient to provide the ‘Exceptional Circumstances’ required to amend the Green Belt through the Development Plan. Housing need will need to be coupled with additional evidence that compels the conclusion that there are no other sustainable or acceptable locations for the additional housing outside the Green Belt. In this case:
  - If, at a time when the requirement is for the Local Plan to identify sites for 6,600 additional dwellings, the local planning authority feels able to conclude that there is no option but to amend the Green Belt boundary, then it must follow that there are no other sustainable sites outside the Green Belt and that *all* of the additional 2100 dwellings required through the SHMA must be accommodated in the Green Belt. That would, of course, provide the necessary ‘Exceptional Circumstances’ to enable a review of the Green Belt boundaries. However, we would be astonished if the local planning authority was to reach this conclusion.
  - It also follows that, if the local planning authority, by some previously-unknown means, was able to identify sites *outside* the Green Belt to accommodate any or all of the additional 2,100 homes, then it would immediately be clear that the original analysis contained in the Options Report is misconceived, flawed and unsound, since there still remain options for accommodating the necessary growth without impinging on Green Belt at all.
  - Indeed, this already appears to be evident since, at paragraph 3.8 of the Options Paper, the local planning authority seems to openly accept that the District has sufficient capacity outside the Green Belt to accommodate its needs for new housing:

**“The consequences for sustainable development of channelling development to these non-Green Belt areas have been carefully considered. With supporting levels of community and transport infrastructure this level of growth can be accommodated in these non-Green Belt areas.”**



In short, it is evident from the local planning authority's own work that there are no 'Exceptional Circumstances' whatsoever that compel amendments to the Green Belt Boundary.

### **Green Belt conclusion**

Overall, the Options Report entirely ignores the imperative stated in the NPPF for the maximum amount of development to be accommodated on sustainably located sites in non-Green Belt locations before seeking amendments to the Green Belt boundary.

As things stand, any policy based on this Green Belt 'Evidence Base' would be materially unsound and the local planning authority will need to be able to demonstrate to an Inspector that the supply of sustainable sites outside the Green Belt has been entirely exhausted.

## **CONSULTATION**

We have commented before that the purpose of this Options report appears only to support the local planning authority's preconceived conclusions. Plans that are based on insufficient or non-objective evidence will undoubtedly be found 'unsound' by the Inspector. It is in the nature of 'objectivity' that views that challenge the preconceptions of the local planning authority should be taken into account as well as views that support those preconceptions.

This Options report entirely ignores the legitimate view that increased development could, reasonably and sustainably, be accommodated in the larger villages outside the Green Belt. For example, the previous representations of Sharba Homes regarding the capacity of Barford to accept new development and objecting to the inaccurate analysis of land in Barford are entirely ignored and unreported in paragraphs 2.14 and 2.15, in Section 4 and in Appendix 4.

One of the key examples of this partial and subjective reporting is to be found at paragraph 4.6 of the Options Report:

**"4.6 One of the key sub-themes regarding the scale of development relates to the number of houses proposed for various village locations which was perceived as completely out of scale to the local housing requirements as indicated through parish planning and housing needs surveys."**

This entirely ignores that there is also a view – one that appears to be borne out by the revised SHMA targets - that the amount of housing proposed in some of the villages is *insufficient* when compared to local needs, but more importantly assumes that the villages should be limited to such local needs rather than providing beyond that for the Districts growth needs as sustainable settlements capable of growth – a fact that it contradictorily acknowledges in its Draft Local Plan.

The options report also ignores the valid point made in previous consultation responses, that a sustainability assessment that ignores green belt as a negative constraint, as is the case with the local planning authority's assessment is an entirely unsound basis for making locational choices for new development. In treating Green Belt and non-Green Belt locations as equal; (or as in this case promoting Green Belt locations ahead of non-Green Belt locations), the local planning authority's approach flies in the face of longstanding government policy, most recently re-stated in the NPPF, that Green Belt should only be allocated in Exceptional Circumstances.

If this continues to be the local planning authority's approach, then we are instructed to invite the relevant Inspector to assess the resultant plan as biased, subjective and based on partial and factually flawed information.

## **VILLAGE CATEGORISATION**

The Options Report is based on the village categorisation set out in the Revised Development Strategy published earlier this year.

The methodology used for that categorisation is subjective, mathematically flawed and as set out



above, its equal treatment of Green Belt and non-Green Belt locations is fundamentally contrary to government policy. At the appropriate Examination, we will submit that, like the present Options Report, its purpose is to bolster preconceived conclusions about the nature of the villages, particularly Barford - preconceptions that owe as much, if not more, to the representations of respondents with an interest in restricting development there.

We maintain our previous representation that Barford is wrongly (and, in the context of an increasingly-serious housing shortage in Warwick District, wilfully) re-categorised as a Secondary Service Village down from a Primary Service Village. With the simultaneous “promotion” of Greenbelt villages such as Cubbington via the statistical manipulation of their sustainability scoring system, as well as the convenient disregard for any impact of Greenbelt considerations in such assessments, this is completely counter-intuitive to National Policy leading to a baseless set of biased categorisations. Rather than repeat the representation here, we attach it as Appendix A to this note.

Correctly, the Options report sets out that the implications of change in the rural districts are complex and multi-layered, and include:

- Changing and reducing requirements for education facilities, particularly primary schools – unless children arrive by bus or car from a wide catchment area;
- The loss of community services and facilities for younger people;
- The provision of additional outreach support services to an ageing rural population;
- The need to consider new forms and types of housing for people looking to down size to smaller properties later in life, and
- A significant affordability gap in some rural areas for housing.

The implication of the local planning authority’s approach to village categorisation is that none of these important issues is actually dealt with in the case of Barford (and, possibly other villages, although our principal instructions concern Barford). Consequently, we continue to submit that the village categorisation – on which so much of the New Local Plan depends – is inaccurate and subjective. It follows that policies that rely on this categorisation will be materially unsound

## **AMOUNT OF HOUSING PROPOSED FOR THE VILLAGES**

We have commented above on the partial reportage in the Options report of representations relating to the numbers of dwellings proposed for the villages, in which views proposing increased allocations remain unrecorded.

However, there is also an issue about the partial response contained in the Options report to those people who wish to see the allocations reduced. Very properly, paragraph 4.6 records two responses:

1. That a number of the parish surveys are out of date and need to be renewed
2. That proposals for growth in villages are not designed simply to meet local need but also to include an element of village expansion to support/enhance villages and their services as well as provide some opportunities to help meet the forecast growth needs of the overall district.

There is, of course, a third, equally valid point that also points toward increased rather than reduced allocations. This is that such surveys as have been carried out represent a *minimum*, not a maximum, identified need. Indeed at our recent Appeal in Barford, the inspector did indeed clarify that this was the case.

## **LAND AT BARFORD**

Following on from the previous paragraph, the Options Report specifically misreports and



misrepresents the situation in respect of Site 6 – land to the south of Barford House.

Paragraph 5.7 sets the local planning authority's intellectual context for considering this site:

**“Barford – an important historic landscape associated with Barford House which is central to the character of the settlement, the nearby river corridor and open plain with high ecology value and the very open green field parcels to the east of the village.”**

The authority has available to it the evidence that was given at the recent Planning Appeal regarding this site. The site is not a Registered Park or Garden and at the recent appeal, the local planning authority and the Inspector referred to the site only as part of the setting of Barford House and the Conservation Area ... not an 'important landscape'. This point has recently been reinforced by English Heritage.

Thus, as a visually enclosed site, we submit that the authority's starting point for the analysis of Site 6 is flawed and unsound.

The analysis contained in the matrix at Appendix 6 takes this forward in greater detail, based on the following key criteria:

- An understanding of the physical capacity of the site
- Physical site constraints such as layout, site gradient, access, flooding and service infrastructure.
- The potential impact of the site on areas of heritage or habitat importance, landscape and residential amenity
- Key environmental constraints in terms of noise, air and light pollution as well as site contamination
- A detailed review of sewage and drainage infrastructure together with site flooding and surface water issues using an in-house specialist team.
- Key findings from a new technical report on ecology covering habitats and species, which has included new survey work.
- Key findings from a new report on landscape character and housing sensitivity which has included extensive surveying and primary research.
- A review of key sustainability appraisal findings.
- Parish Council feedback – although there is not agreement on all of the sites.

As far as we are aware, the local planning authority has not sought permission to enter the site and so it is difficult to see how officers could possibly have undertaken the extensive surveying and primary research that they claim to have done – *we ask that the claimed evidence that these site assessments entirely rely upon be published on a site-by-site basis since it will undoubtedly form an important part of the evidence base at a subsequent Examination.*

We have the following specific comments to make on the matrix in Appendix 6, insofar as it applies to site BAR 6:

- As agreed in the Statement of Common Ground for the Sharba Appeal, BAR 6 is 0.74 ha. There is no reason at all to 'net' it down to 0.3 as set out and misquoted in Appendix 6
- We agree that the site is 'within Barford Village'. This is consistent with the conclusions reached at the Sharba appeal
- Development would not harm any protected hedgerows or trees of any significance on BAR 6
- The development of BAR 6 would have no impact on the setting of the listed building. There is no intervisibility and no remaining functional link between Barford House and BAR 6
- The site is currently abandoned, not "Garden Land"
- The Inspector at the recent Sharba appeal explicitly concluded that development of BAR 6 would meet the economic and social aspects of Sustainable development set out in the NPPF and did not dispute the conclusion that the site would also meet the environmental aspect.



- There is no basis whatsoever for the conclusion that the development of BAR 6 would have 'significant negative impacts' on the setting of the Listed Building. Indeed English Heritage's response to our current application for the development of this site clearly states that it would represent *less* than substantial harm.
- The Greenfield Assessment is entirely wrong – BAR 6 is an overgrown derelict and abandoned site of an old cess pit and laundry.
- The comment under 'habitat' – “**Although the estate has a diverse range of garden and other uses.**” – is meaningless. It is also wrong – the house has a garden, and BAR 6 is an adjacent, vacant and abandoned site. The ecological assessments prepared by Sharba Homes have been explicitly agreed by the authority.

Following on from this last point, surprisingly, the Appendix makes no reference at all to the site-specific agreements reached on this land between the local planning authority and Sharba Homes. These agreements are based on specific professional investigation study and analysis and, being very recent, must not be ignored as part of the evidence base. In the Statement of Common Ground at the Sharba Appeal they were recorded as follows:

### **“3.6 OTHER MATTERS AGREED**

**3.6.1 It is agreed that, subject (where appropriate) to Section 106 Obligations and conditions, there are no issues between the appellant and the local planning authority on the following matters:**

- 1. Traffic and parking**
- 2. Ecology**
- 3. Open space provision**
- 4. Archaeology**
- 5 Sustainable Design**
- 6 Mineral extraction matters**
- 7. Flood Risk**
- 8. Drainage”**

It follows that there can be no objection on these grounds to the identification of this site for development and that the analysis at Appendix 6 is an entirely unsound basis for a policy decision on this land bearing in mind the evidence of their evidenced and detailed assessment of the site.

## **BAR.1**

The analysis in the matrix at appendix 6 is counter-intuitive to both the recent planning decision on this site, and the commentary on other sites in the village.

- A recent application was refused due to the need to punch a new access through the Conservation Area and demolish the old Police House therein. Highways have confirmed that this is the only access, and it is disingenuous to put the site forward as a recommended site having just refused it on the same basis, with no viable access available. Many entries in this matrix are ruled out for exactly that reason.
- It is next to the bypass, as is BAR.1, yet in exactly the same circumstances the latter is ruled out due to noise impact, again this is contradictory.
- The site is less visually enclosed than others in the village, yet is given lower landscape sensitivity ratings (see below). This again has no logic other than to favour this site against the evidence.

## **LAND AT RADFORD SEMELE**

Similarly incomplete evidence and biased findings can be found in the assessment of sites in all the other villages. As our second example, RS1 in Radford Semele is submitted as the Preferred Option, against the repeated objections of the Parish Council to its impact on their defining green





core of their village that is a medieval setting of their listed Church and Pub.

This is by far **the** most sensitive location in the village, which is in part demonstrated by the recent public consultation on the site by Gladman. This consultation claims, like the work of the local authority to be designed around detailed methodologies, however, the highways consultations are radically different to the local authorities purported work, which sits as the fundamental principle for the basis of their recommendation for inclusion.

Importantly, the highways consideration forms a critical part of the sites designation as a preferred option, and the fact that the 'detailed work' carried out by the local authority has an access very different, and in a far more obtrusive location than reality, severely impacting on the overall sustainability of the site, as well as the individual and substantial heritage and landscape impacts of the site. This is a key example of how the work done by the local authority is fundamentally flawed, due to the conclusions presented being based on partial work and studies that are disparate to the more detailed studies of the promoting developer. The danger here is that a site allocated on the false premise of a highways solution that is not achievable, then condemns the village to a development that will need to use a far more unacceptable access..

A housing allocation here is completely counter-intuitive when there are much less sensitive, and achievable, alternatives supported by the Parish. For example RS2 is suggested to be ruled out on highway concerns, yet the required visibility splays here are actually achievable - the evidence base of this option document is simply crude, inaccurate, incomplete, and incorrectly leads to manifestly unsound decisions on site allocations.

Aside from the large housing estate proposed to try to deal with all of the villages' proposed allocation on one single site, this key feature of the village would be ruined by the significant infrastructure upgrades needed to sustain development, including road-widening, junction improvements, and possibly traffic lights and/or roundabouts.

## **COMPARISONS BETWEEN BARFORD AND RADFORD SEMELE**

It perhaps is useful to compare the designations within Barford and Radford Semele together, as it provides an insight into the confusing and often contradictory designations and methodologies used throughout the document. The circumstances and settings of the two sites are almost identical, however two wildly different and in fact contradictory recommendations are made.

Within Barford, a visible edge of village site, with 'medium landscape sensitivity' is preferred over a 'heritage sensitive' site with hidden landscape. In comparison, sites within Radford Semele, which are 'heritage sensitive' sites, are preferred over sites that have 'medium landscape sensitivity' on the edge of the village. This is not only inconsistent in the logic and recommendations used, but made virtually opposite arguments for two very similar sites, without any justification for the complete change of opinion between the two.

When one breaks this down in more detail, it becomes obvious that in two critical components, namely landscape and highways, a positive and proactive approach is taken to the central Radford Semele site, whilst a negative and restrictive approach is taken to the central Barford site.

- In terms of highways, in Radford, both sites are identified to have highways constraints to be resolved. However, rather than presume positively or negatively in both cases, or justifying why an opinion is taken either way through the use of supplementary evidence, a biased solution is given to each site assuming that one can be solved and the other not, wrongly in both cases..
- In terms of landscape, the preferred option within Radford Semele chooses the site with very high 'heritage impact' over the less sensitive 'edge of town' site, which again, is not only the opposite case to Barford, but one with no justification for doing so. It is also confusing in that the landscape situation in Radford is in fact more open in the 'heritage



impact site' than that in Barford, so intuitively the allocations in each village should be reversed. ..

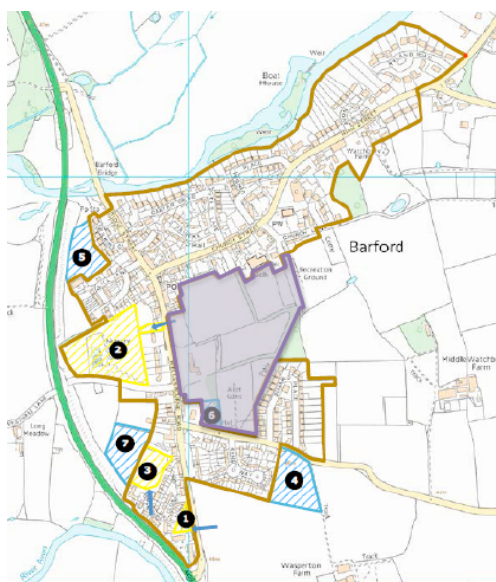
This again clearly demonstrates the lack of an 'objectively assessed' set of evidence to inform plan making, instead jumping to unfounded, and inaccurate conclusions. This further demonstrates why we submit that it should be declared materially unsound.

## SETTLEMENT BOUNDARIES

In relation to para 6.9 of the option report, the first thing to note is that there is an increasing body of appeal casework that concludes that settlement boundaries - the purpose of which is partly to define where development is to be promoted and where it is to be resisted - are policies for the supply of housing for the purposes of para 49 of the Framework. In the absence of a 5-year supply of deliverable housing land, such policies are to be considered out of date.

In any event, in the case of Barford, as one of two villages with which we are particularly concerned, the settlement boundary makes no practical sense. Indeed, it seems to have been designed *specifically* to exclude Barford House and our clients' land. We have suggested a revised boundary (the purple line on the plan below) based on the following principles:

- To include the whole of the Village School – it makes no sense to exclude such an important facility
- To include Barford House and the nearby land – it is (as set out in the matrix at Appendix 6 and as acknowledged by the Sharba Appeal Inspector) within the village
- To include other areas of land (e.g. the allotments and the playing fields) to rationalize the boundary.



## LANDSCAPE IMPACT

### Methodology

Landscape impact is considered both in Appendix 6 to the VOP as one of a number of considerations in the site selection process; and at Appendix 7, the Landscape Sensitivity and Ecological & Geological Study (WDC, November 2013). Where the criteria for assessment for the sites scheduled in Appendix 6 is referenced on page 23 of the VOP, the eighth bullet point criterion states:



- *“Key findings from a new report on landscape character and housing sensitivity which has included extensive surveying and primary research”*

It is assumed that this is making reference to the Study identified as Appendix 7

We note that the starting point for the site selection at para. 5.3 of the VOP established a long list of sites, that were then sieved. We consider that the use of the first two criteria in this sieving process is flawed:

- *“Sites of excessive size with marginal connection to villages”;* and
- *“Negative SHLAA commentary and obvious impacts/site restrictions”.*

With respect to the first criterion, just because a site put forward is of an excessive size should not automatically preclude it as a potential option, on the basis that not all of it may be developed. Parts of a large site may retain good development potential, to the extent that elements of proposed built form will read consistently with the scale of the existing settlement. Similarly, preclusion of a site based on SHLAA commentary is essentially making such a judgement on the basis of desk survey work alone. It does not automatically follow that predicted impacts based on desk survey work alone are always (and without exception) confirmed on the basis of field survey work. Therefore the reduction in the site selection process from 190 to 77 sites, prior to field survey, is not considered to be based on sound methodology.

With specific reference to Appendix 7, the sites subject to a detailed appraisal were considered within the Landscape Sensitivity and Ecological & Geological Study. In the background information section of this document, it makes reference at section B2 as to the Site Selection Process and Methodology, and notes that this Report is concerned with a detailed review of landscape and ecology considerations.

It goes on to note at B3 that the work is based upon current best practice in greenbelt, ecology, geology and landscape assessment. It sets out the systematic methodology that was used. It thereafter sets out a series of ‘sensitivity’ maps for the respective study areas, which are subdivided into Landscape Character parcels (LCP’s)/Zones that are identified as having a specific ‘sensitivity’ to residential development (as well as commercial). The ‘spectrum’ of sensitivity is: high; high/medium; medium; and medium/low, each with their own definitions.

This Study follows considered methodology in respect of identification of the Landscape Character Parcels, not specific sites, and their sensitivity to certain types of development. It does not therefore focus on each of the individual sites themselves, but rather a wider area of which the individual site might only be a small part. It is unlikely therefore, that development on a given site at one end of the LCP is likely to, firstly, retain the same constraints and opportunities as one the other end; and secondly, generate the same landscape and visual effects as one at the other end. Overall conclusions therefore regarding landscape characteristics and sensitivities cannot be drawn on a site specific basis.

It is considered that this Study is a starting point, and that further finer grained analysis is required to consider more specifically the various attributes, constraints and opportunities of a given site within a defined landscape character parcel.

Referring back to page 27 of the VOP and the (tabulated) “Overview of Findings”, this appears in the first column to relate to “parcels” of land in or adjacent to the Villages more frequently than any other descriptor, as opposed to individual sites. At section 7 of page 34, the Village Plans and Housing Options illustrate maps of the preferred options and discounted options, together with the Village Boundary, with reference to the detailed appraisal in Appendix 6. The detailed appraisal makes references to, amongst other things, SHLAA Potential Impacts and Greenfield Assessment. There is however, limited information on such matters as visual amenity; site



specific character; contextual townscape analysis etc, and therefore it is considered that the methodological progress from the parcel based approach in Appendix 7 to the site appraisal detailed in Appendix 6, is neither logical nor robust.

### **Land at Barford**

As part of Sharba Homes planning applications W/11/1533 and W/13/1465, work undertaken included a detailed Landscape (and Townscape) Visual Impact Assessment for land east of Wellesbourne Road, and north of Wasperton Lane (the land north of Wasperton Lane comprising Barford Site 6 in the VOP); the land east of Wellesbourne Road was not included in the detailed appraisal due to perceived historic/landscape impact.

The work drew upon a survey of the existing baseline situation regarding landscape/townscape resources (features), including an examination of all relevant environmental documentation as published; the identification of a landscape/heritage led design and mitigation strategy; and the assessment of the significance of likely effects. It was supported by detailed contextual and site specific analysis, including photographic evidence; an arboricultural survey to BS.5837 (2012); and a series of design proposals drawings in both plan and section format.

This exercise followed best practice and most recent recognised methodology in order to address thoroughly and transparently, all aspects of the impact assessment process, and primarily the Guidelines for Landscape and Visual Assessment, third edition (GLVIA 3). It involved both desk and extensive field survey work, and was also fully co-ordinated with the heritage, arboricultural and the ecological assessments. This methodology was significantly more detailed than that used in the selection of preferred Option Sites.

The key to the approach was the adoption of a landscape and heritage led approach to master planning, which responded positively to all the constraints and opportunities identified as part of the analysis. It comprised a systematic and thorough approach to understanding the site and its context, and identification of its capacity for residential development.

It concluded in a scale of residential development on both land to the east of Wellesbourne Road and site 6 that was acceptable in landscape/townscape and visual terms, with all the likely effects considered in detail. This took account of the position of the site on the edge of the conservation area; its limited relationship with Barford House; the quality of the immediately adjacent built form; and the benefits associated in the refurbishment of the red brick walling to the site frontage and site access and permeability.

Given the references earlier in this report to the fact that we are advised that no access has ever been requested to site 6, and the fact that the other land within this application has not been considered at all, the only piece of work that can be relied upon to consider in detail matters of landscape/townscape character, visual amenity, sensitivity and capacity for development is that contained within the Sharba Homes Application documentation, yet this has not been done and instead the Consultation documents rely on the lesser quality work undertaken Council that rely on limited assessments, guesswork and unfounded presumptions. Leading the landscape conclusions and recommendations being materially unsound.

Perhaps more confusingly, despite planning application W/12/1083 (Land West of Wellesbourne Road submitted by Taylor Wimpey) being refused in part due to the impact development would have on the conservation area, it is listed as preferred option site BAR.2 within the report. As impact on the conservation area would be a critical part of assessing the overall acceptability of the principle of development, it is confusing to understand how this has been included, and had a uniformed approach been taken throughout sites within Barford, we submit that this would not be the case.

With specific reference to matters of inherent site sensitivity, it is subject only to restrictive policies, not prohibitive ones, and it is not therefore implicit that development cannot take place in this or any such similar contexts. Creative, innovative design solutions are often driven and



inspired by more constrained and sensitive sites and their contexts. To base decisions on arbitrary assumptions with no physical assessment or professional judgement to support them is not a justification for discounting this (wider) site on the basis of landscape/townscape and visual matters, as the detailed analysis that supported the recent application demonstrates.

Referring back to the VOP Appendix 7, the Landscape Study sub-divided the Barford Study Area into 5 no. LCP's; BF\_01, 02, 03, 04 and 05. Of these LCP's, BF-01, 02, 03 and 04 are considered to be of 'high' sensitivity to residential development. 'High' sensitivity is defined in the report as:

*"Landscape and/or visual characteristics of the zone are very vulnerable to change and/or its intrinsic values are high and the zone is unable to accommodate the relevant (housing) type of development without significant character change or adverse effects. Thresholds for significant change are very low".*

BF\_05 is considered to be of 'medium' sensitivity to residential development. 'Medium' sensitivity is defined as:

*"Landscape and/or visual characteristics of the zone are susceptible to change and/or its intrinsic values are moderate but the zone has some potential to accommodate the relevant (housing) type of development in some situations without significant character change or affects. Thresholds for significant change are intermediate".*

Therefore on this basis, all of the LCP's studied around Barford, with the exception of BF-05, land west of the settlement edge on Wellesbourne Road, is considered to be of 'high' sensitivity to residential development, and so 'by definition' there is only one place upon which to build the housing requirement.

It is considered that just because a site that lies within a 'high sensitivity' land parcel, it does not follow that it cannot and should not be developed. This would imply that no development should take place in any landscape of high sensitivity, anywhere, whether it is one identified as such as part of a study like this one, or a more valued, designated landscape such as an AONB.

The Sharba Homes site is a visually enclosed site, and one of derelict, overgrown shrub, and therefore, in landscape terms, would arguably be less sensitive in principal terms to the Taylor Wimpey site, which is in open view to the public. When one considers landscape after all, it is the **visible** features of the built and natural environment which should be taken principally into account. Notwithstanding this, the analysis and design approach demonstrated that residential development of a particular scale and character could be accommodated and that the landscape and visual effects, adverse but localised in a few instances only, would not, on balance be significant. Just because this Study identifies this particular LCP as 'high' sensitivity, that in itself is not justification for a 'landscape' reason for refusal in this instance, although we would strongly contest this conclusion as to sensitivity given the evidentially desk-based nature of the survey work and the visually enclosed nature of the site..

These points reinforce the underlying principle that every site should be judged on its own merits, and be subject to more rigorous 'testing' on the basis of a detailed analysis, that might well reveal that there are different opportunities in terms of residential capacity in different parts of even the smaller LCP's, regardless of their stated sensitivity. Detailed analysis, and consideration of the proposed scale and form of development together with the mitigation strategy must be considered. The Study at Appendix 7 is acknowledged as a useful starting point in this respect, but no more than that.

## **Land at Radford Semele**

As part of ongoing landscape and visual analysis on behalf of Sharba Homes Ltd., it is clear that similar points as stated above apply at Radford Semele., Sharba Homes land interest extends



across site 3, directly north of Southam Road in the VOP. This site has been discounted (together with sites 2 and 4),

The analysis on behalf of Sharba Homes carried out thus far has revealed a number of points. Not least of all, it is clear that Radford Semele is a Village that does not retain many features and/or characteristics that are likely to give rise, potentially, to significant landscape and visual impacts. However, the only site that has been identified as a preferred option, site 1, lies directly adjacent to the existing Parish Church including a grouping of listed buildings, as well as the listed White Lion public house. These points are identified in the Appendix 7 study, where the LCP, identified as RS\_02 (High/medium sensitivity to residential development) notes on several occasions how important this LCP is to the setting of the Church and associated buildings being extant since medieval times and defining the highly notable character of village core. This is very arguably understated and should be 'high sensitivity'.

Site 3 lies within LCP RS\_03 in the Appendix 7 Study. This, like RS\_02, has been identified as retaining High/medium sensitivity to residential development. In the Appendix 6 matrix, the detailed appraisal of site 3 discounts it on the basis of highways access (presumed unachievable), and makes reference to potential hedgerow loss, impact on the open corridor setting to Radford Semele, and an incursion into the open countryside. It appears that these elements contribute to the identification of the High/medium sensitivity.

However, unlike site 1 in LCP RS\_02, elements such views to, and the settings of listed buildings do not come into play. Again, it is difficult to understand, on the basis of the process of analysis carried out to date, how and why site 3 has been discounted in the context of site 1 being preferred. Consistency and detailed site specific analysis are again lacking. The site specific work being carried out independently is leading to conclusions that site 3 does retain capacity for residential development, beyond the first horse paddock, that is fully capable of being mitigated and therefore would be acceptable in landscape and visual terms. In doing so, it will not cause any harm to the views to, or setting of, any listed buildings or the historic village character.

## **Landscape Conclusion**

On the basis of the observations made above, it is considered that:

- The criteria used for the initial reduction of a long list of sites to those to be considered for detailed appraisal, is flawed;  
The introduction of previously unconsulted and untested sites is flawed
- The progression from the very over-generalised 'parcel' based character and sensitivity analysis (Appendix 7) to the 'site specific' based appraisal (Appendix 6) is neither logical nor robust in drawing the conclusions as to which sites should be discounted and which should be taken forward;
- Whilst it is understood that some contextual field work has taken place, it is unclear the extent to which this has taken place, in particular relation to specific sites where no access has been requested;
- A finer grained, robust and transparent landscape/townscape and visual analysis is likely to demonstrate in some cases, that sites not included within list considered suitable for detailed appraisal, and some of those on it but later discounted, do retain good residential development capacity; and
- Land included within the recent Sharba Homes application at Barford, (east of Wellesbourne Road together with site 6 north of Wasperton Lane), should be included within the preferred sites schedule; as should site 3 at Radford Semele.



## CONCLUSION

It will be clear from the above that we consider the Village Housing Options and Settlement Boundaries Consultation report to be fundamentally flawed in so many ways that any policies that flow from it will be materially unsound:

- It is not evidence from which the New Local Plan will flow. On the contrary, it is a collection of predetermined policies and conclusions based on incomplete inaccurate and subjective evidence.
- The statistical basis for the whole document is flawed since it is clear that the local planning authority will need to identify sites for at least 2000 more dwellings
- The whole basis for the Green Belt review and the way in which it has been carried out runs contrary to the principles set out for Green Belt in the NPPF. In particular, no Exceptional Circumstances whatsoever have been identified that would justify the amendment of Green Belt boundaries.
- The report of consultation is partial at best and is heavily skewed toward endorsing the local planning authority's preconceived conclusions
- We continue to submit that the village categorization is subjective and inaccurate and should not form the basis for policies for the amount of housing proposed in the villages
- The analysis of Site BAR 6 is factually incorrect, deeply flawed and if it is typical of the analysis of other sites, then there must be extreme doubt cast on the value of this whole exercise.
- In the case of Barford, the proposed Settlement Boundary makes absolutely no sense whatsoever

Although paragraph 5.1 of the VHO claims to have provided a detailed selection process and methodology, comprising detailed technical assessments using expertise from professional teams in each area of study, this is clearly not the case. The document appears to be nothing more than an ill informed desk study, which fails to take into account the physical characteristics of the sites assessed and its surroundings, instead making use of preconceived conclusions, and a mixed often contradictory methodology on only selected sites, some of which have not previously been consulted upon..

In short, this document does not represent objectively assessed evidence and if the local planning authority proceeds to allocate sites in the New Local Plan on the basis of this analysis, then we are instructed to raise objection that any resultant policies are manifestly unsound. We believe that virtually every aspect of this work will need to be fundamentally reviewed from first principles.



## Appendix A: Revised Development Strategy submission

### “Note SH3 - Representations relating to RDS5 and related paragraphs

#### 1 THE STRATEGY

1.1 Section 4.1 sets out the process by which the Strategy provides for 12,300 dwellings for the plan period 2011-2029.

1.2 RDS2 sets out how this is requirement to be achieved:

“Sites completed between 2011 and 2013	447
Sites with outstanding planning permission at 1 April 2013	1,681
Small urban SHLAA sites which are assessed as being potentially suitable	300
An allowance for windfall sites coming forward in the plan period	2,800
Consolidation of existing employment areas	450
Sites allocated in this Plan	6,622

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<b>Total</b>	<b>12,300”</b>
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1.3 Policy RDS5 identifies the sites and locations that are proposed to be allocated to provide enough new homes to meet these requirements including the following villages:

“Site	No. of Dwellings
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#### Primary Service Villages

Bishop’s Tachbrook	100-150
Cubbington	100-150
Hampton Magna	100-150
Kingswood (Lapworth)	100-150
Radford Semele	100-150

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<b>Total</b>	<b>c600</b>
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#### Secondary Service Villages

Barford	70-90
Baginton	70-90
Burton Green	70-90
Hatton Park	70-90
Leek Wootton	70-90

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<b>Total</b>	<b>c400</b>
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#### 2 NATIONAL POLICY FRAMEWORK

2.1 The NPPF requires local planning authorities to prepare Local Plans that contribute to sustainable development and that avoid adverse impacts on any of the three dimensions of sustainability. Alternatives should be pursued that reduce or eliminate such impacts. Relevant paragraphs include:

“151. Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the principles and policies set out in this Framework, including the presumption in favour of sustainable development.

152. Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued...”

#### 3 SUBMISSION

3.1 We submit that the process used in the Strategy for identifying the priorities for the location of development, insofar as it relates to the District’s villages, gives undue priority to locations in Green Belt before the potential for non green belt locations has been fully explored, indeed in some cases the priority has actually been reversed (see point 3.7





below). The effect of this is that well over 50 % of the development allocated to the villages is intended to take place in Green Belt (where 7 out of 10 of the villages are so located), even before the further evaluation process set out in paragraph 4.3.16 of the strategy has begun:

**“Further site evaluation work is required in order to establish the exact location of sites to be allocated adjacent to villages.”**

- 3.2 The process by which the strategy reaches the conclusions about the allocation of development to settlements is contained in the Draft Settlement Hierarchy Report 2013. Paragraph 4.3.13 of the Strategy refers to this report as **“a robust and justifiable approach to the establishment of a settlement hierarchy”**
- 3.3 With respect, it is neither robust nor justifiable. We will use the villages of Barford and Radford Semele as examples to demonstrate this, but we make the point that we believe that the whole process is at fault.
- 3.4 The previous process that led to the identification of Category 1 and Category 2 villages in the 2012 Preferred Option Report was, indeed, robust and justifiable. It was based on a process that had its roots in the research carried out for the Structure plan, supported by Area profiling based on appropriate statistical indicators. We supported that process and, whilst we submitted at Preferred Options stage that the local planning authority had underestimated the capacity of the various villages, the categorisation was justified.
- 3.5 However, the process set out in the settlement report is a curious mixture of objective statistical analysis overlain with subjective (and often preconceived) conclusions. It is based on what is known as the ‘Blaby Model’ which is a straightforward statistical model used to create a classification of settlement hierarchies. Applying this model to the higher orders of settlement in Warwick District, the local planning authority concludes that Barford is the fourth most sustainable settlement in Warwick. Using the Blaby Essential services test, the following classification was reached:
- Hampton Magna 24
  - Radford Semele 23
  - Kingswood/Lapworth 22
  - Barford 21
  - Cubbington 21
  - Bagington 18
  - Bishops Tachbrook 17
  - Burton Green 15
  - Leek Wootton 14
  - Hatton Park 12
- 3.6 In respect of Hampton Magna, Radford Semele, Kingswood/Lapworth and Barford, the Blaby Model validated the Preferred Options Report – the categorisation of these as Category 1 Villages was correct.
- 3.7 However, as a result of objections from a number of organisations complaining about the consequences of this process for development in the various villages, the process has been – shall we say – “adapted”. The effect is to change the classification to that now found in RDS5,<sup>1</sup> in which Barford, in particular has arbitrarily been changed in classification, even though, in Test 2, it is a mere 2 ‘points’ different from Bishop’s Tachbrook. In contrast, the village of Cubbington has actually been upgraded in classification despite being entirely washed over by Greenbelt. The ‘switch’ of classification of these two example villages is totally counter-intuitive to NPPF policy as set out above.

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<sup>1</sup> Illustrated in Detail in Appendix 4 of the Strategy



- 3.8 We submit that this is unjustified and materially unsound for a number of reasons, as set out below.
- 3.9 First, there are mathematical discrepancies in adapting the Blaby Model (Test 1) to Warwick's model (Test 2)
- 3.10 Second, the introduction of subjective views into what is essentially a mathematical model is completely unjustified. In order to be robust, the process of adapting Test 1 to Test 2 results should be separated and explained in clear detail. Otherwise, the Test 2 results have no validity. The two greatest inputs of subjectivity are the introduction of Parish Council etc comments and SHLAA evaluations into the Model.
- 3.11 Third and finally, the process ignores completely the greatest policy impediment to development around many of the villages. This is, of course the Green Belt designation. Many of the settlements have been designated as 'washed over' villages in the Green Belt and this is the default position unless 'exceptional circumstances' are identified to warrant amendment of Green Belt Boundaries. Thus, the starting position for Village Categorisation Model must be that the Green Belt villages are not available for development. The local planning authority must either:
- Demonstrate that the required exceptional circumstances exist before including these villages in the Model or
  - Include a factor in the Model that – in accordance with the NPPF - favours non-Green Belt locations over Green Belt villages. (It may be said that the 'Environmental Impact' element in the Test 1 – Test 2 conversion includes this, but this appears not to have been applied consistently or rationally)

#### 4 CONCLUSION

- 4.1 Until the classification is demonstrated to be objective, robust and justified, the Strategy is materially unsound as set out in the NPPF because:
- It has not been demonstrated to be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. It is not, therefore, 'justified'.
  - It does not enable the delivery of sustainable development in accordance with the policies in the Framework – in this case, specifically, sustainable development and Green Belt policies. It is not, therefore, consistent with national policy.
- 4.2 On the basis of the above, we place on the record our **very strong objection** to the classification set out in RDS5.
- 4.3 We suggest that, in order to be made sound in accordance with the NPPF, one of three things should happen:
- Revert to the original Structure Plan based classification as set out in the Preferred Options Report, or
  - Use the Blaby Model as it was designed to be used – as a statistical model, or
  - If subjective elements are to be incorporated, expose them separately, along with the weighting and reasoning. This must incorporate a heavily weighted element in favour of non-Green Belt locations, and appropriate re-classification of the villages."