

Planning Policy  
Warwick District Council  
Riverside House  
Milverton Hill  
Leamington Spa  
CV32 5HZ

**BY POST AND EMAIL**

20612/A3/TA/sw

20<sup>th</sup> January 2014

Dear Sir or Madam,

**WARWICK DISTRICT VILLAGE HOUSING OPTIONS AND SETTLEMENT BOUNDARIES  
CONSULTATION  
RESPONSE BY MR & MRS SWINDELLS AND STAR PUBS & BARS LTD**

We are instructed on behalf of Mr & Mrs Swindells and Star Pubs & Bars Ltd to submit representations to the Warwick District Council Village Housing Options and Settlement Boundaries consultation in respect of land at and to the rear of the Peeping Tom Public House, Burton Green. We welcome the opportunity to submit comments on the content of the publication.

The following documents are submitted in support of the representations regarding the land at and to the rear of the Peeping Tom Public House:

1. This letter of representation;
2. Barton Willmore drawing 20612-SL-P-02 Existing Landscape Plan (1:1250 at A3);
3. Barton Willmore drawing 20612-SL-P-03 Site Locations in Relation to HS2 (1:1250 at A3);
4. Barton Willmore drawing 20612 SL-P-04 Village Concept Plan (1:10,000 at A3);
5. Barton Willmore drawing 20612-SL-P-07 Concept Plan Option 1 (1:1250 at A3);
6. Barton Willmore drawing 20612-SL-P-08 Concept Plan Option 2 (1:1250 at A3);
7. Barton Willmore Green Belt Review and Landscape and Visual Report;
8. Barton Willmore drawing 20612-L1 Site Context Plan (1:10,000 at A3);
9. Barton Willmore drawing 20612-L2 Site Appraisal Plan (1:1250 at A3); and
10. Barton Willmore image of revised Burton Green Settlement Boundary.

**LAND AT AND TO THE REAR OF THE PEEPING TOM PUBLIC HOUSE**

The site subject to this representation ('The Site') is located to the west of the Peeping Tom Public House and the properties on Cromwell Lane. It currently comprises a Greenfield site. The Site is bounded to west by farmland and residential development to the east. The Site is in close proximity to the centre of the village, and is 1.6km to the north of Burton Green Primary School and 1km to the south of Tile Hill railway station. A bus stop is located immediately adjacent to The Site on Cromwell Lane, which connects the village with Balsall Common, Coventry, Kenilworth and Solihull. There are employment opportunities 1km to the east at Westwood Heath, 1km to the north at the Charter Avenue Industrial Estate and 2km to the east at Warwick University.

The site could deliver between 20 and 30 dwellings, as illustrated by plans 20612-SL-P-07 and 20612-SL-P-08.

### Planning policy

The planning policy relevant to the site is as follows:

#### **NATIONAL PLANNING POLICY FRAMEWORK (MARCH 2012)**

The National Planning Policy Framework (NPPF) requires Local Planning Authorities (LPA) to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. To this end, LPA's should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer to ensure choice and competition in the market.

For a site to be considered deliverable it should be available now, offer a suitable location for development now, be achievable with a realistic prospect that housing will be delivered on the site within five years and importantly development of the site is viable.

Paragraph 55 seeks to promote sustainable development in rural areas and therefore housing should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 83 identifies that Local Planning Authorities with Green Belt in their areas should establish Green Belt boundaries in their Local Plans. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.

Paragraph 97 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

#### **EMERGING WARWICK DISTRICT LOCAL PLAN – PREFERRED OPTIONS DOCUMENT**

The Local Plan will assist the District Council to deliver its Vision over the plan period. Currently, it is expected that the New Local Plan will follow the previous format for local plans, with the vision, strategy and site allocations included alongside the vision within a single document.

Consultation was undertaken on the 'Preferred Options' document between the 1<sup>st</sup> June 2012 and 27<sup>th</sup> July 2012. The document set out the Council's strategy and how it would meet its Vision. As part of the strategy, the Local Plan recognises that the Council will provide for growth and changes within the population, including meeting the housing need of the existing and future population of the District. Those policies of relevance to our Clients site are summarised as follows:

Preferred Option 4 (PO4: Distribution of Sites for Housing) advises which sites are to be allocated for housing or mixed use development and the level of housing villages should deliver. It is identified that the Council will look to define the boundary of Burton Green's village envelope, with land being removed from the Green Belt to enable development to take place. In terms of housing delivery, Burton Green will be expected to accommodate between 30 and 80 dwellings.

Preferred Option 16 (PO16: Green Belt) confirms that the preferred option for Burton Green is to remove the village from the Green Belt and draw a new boundary around the settlement to allow development.

#### **EMERGING WARWICK DISTRICT LOCAL PLAN - REVISED DEVELOPMENT STRATEGY**

This document sets out the Council's proposed Development Strategy and site allocations, which will feed into the new Local Plan. The document does not cover the full range of topics which are included in the 'Preferred Options' consultation, rather it focuses on the overall Development

Strategy and the potential sites for development that could be delivered. Consultation ran on the document between the 14<sup>th</sup> June and 29<sup>th</sup> July 2013.

Policy RDS1 of the Development Strategy indicates that the Council will seek to deliver 12,300 dwellings, representing an increase of 1,500 dwellings from that proposed in the 'Preferred Options' document.

Policy RDS5 identifies that Burton Green is expected to deliver between 70 and 90 dwellings.

## **VILLAGE HOUSING OPTIONS AND SETTLEMENT BOUNDARIES**

The 'Village Housing Options and Settlement Boundaries' (VHOSB) document sets out the Council's site allocations for new housing and indicative proposals for new village boundaries, and is subject to public consultation between 25<sup>th</sup> November 2013 and 20<sup>th</sup> January 2014. The document will inform the Warwick District Local Plan and provides further information about the specific preferred site options identified to support housing development in the villages. The document covers housing development proposals for the 10 most sustainable villages in the District; Burton Green is one of these and has been designated as a Secondary Service Village. The document allocates land for a total of 847 dwellings.

Table 2 contained within Chapter 2 of the document identifies that a total of between 850 and 1,200 dwellings (circa 1,000 dwellings) should be delivered in the villages, with Burton Green expected to accommodate 70 to 90 dwellings.

The Site is identified as a 'Discounted Option' (Site 2) within the Burton Green section of Chapter 6.

## **STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT**

The Strategic Housing Land Availability Assessment (SHLAA) 2013 update recognises that access to The Site would be required through the Peeping Tom Public House car park. It also identifies that developing The Site would "present an isolated finger of growth outside the linear corridor of Cromwell Lane. As such, it is concluded that the site is potentially achievable subject to overcoming layout, access and landscaping considerations.

The 'preferred option' site (Site 1) at Burrow Hill Nursery is identified as presenting a "significant change in landscape character" and as such the site is considered to be potentially achievable subject to overcoming layout and landscaping considerations. There are also concerns regarding its proximity to HS2.

All other sites located within Burton Green identified in the SHLAA are assessed as not being suitable for residential development.

The Site's reference number within the SHLAA is R91.

## **PARTIAL GREEN BELT REVIEW**

Burton Green, in its entirety, is currently washed over by Green Belt. As discussed above, the emerging Strategy intends to remove Burton Green, including sites allocated for residential development from the Green Belt. To inform the allocation of residential sites on the edge of the village, a Partial Green Belt Review has been undertaken.

The review breaks down the assessment to seven individual parcels of land. The parcel in which The Site is located (Ref: BG6) is assessed as playing an important role in maintaining the wider strategic Green Belt around Coventry and has a significant role to play in maintaining the open setting of Burton Green. However, the review does acknowledge that certain aspects of the parcel have already been compromised by residential development. The Outline Value Assessment of the parcel is 'Medium-High'.

The parcel within which the 'preferred option' site is located (Ref: BG3) is assessed as being strategically important, maintaining the setting and character of Balsall Heath, Burton Green and Kenilworth. It is regarded as being "very open in character" and its Outline Value Assessment is 'High'.

## **A 'CRITICAL FRIEND' ANALYSIS OF WARWICK DISTRICT COUNCIL'S DRAFT GREEN BELT ASSESSMENT**

This document was undertaken by an independent consultant and aims to provide analysis of the Partial Green Belt Review, including critiquing the methodology. It considers selective Green Belt land parcels and assesses robustness in making recommendations about whether parcels of land should be considered for release from the Green Belt to accommodate development.

In terms of Burton Green, the assessment considers the parcel referenced BG3, as well as the 'preferred option' site. It states that the site "could be accommodated within the proposed village inset, with a modest impact on the fundamental aim, essential characteristics and purposes of the Green Belt". The assessment focuses on the Council's 'preferred option' sites and does not consider any other sites, including The Site subject to this letter of representation.

### Discussion

The 'preferred' sites identified in the VHOSB document would allocate land for 847 dwellings, short of the number of dwellings required to be delivered in the District's villages (i.e. circa 1,000 dwellings), as outlined in Table 2 of chapter 2. No allowance is made for this shortfall and as such it is considered that the Council should allocate further sites to address the need.

Furthermore, the construction of HS2 will require the demolition of and will blight a large number of dwellings across Warwick District, including within Burton Green to accommodate the tunnel which will be located under the settlement. Neither the 'Preferred Options' or 'Revised Development Strategy' documents make reference to addressing the net loss of dwellings resulting from HS2, including dwellings in Burton Green. As such, the number of dwellings in the emerging Local Plan is not considered to be sufficient to meet the District's needs. With the Local Plan providing an insufficient number of dwellings to meet the required need, it is considered that the number of dwellings to be delivered at Burton Green should be increased. Therefore the housing numbers included in Table 2 of chapter 2 and the figures in the wider Local Plan are not supported.

The VHOSB document specifies that the 'preferred' location for development in Burton Green is at Burrow Hill Nursery, which would deliver up to 75 dwellings. Despite our clients site being identified as potentially achievable subject to overcoming layout and landscape considerations in the SHLAA review undertaken in 2013, it is discounted as a preferred option in the VHOSB document "due to access constraints and development at the site being out of keeping with the built form of Burton Green", as outlined in Appendix 6.

Following discussions with the owner of the Peeping Tom Public House, Star Pubs & Bars Ltd, access to the Site has been secured and is no longer a constraint to development of the Site. Furthermore, this would see a commitment from the owners to the Public House, helping to maintain its viability and potentially improving its offer. As such delivering the site is likely to secure the future viability of the public house, thereby having the additional benefit of safeguarding an important community facility.

Moreover, the VHOSB states that the Parish Council is keen that housing development is "used to support the future regeneration of the village through the creation of a new village centre, subject to HS2". The construction of HS2 will see the demolition of the existing Village Hall on Hodgetts Lane. There is the potential to accommodate a new Village Hall as part of the proposals for the Site, providing an opportunity to group the community facilities of the enhanced Peeping Tom Pub and Village Hall together, which are both located in close proximity to the village centre. Plan 20612-SL-P-08 illustrates 'Option 2' for the site, which includes a Village Hall.

In addition to access constraints, concerns are also expressed in appendix 6 of the VHOSB regarding the impact of developing the Site on the built form of the village. In response, a Green Belt Review and Landscape and Visual Report has been undertaken to demonstrate that there is potential to establish residential development within The Site with very limited adverse landscape and visual effects and is submitted in support of this representation. The proposed development would also be designed to be low density to ensure it respects the character of the surrounding area.

The enclosed Concept Plans, (20612-SL-P07 'Option 1' and 20612-SL-P09 'Option 2') indicate how the Site could be sensitively developed with a low density scheme set with a generous landscape framework which responds positively to its setting, as informed by the Green Belt review and Landscape and Visual Report.

A Partial Green Belt Review has been undertaken by the Council to inform the allocation of residential development in Burton Green. Large sections of the parcel (Ref: BG6) in which the Site is located, specifically along the railway line to the north, Nailcote Lane to the west and Hodgetts Lane to the south, remain completely open. The Site however is well located and immediately adjacent to the existing built edge of the village; as such development in this location will not result in the unrestricted sprawl of large built-up areas, nor the coalescence with neighbouring settlements. The Site is also enclosed by existing landscaping to its north western and south eastern boundary, and the existing property to the north. The existing mature trees and landscaping as shown in plan 20612 SLOP-02 provide a clear and readily recognisable boundary to the Green Belt in accordance with bullet point 6, paragraph 85 of the NPPF. As a result, the Site is essentially contained; reducing the potential for adverse effects on the perception of the openness of the Green Belt, a point underlined in the enclosed Green Belt Review and Landscape And Visual Report.

Notwithstanding the above, there is concern regarding the Green Belt evidence used to inform the VHOSB document. The 'Critical Friend' Analysis document only provides assessment of the parcel of land the 'preferred option' site is located within, rather than all potential options for the settlement. As such it is considered limited weight should be afforded to the 'Critical Friend' Analysis pending a review of all Green Belt sites identified in the VHOSB document, as currently this does not provide an open and transparent assessment of all available alternative options.

It should also be noted that the parcel of land The Site is located within in respect of the Partial Green Belt Review is considered to have an Outline Value Assessment of 'Medium-High', whereas the parcel the 'preferred option' site is situated within has a value of 'High', suggesting The Site is preferable in Green Belt terms. When considering the impacts resulting from HS2, the 'preferred option' site lies partly within the area that will experience potential noise effects, with nearby residential properties ranging from 'moderate adverse' to 'minor adverse' impact, as shown in plan 20612-SL-P-03. It is considered that this further demonstrates the acceptability of The Site given it will be located in an area of less Green Belt value and no impacts resulting from HS2, when compared with the 'preferred option' site.

Notwithstanding our view that The Site is more suitable for development than the 'preferred option' site, in terms of development within Burton Green, rather than compete with the preferred development site, it is feasible that both sites could come forward to meet Burton Green's required need, which should be increased to address the overall under provision of housing within the District's villages and the net loss of dwellings resulting from HS2. The 'preferred option' site is located to the south of the settlement, whilst the Site is located to the north, as shown in plan 20612-SL-P-04. It is therefore considered that the possibility of allocating two sites in the village has the added benefit of providing a geographical spread; ensuring development is not focused on one area of the village, thereby avoiding problems such as associated vehicular movements for instance.

With the access constraint, and Green Belt and landscape issues now resolved, The Site is available now, is considered to be a suitable location for accommodating part of Burton Green's housing requirement and is achievable within the next five years. Therefore the Site should be considered deliverable in accordance with the NPPF and the extent of the Burton Green settlement and

associated Green Belt boundaries should be amended accordingly to include the Site, as demonstrated in the enclosed plan.

All other discounted sites are not considered to be suitable in the VHOSB document because of access issues, landscape and character impact, and impact on the openness of the Green Belt.

### Summary

- Development of the site would be low density and high quality, and would be well contained by existing and proposed landscaping ensuring development would not result in unrestricted sprawl, reducing the potential for adverse effects on the perception of the openness of the Green Belt and landscape character.
- The site is in a sustainable location, within walking distance of Burton Green Primary School, Tile Hill railway station, Warwick University, regular bus services and employment opportunities at Charter Avenue and Industrial Estate and Westwood Heath.
- Adequate access can be provided in order to deliver residential development at the Site to the rear of the Peeping Tom Public House.
- The Green Belt Review and Landscape and Visual Report demonstrates that there is potential to establish residential development within the Site with very limited adverse landscape and visual effects.
- Development of the site would provide a number of benefits, including a commitment to the Peeping Tom Public House and potentially enhancing its offer, as well as ensuring a geographical spread of development within the village.
- There is also potential for The Site to deliver a new Village Hall.
- The Site would complement the 'preferred option' site at Burrow Hill Nursery and provide a geographical spread for development in Burton Green.
- There is a shortfall between the number of houses identified to be delivered within villages and the number of dwellings allocated within the 'Village Housing Options and Settlement Boundaries' document. Further sites should be allocated to address the shortfall.
- The Council's Development Strategy does not make sufficient allowances for the net loss of dwellings as a result of HS2, including the loss of dwellings within Burton Green. The housing requirement for Warwick District and Burton Green should be increased to reflect this.
- The site is considered to be deliverable and developable in the context of paragraph 47 of the NPPF.

We trust the enclosed representations are clear. If however you have any queries or wish to discuss the above in any further detail, please do not hesitate to contact me.

Yours faithfully,



**TOM ARMFIELD**  
Senior Planner