

**PROPOSED SITE FOR RESIDENTIAL DEVELOPMENT**  
at  
**Station Lane**  
**Kingswood**

**LANDSCAPE AND VISUAL ASSESSMENT**  
**1413/13/RP01**



Prepared by:  
**BARRY CHINN ASSOCIATES LTD.**  
Harbury Road  
Deppers Bridge  
Southam  
Warwickshire  
CV47 2SZ

Ref:	1413/13/RP01
Author:	DR
Checked:	BC
Date	Jan 2014

<b>CONTENTS</b>		<b>Page</b>
1.0	Introduction .....	<b>3</b>
2.0	Methodology.....	<b>4</b>
3.0	Statutory and Planning Policy Context.....	<b>10</b>
4.0	Baseline Conditions.....	<b>13</b>
5.0	Impacts of Development.....	<b>20</b>
6.0	Conclusion.....	<b>25</b>
 <b>Appendices</b>		
A	Landscape Figures	
B	Drawings	

## LANDSCAPE AND VISUAL ASSESSMENT

### 1.0 INTRODUCTION

- 1.1 In December 2013, Barry Chinn Associates Ltd. were appointed by Tyler Parkes to review a potential site for housing development in Kingswood Village in Warwickshire.
- 1.2 The overall site is located on Station Lane in Kingswood Village, Warwickshire and covers an area of approximately 7.6ha that is currently used for agriculture. There is an existing access for vehicles off Station Lane in the south-west corner of the site frontage. The site is between Station Lane to the west and the Grand Union Canal to the east and also includes additional fields extending to the south, parallel to the canal. This is the area of land that was assessed reference R111 by Warwick District Council in the 2013 update to the - Warwick District Council Strategic Housing Land Availability Assessment (SHLAA).
- 1.3 As part of the formulation of the Local Plan, Warwick District Council have commissioned a number of different reports that review Kingswood Village, including the area of the site, the Green Belt and potential sensitivity to development. These are described in Section 3.0 below. In the draft Local Plan, Warwick District Council had discounted a section of the site (Ref: Option 9) as one of its preferred sites within Kingswood Village for housing development. In the accompanying Village Housing Options and Settlement Boundaries Consultation document the principle reasons for discounting the site are stated as “substantial impact on tree frontage and landscape impact”.
- 1.4 The scope and purpose of this Landscape & Visual Assessment is to:
- Review the site in relation to statutory and planning policy context;
  - Analyse the character of the site and surroundings, its context in the landscape and its sensitivity to development;
  - Assess the visual prominence of the site from selected representative viewpoints and sensitive locations;
  - Identify the potential magnitude of the landscape and visual impact of residential development on the site;
  - Identify the landscape and visual opportunities and constraints of the site to inform potential design proposals and mitigation so as to assimilate any development into its surroundings.

## 2.0 METHODOLOGY

- 2.1 The assessment has broadly been carried out in accordance with the 'Guidelines for Landscape and Visual Impact Assessment' - Third edition, (GLVIA3) published in 2013 by the Landscape Institute and the Institute of Environmental Management and Assessment. The Landscape Character Assessment Guidance for England and Scotland published in 2002 by the Countryside Agency and Scottish Natural heritage has also be used in the preparation of this document.
- 2.2 The GLVIA3 publication adopts the following definition of Landscape, taken from the European Landscape Convention (ELC):

*'Landscape is an area, as perceived by people, whose character is the result of action and interaction of natural and/or human factors' (Council of Europe, 2000).*

*'2.4 The importance of the ELC definition is that it moves beyond the idea that landscape is only a matter of aesthetics and visual amenity. Instead it encourages a focus on landscape as a resource in its own right. It provides an integrated way of conceptualising our surroundings and is increasingly considered to provide a useful spatial framework for thinking about a wide range of environmental, land use and development issues.'*

- 2.3 The Guidelines set out the relationship between Landscape and Visual effects in the following way:

*'2.19 The ELC definition of landscape supports the need to deal with landscape as a resource in its own right. In the UK this particularly reflects the emphasis on landscape character that has developed since the 1980s. Landscape results from the interplay of the physical, natural and cultural components of our surroundings'.*

*'2.20 When the interrelationship between people and the landscape is considered, this introduces related but very different considerations, notably the views that people have and their visual amenity – meaning the overall pleasantness of the views they enjoy of their surroundings'*

*2.21 Reflecting this distinction the two components of LVIA are:*

- 1. **assessment of landscape effects:** assessing effects on the landscape as a resource in its own right.*
- 2. **assessment of visual effects:** assessing effects of specific views and on the general visual amenity experienced by people'.*

2.4 The role of professional judgement is commented on as follows:

*'2.23 Professional judgement is a very important part of LVIA. While there is some scope for quantitative measurement of some relatively objective matters, for example the number of trees lost to construction of a new mine, much of the assessment must rely on qualitative judgements, for example about what effect the introduction of a new development or land use change may have on visual amenity, or about the significance of change in the character of the landscape and whether it is positive or negative.'*

2.5 The initial step in the assessment process is the collection of baseline data on the existing landscape and visual conditions. The data collected will form the basis for the identification and description of the changes to the landscape and visual effects, when reviewed against the proposed development.

2.6 The methodology of the impact analysis stage is outlined below, including the identification of the likely significant effects of the proposed development. The determination of receptor sensitivity and the magnitude of effects will be related in order to form a conclusion about the significance of those effects. The methodology is divided into two sections 1) Landscape Character Assessment and 2) Visual Impact Assessment.

## **Landscape Impact Assessment**

### ***Baseline Landscape Character Assessment***

2.7 The landscape baseline will be established using Landscape Character Assessment to identify the following three factors which contribute towards it – landscape character, landscape value and landscape condition. Each of these is defined as follows:

- **Landscape Character** means the distinct and recognisable pattern of components that form a sense of place. It is a reflection of elements, features, plus aesthetic and perceptual factors which contribute to it.
- **Landscape Value** means the importance of an area in either national or local terms. In a planning policy context the recognition is given through the application of landscape designations. At a community level the recognition may be without any formal designation but involve more subjective aspects such as scenic quality, tranquillity, wildness, cultural associations or conservation interests.
- **Landscape Condition** means the physical state of the landscape, its intactness and state of repair of the features and elements that make up the character.

2.8 Once the baseline landscape information is established, those components of the character area likely to be effected by change can be identified and are then referred to as receptors. Any receptors not considered to be effected by the proposals will not be taken through the impact assessment process.

***Landscape Impacts – Sensitivity***

- 2.9 In order to establish the sensitivity of landscape components, the interaction between a proposed development and the receptors, plus the resultant effects will be identified. The susceptibility to change arising from the proposal and value of the receptor will be judged and combined to form the level of receptor sensitivity.
- 2.10 Susceptibility to change means the ability of a particular landscape receptor to accommodate the proposed development without detrimental effect on the baseline condition.

***Landscape Impacts – Magnitude***

- 2.11 The effect of the proposals on landscape receptors will be assessed in the following terms:
- *Size or Scale* – of change in the landscape that is likely to be experienced as a result of each effect.
  - *Geographical Extent* – of the area over which the landscape effects will be experienced.
  - *Duration* – A time scale suitable to the type of development will be selected and divided in to short, medium and long term.
  - *Reversibility* – whether the proposal is permanent, partially or fully reversible, linked to duration above.
- 2.12 For this assessment, the judgement of sensitivity and magnitude will be recorded using the following scale:

High	A designated national or regional landscape, or quality landscape of distinct character, or landscape susceptible to relatively small change.
Medium	A landscape of distinct local significance, or moderately valued characteristics or reasonably tolerant of change.
Low	A non-designated landscape, or relatively ordinary landscape in the local context, or potentially tolerant of substantial change

***Landscape Impacts – Significance***

- 2.13 The relationship between Landscape Sensitivity and Magnitude of Landscape Impacts allows a definition of Significance of Landscape Effects. There is some professional judgement and subjectivity in determining the category of effect based on the two elements outlined above. For the purpose of this assessment Significance of Landscape Effects is classified Major, Moderate, Minor or Negligible and effects may be Adverse, Neutral or Beneficial.

2.14 For this assessment the following criteria applies:

Major Adverse	Total loss of or major alteration to the key characteristics or features of the landscape area.
Moderate Adverse	Potential loss of or alteration to the key characteristics or features of the landscape area.
Minor Adverse	Minor loss of or alteration to the key characteristics or features of the landscape area.
Negligible/Neutral	Very minor loss or change to the landscape characteristics or features of the area, compensated by landscape improvements or enhancements.
Minor Beneficial	Minor improvements to the key characteristics or features that outweigh any adverse effects of the proposal. Removal of minor incongruous features.
Moderate Beneficial	Notable improvements to the key landscape characteristics or features, or improvements resulting from removal of inappropriate land uses or features.
Major Beneficial	Major landscape improvements, through the creation of a new landscape structure, or the removal of large scale inappropriate features.

## Visual Impact Assessment

### ***Baseline Visual Assessment***

The baseline visual assessment is carried out in two stages:

*Desk Study* - By studying topographical information, built form and existing vegetation this informs field work to assist in the determination of key locations from which the site may be visible and therefore to identify the key visual receptors.

*Field Study* - Key visual receptor locations are then tested by visiting each location and assessing the visual prominence of the site and viewpoint locations adjusted to find the fairest representative views. Certain views are able to be discounted as due to conditions on the ground the development site was assessed to not be visible. The baseline visual assessment describes each of the existing views and gives an assessment of the sensitivity of the visual receptor.

### ***Visual Impacts – Sensitivity***

2.15 In order to establish the sensitivity of visual components, the interaction between the proposals and the receptors, plus the resultant effects will be identified. The susceptibility to change arising from the specific proposal and value of the receptor will be judged and combined to form the level of receptor sensitivity.

- 2.16 Susceptibility to change means the ability of a particular visual receptor to accommodate the proposed development without detrimental effect on the baseline condition.
- 2.17 A judgement will be made on the susceptibility to change and value of the view. This will inform the final sensitivity of the visual receptor types. Susceptibility, value and sensitivity will be assessed against the three divisions in the following scale:

High	<ul style="list-style-type: none"> <li>- Residents at home</li> <li>- People engaged in outdoor recreational (including PROW), whose attention or interest is focused on the landscape.</li> <li>- Visitors to heritage assets</li> <li>- Communities where views contribute to the landscape setting</li> </ul>
Medium	<ul style="list-style-type: none"> <li>- People travelling through or past the affected landscape in cars, or trains or other transport routes.</li> </ul>
Low	<ul style="list-style-type: none"> <li>- People engaged in an outdoor sport or recreation other than appreciation of the landscape.</li> <li>- People at their place of work whose attention may be focused on their work or activity and may be less susceptible to changes in the view.</li> </ul>

### **Visual Impacts – Magnitude**

2.18 The assessment of magnitude of visual impacts considers the following factors:

- *Size or Scale* – of the change in the view, in terms of the removal or addition of features. This can be assessed by considering the degree of intrusion into the view, the proportion of development seen and the distance from the viewpoint.
- *Geographical Extent* – of a visual effect will change from each view point and so will consider the angle of view, distance and extent of area affected.
- *Duration* – A time scale suitable to the type of development will be selected and divided in to short, medium and long term.
- *Reversibility* – whether the proposal is permanent, partially or fully reversible, linked to duration above.

2.19 For this assessment, the judgement of magnitude will be recorded using the following scale: High, Medium, Low or no change.

### **Visual Effects – Significance**

2.20 The significance of visual effects is a function of both Visual Sensitivity and Magnitude of Visual Impacts. There is some subjectivity and professional judgement in determining the category of effect based on the two elements outlined above. For the purpose of this assessment Significance of Visual Effects is classified Major, Moderate, Minor or Negligible and effects may be Adverse, Neutral or Beneficial, as set out in the table below:



Major Adverse	Where the scheme would cause a significant deterioration in the view.
Moderate Adverse	Where the scheme would cause a noticeable deterioration in the view.
Minor Adverse	Where the scheme would cause a slight deterioration in the view.
Negligible/Neutral	Where the scheme would not form a noticeable deterioration or improvement in the view.
Minor Beneficial	Where the scheme would cause a slight improvement in the view.
Moderate Beneficial	Where the scheme would cause a noticeable improvement in view.
Major Beneficial	Where the scheme would cause a significant improvement in the view.

2.21 The existing baseline conditions in and around the site have been determined by site visits and desktop studies. This information has then been utilised to predict the potential change, as a result of any development, to the landscape character and the visual impact on near and distant views.

2.22 Specific investigations to verify and record existing site conditions took place between December 2013 and January 2014.

#### Assumptions & Limitations

2.23 This assessment has been undertaken for the whole of the area identified as R111 in the SHLAA review update date 2013 as this defines a clear site boundary.

2.24 No specific proposals for development of the site have been prepared so the landscape and visual assessment has assessed the whole site and identified:

- a) What the potential impacts of residential development might be;
- b) Subsequently whether some parts of the site are more suitable, in landscape and visual terms, to be developed than others;
- c) Whether the potential landscape or visual impacts can be mitigated against in the design of any development.

## Documents Consulted

2.25 The following documents have been consulted in the preparation of this assessment:

- Warwick District Council, Local Plan – Village Housing Options and Settlement Boundaries Consultation (November 2013)
- Local Plan, Appendix 6: Summary Assessment tables;
- Local Plan, Appendix 8: Green Belt and Green Field Review (November 2013)
- National Planning Policy Framework (March 2012);
- Guidelines for Landscape and Visual Assessment (Third edition 2013) published by The Landscape Institute and the Institute of Environmental Management and Assessment;
- Natural England, National Character Area Profile NCA 97 – Arden;
- Warwick District Council Landscape Sensitivity and Ecological & Geological Study Produced jointly by Warwickshire County Council Ecological Services & Habitat Biodiversity Audit and Warwickshire County Council Landscape Architects (November 2013) ;
- Local Plan Appendix 9: A ‘Critical Friend’ Analysis of Warwick District Council’s Draft Green Belt Assessment. Consultation Report prepared by Mike Murray 2013;
- Warwickshire Landscape Guidelines – Arden published by Warwickshire County Council (November 1993)
- Warwick District Council Strategic Housing Land Availability Assessment (SHLAA) including updated assessment prepared 2013 (available online).

## 3.0 STATUTORY AND PLANNING POLICY CONTEXT

3.1 The following considers the relevant planning and legislative framework in the context of the landscape and visual issues related to the site and Warwick District Council’s assessment. Only those policies that are considered of greatest relevance to the application site and the nature of the proposed development are listed.

### ***National Planning Policy Framework***

3.2 The following sections of the National Planning Policy Framework (NPPF) are considered relevant to the proposed landscape treatment of the site.

Section 7. Requiring good design:

Paragraph 56. *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*

Paragraph 58. *“Planning policies and decisions should aim to ensure that developments: .....are visually attractive as a result of good architecture and appropriate landscaping.”*

Section 9 Protecting Green Belt:

Paragraph 79. *“The Government attaches great importance to Green Belts. 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.”*

Section 11. Conserving and enhancing the natural environment:

Paragraph 109. *“The planning system should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes.....*
- *minimising impacts on biodiversity and providing net gains in biodiversity where possible;”*

**Warwick District Council, Local Plan – Village Housing Options and Settlement Boundaries Consultation (November 2013)**

- 3.3 The WDC Local Plan document includes a summary assessment of all the village housing options considered. A small part of the assessment site, off Station Lane, is included as ‘Discounted Option 9’

The document states in paragraph 5.7iii: *“Within a number of the Green Belt villages the research has indicated some substantial environmental and development restrictions which have reduced the ability of several villages to accommodate the level of growth originally indicated at an early stage of the process. “*

With regard to Kingswood Village it goes on to state that the substantial reduction in housing numbers is due to:

*“ - high landscape and ecology values along the canal and river corridor together with site access and flooding issues on a number of sites.*

In the site review assessment of Kingswood Village the site is identified as 9 – Land on Station Lane opposite Gowen Bank and is discounted due to *“substantial impact on tree frontage and landscape impact”*.

**Warwick District Council, Local Plan – Village Housing Options and Settlement Boundaries Consultation Appendix 6 – Assessment Matrix**

- 3.4 This assessment matrix provides the detailed review of the individual sites considered in the local plan and brings together all of the information from the previous studies such as the Green Belt Review etc. The site is referenced as Discounted Option 9. In the Landscape Character Assessment: Summary text is reproduced from The Landscape Sensitivity study (see below) which was for Land Parcel KW17 which was for the whole area of land between Station Lane and the Grand Union Canal. It assesses the Landscape Character Assessment: Value as High and states that it has *“high sensitivity to development because of the older permanent pasture”*. It goes on to state that *“it could only accommodate low density roadside development as long as it is not directly adjacent to the listed building and its curtilage”*

***Village Housing Options and Settlement Boundaries Consultation – Appendix 8 Green Belt Review***

- 3.5 This report uses a list of detailed assessment criteria / questions, covering the aim, key purposes and use of the Green Belt / Green Field parcels and assesses much of the Green Belt and areas around selected villages and across the district. It assesses the area of land between the Grand Union Canal and Station Lane as a single package reference KW1 – Land east of Station Lane.
- 3.6 With regard to Green Belt Openness when considering whether development would increase the openness of the Green Belt it states that there is “*Some potential due to residential development along Station Lane - depends upon the location and development mass / size.*”
- 3.7 The overall outline value of this parcel of land is assessed as Medium and the conclusions of the assessment state that it is a: “*Complex Green Belt parcel area which has been eroded by residential development. Provides an important open field landscape from Station Lane. Some opportunities for enhancement.*”

***Village Housing Options and Settlement Boundaries Consultation – Appendix 9 A ‘Critical Friend’ Analysis of Warwick District Council’s Draft Green Belt Assessment***

- 3.8 This document provides an assessment of the draft Green Belt Assessment and reviews the parcels of land selected by the review.
- 3.9 With regard to Kingswood parcel KW1 it reviews a sub parcel: Land to the rear of Kingswood Cottages (OVA Medium) It describes this area as: “*A sensitive Green Belt parcel that is partially bounded by the Grand Union Canal, and helps to contain and naturally screen the adjoining built development of the village from the open countryside.*”  
It goes on to state that: “*The parcel could only accommodate a very limited extension to the village without significantly impacting on the fundamental aim, essential characteristics and purposes of the Green Belt. Important natural assets on the site, particularly the mature trees and hedges, and the rural Green Belt and wildlife corridor of the canal, would need to be protected.*”

***Warwick District Council Landscape Sensitivity and Ecological & Geological Study***

- 3.10 The site is included in Land Cover Parcel KW17, which includes the whole area from the rear of existing residential properties to the west, north and south up to the canal on the east. The ecological and landscape sensitivity is assessed as High.
- 3.11 In summary the assessment states that: “*Only a very small area of this overall parcel may have some development capacity. The older permanent pasture is of significant local value. Views of the listed building & its setting from the canal should be protected. A landscape buffer of at least the width of one field needs to be provided along both the stream course & canal in order to retain their rural character. Smaller blocks of native planting will also be required to mitigate against the visual impact of any new development, especially on higher ground.*”

**Warwick District Council Strategic Housing Land Availability Assessment (SHLAA) including updated assessment prepared 2013**

3.12 This assessment was updated in 2013 and the site is referenced as site R111. The accompanying plan includes the whole of the site area as shown on Local Context Plan, Appendix A, Fig1. The summary assessment states that “*site access will require the removal of a number of mature trees.*” and goes on to say “*there will be a significant impact on landscape character*”. The site is therefore discounted “*due to the impact on tree frontage and significant landscape impact*”

#### **4.0 Baseline Conditions**

##### **Baseline Conditions - General**

##### **Site Description (Refer to Appendix A, Figure 1 Local Context and Movement Network)**

- 4.1 The site, which is broadly ‘L’ – shaped, consists of a number of small fields (currently used for grazing) on the outskirts of Kingswood Village in Warwickshire. The main part of the site is at the northern end, bounded to the west by Station Lane and to the east by the Grand Union Canal. It extends in a thin strip to the south between the canal towpath and a small river. There is a single access point in the south-west corner of the main part of the site where there are a number of small agricultural structures and this area is used for vehicle and equipment storage.
- 4.2 The wider landscape beyond the site to the east consists of rural landscape to the north and east and extends on the other side of the canal. The rural landscape comprises small to medium scale pastoral fields with regular woodland blocks, intermittent trees and hedgerows. Station Lane is bounded on both sides by residential properties and at the back of these to the west is the railway line.

##### **Topography (Refer to Appendix A, Figure 2 Topography)**

- 4.3 The site slopes gradually from Station Lane in the west down to the canal in the east. Along the site frontage Station Lane rises from north to south with the north-west corner of the site being near to the highest point on Station Lane. The overall fall across the site is from approximately 112 AOD in the north-west corner to 104AOD in the southernmost corner adjacent to the canal.
- 4.4 The line of the canal is along the bottom of a valley and land rises gently beyond the canal to the east toward Baddesley Clinton House and beyond Station Lane to the west.

##### **Existing Vegetation (Refer to Appendix A Figure 3 - Existing Vegetation)**

- 4.5 The site is sub-divided by a number of intermittent hedgerows that are generally in a poor state of repair. A dense well maintained hedge (hawthorn, elder, field maple, ash and blackthorn) runs along the Station Road frontage although this is less species rich adjacent to the existing site entrance gate. This hedgerow has generally been kept clipped to 1.2m high and is about 2m in width so screens general views of the site and the landscape beyond from pedestrians and cars along Station Lane (see Viewpoint 4 Appendix A Figure 7). There are three mature oak trees within the hedgerow at the northern end of the boundary, which are significant features on the Station Lane frontage. These trees are also included in Warwick District Council Tree Preservation Order Ref: 295/2005

4.6 Beyond the site rear of gardens to residential properties along Station Lane are generally well vegetated which provide filtered screening to and from these properties. The vegetation in the wider landscape consists of agricultural land (mixed arable and pasture) enclosed by hedgerows and associated trees with frequent small copses and blocks of woodland. The canal is bounded by a dense overgrown hedgerow, which provides effective screening of the site and Station Lane from the towpath with only glimpsed views being available.

#### **Landscape Designations (Refer to Appendix A Figure 1 – Local Context)**

The relevant Landscape Designations are taken from online mapping and reports. Only those designations considered to have a direct influence on the site or to potentially be impacted upon by the development of the site are listed

##### *Public Rights of Way (Refer to Appendix A Figure 1 – Local Context and Movement Network)*

4.7 The area around the site contains a number of Public Rights of Way (PROW) including the Grand Union Canal and associated towpath that runs along the eastern boundary. No footpaths cross the site but the Heart of England Way Footpath no. W53 runs from Baddesley Clinton to Lapworth about 1km from the site east of the canal. Because of its slightly elevated position it does allow views towards the residential properties on Station Lane.

There are also a number of other Public Rights of Way in and around Kingswood Village but none of these are in close proximity to the site and the topography and vegetation in the landscape effectively screen potential views of the site.

##### *Tree Preservation Orders (TPO)*

4.8 The three oak trees within the hedgerow at the northern end of the Station Lane boundary of the site are protected by Warwick District Council TPO order no. 295/2005 dated 30 December 2005.

##### *Conservation Areas*

4.9 Kingswood Village does not include a conservation area.

##### *Sites of Special Scientific Interest (SSSI's)*

4.10 There are no SSSI's or Local Nature Reserves within close proximity to the site.

##### *Scheduled monuments*

4.11 Both Baddesley Clinton (1km from the site) and Packwood House (2km from site) are Scheduled Ancient Monuments and include listed buildings. Their grounds are also Registered Parks and Gardens. The extent of these is shown on Appendix A, Figure 1.

##### *Listed Buildings*

4.12 As well as Packwood House and Baddesley Clinton there are a few Grade II listed properties within Kingswood Village. Kingswood Farmhouse is located closest to the site just to the north but is separated from it by a small woodland block within the grounds of the listed building.

## Baseline Conditions - Landscape

### **National and Local Landscape Character Areas (Refer to Appendix A, Figure 4 Landscape Character Areas)**

The National Landscape Character Areas map created by Natural England divides England into 159 national character areas (NCAs) each defined by a unique combination of landscape characteristics.

4.13 The site is located in NCA 97 Arden, which includes the whole of Kingswood Village. Arden comprises farmland and former wood-pasture lying to the south and east of Birmingham, including part of the West Midlands conurbation. Traditionally regarded as the land lying between the River Tame and the River Avon in Warwickshire, the Arden landscape also extends into north Worcestershire to abut the Severn and Avon Vales.

4.14 Key characteristics of this character area with particular relevance to the site are:

- *“The landscape of the lower lying central area is gently rolling with small fragmented semi natural and ancient woodlands.”*
- *“Mature oaks set in hedgerows, distinctive field boundaries, historic parklands and narrow river corridors are key features, all on the doorstep of a heavily urbanised area.”*

### **The Warwickshire Landscape Guidelines – 1993**

4.15 In 1993 the Countryside Commission and Warwick District Council carried out a study, resulting in The Warwickshire Landscape Guidelines. This split Warwickshire into three areas Arden, Avon and Dunsmore. This identified the area of the site is within the Arden landscape character area.

4.16 Kingswood Village including the area of the site are included on the Arden landscapes map in an area identified as Arden Pastures the overall character and qualities of which are described as: *“A small scale enclosed landscape, often pervaded by suburban influences and characterised by small fields, typically bordered by mature hedgerow trees.”* It goes on to identify characteristic features as:

- *“A gently rolling topography”*
- *“A well defined pattern of small fields and paddocks”*
- *“Numerous mature hedgerow oaks”*
- *“Permanent pasture often grazed by horses”*
- *“A network of minor lanes often with ribbon development”*

### **Landscape Character – Study Area Assessment (Refer to Appendix A, Figure 4 Local Landscape Character Areas)**

4.17 In order to provide a more detailed appraisal of the landscape context within which the site is located the landscape assessment identifies the distinct more local character areas within and around the site, which contribute to its character. The area of the assessment site itself is consistent with the description used in the Warwickshire Landscape Guidelines (Arden Pastures) of a well-defined pattern of small fields and paddocks.

**Landscape Character Area 1 – Arden Pastures**

4.18 This area includes the landscape within which the village of Kingswood is located and its character is generally consistent with the description above. It includes the both Baddesley Clinton and Packwood House along with a number of larger individual dwellings dispersed throughout the landscape but generally well screened by landform, small copses and areas of woodland. Hedgerows are not always well maintained and the area is crossed by overhead wires and pylons.

The wider Arden Pastures Landscape Character around the site is assessed as follows:

*Landscape Character – High, Landscape Value – High/Medium, Landscape Condition – Medium.* This Character Area is considered to have a *High* sensitivity to change

**Landscape Character Area 2 - Rural Landscape**

4.19 This is the area of land between the rear of properties on the eastern side of Station Lane and the Grand Union Canal. This is also the area of land that was included as LCP/Zone KW17 in Warwick District Council's Ecological and Landscape Sensitivity Assessment. The assessment site is within this character area which is part of the rural landscape surrounding Kingswood Village. The pattern of enclosure is small fields used as pasture but hedgerows are generally poor and not continuous. It is well enclosed along the eastern boundary by the hedgerow adjacent to the canal towpath and on the western boundary by gardens of properties in Station Lane. The low-lying eastern part of the area relates closely to the canal corridor and the small river that forms its western boundary. At the southern end of the area is Lapworth C of E Primary School and associated grounds and towards the northern end is Kingswood Farm which is Grade II listed. Although this area is rural in character the proximity to the built up areas of the village particularly adjacent to Kingswood Close to the north and the open boundaries around 160 Station Lane detract somewhat from the overall integrity. It does however provide a valuable landscape buffer between the existing buildings on Station Lane and the canal and the Arden Pastures landscape to the east. *Landscape Character – High/Medium; Landscape Value – High/Medium; Landscape Condition – Medium;*

*Rural Landscape - Landscape Sensitivity* - The most elevated section of the assessment site adjacent to Station Lane is also the least clearly rural in character, due to proximity of residential properties on the eastern side of the road that front directly onto the site and the open boundaries to 160 Station Lane. The sensitivity of the Rural Landscape Character Area to development is considered to be high in the eastern area adjacent to the canal and the river. The landscape character around Kingswood Farm, which contributes to its setting, is also considered to be sensitive. However the sensitivity of the Rural Landscape Character decreases in the western edge of the character area closer to existing houses. Development of the upper part of the assessment site would form a natural infill between nos. 128 and 160 Station Lane.

The overall *Landscape Sensitivity of the Rural Landscape Character Area* is assessed as *High/medium*

**Landscape Character Area 3 - Village Settlement Character**

4.20 Kingswood is a ribbon development following key roads and lanes but has an ill-defined historic core. The village is of mixed age and newer housing is clustered off Station Lane and the junction with the B4439 where there is a small group of local shops / businesses. The settlement pattern is quite dispersed, typical of its historic development. Buildings are of multiple architectural styles and layouts do not appear to conform with any overarching or



consistent design principles. The village is constrained physically by the railway and canal infrastructure. In the Local Plan document the settlement boundary has been clearly set with all land outside the designated boundary identified as the protected Green Belt. However within the village the connectivity with the landscape beyond is limited as views are restricted by the built form which fronts the highways. Furthermore there is no direct landscape connection between the village settlement character area and the assessment site.

*Landscape Character – Medium; Landscape Value – Medium/High; Landscape Condition – Medium.*

*Village Settlement - Landscape Sensitivity* –As the assessment site and rural landscape are mostly screened from Station Lane the *Landscape Sensitivity* of the wider *Village Settlement Landscape Character Area* to possible development on the site is assessed to be *Low*.

#### **Landscape Character Area 4 – Rural Village Character**

4.21 The section of Station Lane in the proximity of the site benefits from a closer relationship with the rural landscape character area to the east. This is in contrast to the rest of the village where the rural landscape is not so obviously connected. This close relationship is particularly due to the presence of a significant number of mature trees (particularly oak) and hedgerows along the road and the fact that buildings elevations are generally set well back. The road does not have a continuous pavement associated with it which also lessens the urban feel although light columns are still present. This contributes a much greener aspect to the road frontage of this section of Station Lane essentially between the station and to the north of the field adjacent to Kingswood Farm. The character of this part of the village is influenced by its proximity to the rural landscape, which extends up to Station Lane at a number of points including along the site boundary.

*Landscape Character – High; Landscape Value – High; Landscape Condition – High/Medium.*

*The Landscape Sensitivity of the Rural Village Character Area* to possible development on the site is assessed as *High*

#### **Baseline Conditions - Visual**

4.22 A range of visual receptors will have views of the assessment site and therefore may be affected by the potential changes arising from the development. A visual appraisal has been carried out to establish the potential visibility of the site from these receptors. The visual appraisal initially involved a desk top study of topography and existing vegetation and then the site was visited and an extensive field survey undertaken to assess the views from and to the site.

4.23 Apart from views from roads and Public Rights of Way there are also a number of residential properties on Station Lane that overlook or back onto the site. However the properties opposite the site nos. 151-159 Station Lane do not have main living area windows facing the site.

4.24 Viewpoint locations are shown on Appendix A Figure 5, Viewpoint Locations and Figures 6-10 Representative Viewpoints include the photo from each viewpoint. Photos were taken in December 2013 and January 2014 and the majority of trees and hedges are deciduous species. It can therefore be expected that screening provided will be denser in summer months.

4.25 The description of the view from each viewpoint is as follows:

Viewpoint 1 (approx. 100m from the site) – This photo is taken from Station Lane from the pavement outside house number 125 looking north towards the site. The mature trees and hedgerows give a rural feel to the road and filter views of houses.

Viewpoint 2 – This view is taken from Station Lane pavement outside no 143, opposite Kingswood Cottage. The existing hedge along the site frontage is visible in the centre of the photograph which screens views from Station Lane to the landscape to the east.

Viewpoint 3 – This photo is taken looking directly at the existing entrance gate into the site the distant horizon is just visible above the gate as are the structures and equipment stored in this part of the field. The northern boundary of 128 Station Lane (Kingswood Cottage) is visible on the right hand side of the picture.

Viewpoint 4 – Is taken looking directly west towards the site from Station Lane in front of house number 155. One of the mature oak trees on the boundary is visible in the left of the picture but the existing hedge prevents views across the rural landscape from Station Lane.

Viewpoint 5 – View taken standing on the road verge looking through a gap in the existing hedgerow between two of the mature oak trees. The existing intermittent hedgerow crossing the centre of the site is visible in the foreground and the electricity pylons and overhead cables on the opposite side of the canal are visible on the horizon. The gable end of no.160 Station Lane is a prominent feature overlooking the site in the left of the photo.

Viewpoint 6 (Looking north) – View from outside no.163 Station Lane, looking northwards. House nos. 164 and 166 are visible in the centre of the photo set well back behind hedgerows and mature trees.

Viewpoint 6 (looking south) – View taken from the same location as above, looking south towards the north-west corner of the site. The gated entrance to no. 160 Station Lane is visible in the centre of the photo with the rural landscape across the site evident beyond. Development of the western portion of the site would impact on this view and the direct link to the rural landscape would be lost. However this is a glimpsed view and retaining the existing hedge and trees would still maintain the rural feel to the Station Lane frontage.

Viewpoint 7 (approx. 500m from nearest point of site) – View taken from canal bridge on Rising Lane looking south along Grand Union Canal. The existing vegetation along the canal towpath effectively screens any potential views from here towards the site or the existing landscape to the west of the canal.

Viewpoint 8 – This view is taken from the canal towpath adjacent to the site looking directly west towards Station Lane. The white gable end of no. 160 Station Lane can just be seen in the centre of the photo with hedgerows running across the site also providing additional screening. It is evident that a development in the western portion of the site may be just about visible but by replacing and reinforcing the hedgerow boundaries running across the site this could be completely screened.

Viewpoint 9 – Photo is taken from a gap in the hedgerow along the canal towpath to the north of the site. Kingswood Farmhouse listed property is just visible in the centre of the photo but is separated from the site by woodland planting to the south. The site itself is partially visible to the left of this.

Viewpoint 10 – Photo is taken from a gap in the hedgerow on the canal towpath just south west of the main part of the site. No. 160 Station Lane is just visible beyond the vegetation as are the hay bales in the south-west corner. Development on the lower part of the site between the towpath and the River would be very visible from this location and would have a significant impact on the visual amenity from the canal

Viewpoint 11 (approx. 1km from site) – This view is taken from the access drive to Baddesley Clinton hall from within the area of the registered park and garden. The northern edge of Sides Coppice is visible on the left of the photo and no. 160 Station Lane and the bungalows (151-157), opposite the site, are just visible. Kingswood Farm is also visible in the centre of the picture. The area of the site is not visible from this position due to the existing vegetation in the middle ground and along the canal towpath. Any development on the upper parts of the slope would be seen in the context of existing housing on Station Lane so would not be considered to impact on this sensitive view.

Viewpoint 12 (approx. 600m from the site) – This view is taken from footpath W53 (Heart of England Way) approximately 1 km from the site, just outside the boundary of the Registered Park and Garden. It is almost directly east of the central part of the site. No 160 Station Lane is just visible in the centre of the panorama just to the right of the pylon. The rest of the site is screened by vegetation along the canal corridor. Hedges have been removed from some of the fields in the foreground which makes this view very open.

Viewpoint 13 (approx. 500m from site boundary) – Photo is taken from footpath W53 (Heart of England Way) further south than VP12 and the upper field is visible in the centre of the photo with no. 160 and the bungalows on Station Lane. Development on the upper portion of the site would be visible from this location but would be seen as part of the existing village so would not be considered to intrude unacceptably into the landscape.

Viewpoint 14 (approx. 700m from central part of site) – Photo taken from footpath W53 as it starts to descend towards the centre of Kingswood Village. This view is taken looking across horse paddock areas to the south-east of the site. The gable end of 160 Station Lane is just visible in the centre of the photo as are other properties along Station Lane. The upper part of the most western field is just visible but development would be seen in the context of the existing village at this point and rooflines would not come above the horizon.

4.26 Due to the presence of existing vegetation the assessment site is not particularly prominent in the landscape. Views from Station Lane are screened by the existing hedgerow along the frontage with only occasional glimpses available into the site or across it to the wider landscape beyond. From the canal towpath the existing boundary vegetation provides effective screening of the lower part of the assessment site (between the canal and the river) and the existing hedgerows across the site screen the fields further to the west, that are situated higher up the slope.

- 4.27 The principal visibility of the assessment site is on the Station Lane frontage and also from the rear garden of 160 Station Lane which has little in the way of screening vegetation. However the hedgerow and trees along the Station Lane frontage do restrict views of the wider site area.
- 4.28 Due to the gentle rolling landform, frequent hedgerows, woodland blocks and associated trees the assessment site is not visible from any more distant locations such as the grounds of Packwood House or within the central areas of the Kingswood/Lapworth Villages.

## 5.0 Impacts of Development

- 5.1 The Local Plan document and associated Appendix 6 assessed a small area of land off Station Lane which is referred to as Discounted Option 9  
This is only a small portion of the overall assessment site which was identified as . Station Lane Opposite Gowan Bank Ref. R111 in the - Warwick District Council Strategic Housing Land Availability Assessment (SHLAA), update 2013. This overall site area assessed included the thin strip of low lying land between the canal towpath and the river that is visually and physically detached from the existing developed areas of the village.
- 5.2 The reason the site was discounted in the Local Plan was due to *“substantial impact on tree frontage and landscape impact”*. This was the same assessment that was made of site reference R111, which covers a wider area, in the SHLAA. It does not seem to take account of the reduced area shown on the plan for Option 9 and the potential for landscape mitigation particularly to the east.
- 5.3 The access to the site was identified in Appendix 6 of the Local Plan as being opposite no 155 Station Lane. This would have required removal of existing TPO trees. However a study undertaken by Savoy Consulting has demonstrated that site access could be achieved at the existing gateway opposite no. 145 Station Lane. The visibility splays would require removal of a small section of the existing hedgerow (which is also the least specie rich section of hedge) but all three TPO trees could be retained and protected. Drawing ref 1413/13/sk01, included in Appendix B shows the proposed site access, visibility splays and approximate locations of existing trees and hedges. Indicative Root Protection areas have been shown as circles 15m radius (the maximum required in BS5837:2012). This drawing demonstrates that there would be no impact on the TPO trees.
- 5.4 To address the issue of potential landscape impact a landscape strategy plan has been prepared that suggests a reduced area for development that is within what would be seen as the natural extent of the existing village. This plan is included in Appendix B and it proposes a development area restricted to the upper field and set back from Station Lane by at least 15m. This would avoid any conflict with the Root Protection areas of the retained trees and the front building line would be similar to that of nos. 128 and 160 Station Lane. The rear boundary of the proposed development area would be the existing hedgerow to the east of the first field which lines with the existing rear gardens to the south.

Development would not extend down to the Grand Union Canal so the interface with this would be protected. Existing hedgerows would be re-inforced with new planting of tree and hedge species. At the front of the site the section of hedge requiring removal, for the visibility

sightline, would be replaced with new species rich hedge planting. Additional trees could also be planted on the Station Lane frontage within or just behind the existing hedge.

The landscape and visual effects as a result of the development in the proposed zone on the site will consist of the following;

- New low rise buildings (assume 2 storey housing);
- Changes to landform and construction of roads and parking areas;
- New hard and soft landscaping, including fencing;
- New street lighting;
- Removal of small section of hedgerow to create access;
- New tree and hedge planting;

## Landscape Impact

5.5 The magnitude of the landscape impacts of the residential development on the Landscape Character is assessed in terms of the effects identified above and their size, scale and geographical extent. As the development is for housing, for the purpose of this assessment it is considered to be a permanent change. Once constructed the proposed development will result in a change from the existing rural landscape character of the site to a more rural/village fringe character. The existing pasture land will be replaced with housing.

### Assessment of Magnitude of Impact on Local Character Areas – Refer to Appendix A – Fig.4

#### **Character Area 1 – Arden Pastures**

This area extends beyond the assessment site principally to the east. The development of the site is not considered to have any impact on the Landscape Character of the wider area. The *Landscape Sensitivity* of the Arden Pastures Landscape Character was assessed as *High* and the *Landscape Impact Magnitude* of the reduced scale of development on this Character Area is assessed to be *Negligible*.

#### **Character Area 2 - Rural Landscape Character**

5.6 This area includes the site itself and extends between the rear of properties on Station Lane and the Grand Union Canal to the east. The development of the site will change its character locally to a village landscape in keeping with the existing housing along Station Lane. However the proposed extent of the area to be developed is limited in size and will be seen as a natural infill between existing houses. The introduction of a strong boundary treatment on the eastern boundary will contain the development area and provide a better edge to the rural landscape protecting it from further encroachment towards the canal corridor. The *Landscape Sensitivity* of the Rural Landscape Character was assessed as *High/Medium* and the *Landscape Impact Magnitude* of the reduced scale of development on the Rural Landscape Area is assessed to be *Medium*.

#### **Character Area 3 - Village Settlement Character**

5.7 The Village Settlement character extends around Character Area 2 (above) to the north, south and west and forms the area of Kingswood along Station Lane, Rising Lane and the Old Warwick Road. The development along Station Lane takes the form of ribbon development with dwellings generally fronting onto the street with footpaths etc consistent with a more urban landscape. The *Landscape Sensitivity* of the Village Settlement Character as assessed is *Low* and the *Landscape Impact Magnitude* of the proposed development on the Village

Character is assessed to be *Negligible* due to there being no direct connection between the site and the Village Settlement Character Area

#### **Character Area 4 – Rural Village Character**

5.8 This Character Area includes the section of Station Lane directly adjacent to the site to the west. Dwellings on Station Lane front onto the street but are set back from the road and there are no pavements or kerb edges which would usually be associated with a more urban landscape. Part of the identity of this part of the village is because the rural landscape comes into the centre of the developed area with mature oak trees and hedgerows on both sides of the road. By setting the proposed development area back from Station Lane and retaining the existing hedge and trees the impact on the Village Character will be reduced. However the very direct connection between this section of Station Lane and the Rural Landscape will be lost. The landscape sensitivity of the Rural Village Character as assessed is *High* and the *Landscape Impact Magnitude* of the proposed development on the Rural Village Character is assessed to be *High/Medium*

#### **Visual Impact**

5.9 The Visual Impact was not identified in the Local Plan as an issue in discounting the site for development. However landscape and visual issues are linked and should be considered together. Furthermore an assessment of the potential visual impacts from selected representative viewpoints will help to understand the Landscape Impacts.

5.10 Most of the trees and hedgerows around the site are deciduous and photos have been taken in winter months so there is a degree of interpolation required to predict the change to the effect in the summer months when Visual Impact would be expected to reduce.

5.11 The following 5 viewpoints are considered to be representative and the anticipated visual impact is assessed below:  
- Viewpoint 2, Viewpoint 6, Viewpoint 8, Viewpoint 11 and Viewpoint 13

*Refer to Appendix A Figure 5 for location of viewpoints*

Viewpoint 2 (Appendix A – Figure 6)

5.12 This view is from the footpath looking north along Station Lane towards the existing entrance. The existing hedge and trees contribute to the rural character of this part of the village although this is somewhat devalued by the metal gates and evidence of agricultural activities just inside the boundary.

From this viewpoint the ridgelines of houses will be visible behind the hedge line. New tree planting would help to mitigate this and provide high level screening which would be appropriate to the rural landscape. *Visual sensitivity: Medium, Magnitude of Visual Impact: Medium.*

Viewpoint 6, looking south (Appendix A – Figure 8)

5.13 This view is taken from Station Lane looking at the north-west corner of the site through the gateway of no 160 Station Lane. There is a glimpsed view of the landscape beyond the site through the gate between the trees.

The development at the front of the site would restrict this view and the rural landscape would no longer be visible. So although the trees and hedge at the front of the site appropriate to a rural boundary would be retained, the direct visual connection between the village and the countryside would be lost

*Visual sensitivity: Medium/High; Magnitude of Visual Impact: High/medium.*

#### Viewpoint 8 (Appendix A – Figure 8)

- 5.14 This view is looking through the existing hedgerow along the canal towpath towards the site directly east of the main part of the site. The existing hedges screen any wide views of the site but the white painted gable of no. 160 Station Lane is still visible as is part of the field proposed for development.

Buildings would be partly visible from points along the towpath. To minimise the impact of the village extending towards the canal the proposed re-inforcement hedge planting on the eastern boundary will provide screening. The selection of material for the development will also be beneficial to reduce potential visibility.

*Visual sensitivity: Medium/High; Magnitude of visual impact Low.*

#### Viewpoint 11 (Appendix A – Figure 9)

- 5.15 This is the view from the Registered Park and Garden and is the only point where clear views of the village are available from this potentially sensitive receptor. Kingswood Farm and no.160 Station Lane are just visible within the tree canopy.

If any of the proposed development were visible from this viewpoint it would only be ridgelines of dwellings and they would be seen in the context of the existing village and landscape.

*Visual sensitivity: High; Magnitude of Visual Impact: Low.*

#### Viewpoint 13 (Appendix A – Figure 10)

- 5.16 This view is taken from the Heart of England Way (PROW W53) directly opposite the eastern boundary of the site. Although the site is just visible the most prominent feature is the white painted gable of no.160 Station Lane.

The development would be visible from this point but the reduced extent proposed would mean that it would be seen as part of the village rather than an extension of the built area into the rural landscape. New tree and hedge planting along the site boundary would help to reinforce the edge treatment and link with the existing landscape.

*Visual sensitivity: High/Medium; Magnitude of Visual Impact: Low;*

- 5.17 The fields containing the proposed development site contribute to the overall visual character of this part of Kingswood Village but this is principally due to the presence of the existing hedgerow and mature trees which are prominent features along Station Lane. The views of the wider landscape are only available glimpsed through gaps in the hedgerow.

- 5.18 The site proposed for the development is not considered to be visually prominent in the views from the most sensitive locations on the Heart of England Way or from the grounds of Baddesley Clinton Hall. So although it is visible, any development would be seen in the context of existing residential properties.

- 5.19 Due to the gentle rolling landform, frequent hedgerows, woodland blocks and associated trees the site is not visible from any more distant locations such as the grounds of Packwood House or within the central areas of the Kingswood/Lapworth Villages.

### Predicted Landscape and Visual Impacts

- 5.20 The predicted Landscape and Visual Impacts of the proposed reduced development area are summarised below. It assumes that appropriate landscape and building design will be incorporated in any detailed proposals, to aid in the assimilation of the development into its surroundings.

### Landscape Impact

- 5.21 The magnitude of impact of development on the proposed site on the existing Rural Landscape - 2 is assessed above to be *Medium* and this is assessed to result in a **minor adverse** significance of landscape effect. The proposed improved hedgerow boundary treatments around the perimeter of the site will help to further mitigate against the impact on the rural landscape and help to strengthen the interface between village and countryside.
- 5.22 The magnitude of impact of development on the Rural Village Character – 4 is assessed above to be *High/medium*. This is assessed to result in a **major/moderate adverse** significance of landscape effect as there will be a potential loss of or alteration to the key characteristics of this landscape area.
- 5.23 The magnitude of impact of the development of the proposed area on both the Arden Pastures Character Area (1) and Village Settlement Character Area (3) is assessed to be **negligible**.

### Visual Impacts

- 5.24 The magnitude of visual impact is assessed as low from the more distant viewpoints nos. 8, 11 and 13. The significance of visual effect from these sensitive locations is therefore assessed to be **negligible**.
- 5.25 The magnitude of visual impact from Viewpoint 2 was assessed as *Medium* and the significance of visual effect is therefore assessed to be **minor/moderate adverse** as there would be a noticeable deterioration in the view from this position. The significance of effect would increase to **moderate/major adverse** when travelling north on Station Lane closer to the site. The trees at the front of the site would however help to reduce the significance of this effect over time.
- 5.26 The magnitude of visual impact from Viewpoint 6 is assessed as *High/medium*. The significance of visual effect is therefore assessed to be **moderate adverse** as it would cause a noticeable deterioration in the view through to the wider landscape. However as this view is experienced principally by road users and the majority of houses on this section of Station Lane do not face towards the view the significance is slightly reduced.



## 6.0 Conclusion

- 6.1 This assessment has been carried out with reference to the 'Guidelines for Landscape and Visual Impact Assessment' 3rd edition (published 2013) and draws on the structure and scope of that guidance.
- 6.2 The assessment site boundary used in this study was that used in the Warwick District Council SHLAA – Update 2013, Site reference R111 – Station Lane opposite Gowan Bank. However the proposed development site against which the impacts have been assessed, is restricted to the westernmost field of the assessment site.
- 6.3 The landscape impacts are restricted to those on the local character areas. The landscape character within the development area could be considered to be sensitive to change by virtue of its rural character and its location within a village. However, the proposed choice of location of the development, the reduced area (i.e., the upper portion of the field), and careful design of the interface of the development with its boundaries will reduce the landscape impact of the development. The most significant aspect to the landscape impact is that by infilling this section of the site frontage there will be a loss of the direct connection of this part of the village to the rural, Green Belt landscape within which Kingswood Village is located
- 6.4 The visual impact of the development is confined principally to views from points in close proximity to the site. It is not considered to have any significant visual impact on sensitive receptors to the east of the site. The principal visual impact is on the views at the front of the site where the visual connection of Station Lane to the wider landscape will be lost.
- 6.5 The three trees protected by Tree Preservation Orders, within the site, will be retained and protected in the proposals with all development and construction kept outside their Root Protection Areas.
- 6.6 Overall the landscape and visual impacts for the development are considered to be predominantly localised and contained within a reasonably small area. The most notable landscape effects are due to loss of a piece of rural land close to the centre of the existing village. The implementation of the landscape strategy will ensure that the identified opportunities for mitigation are fully realised so that they achieve the aim of assimilating the development into the landscape.

**Residential Development Site, Station Lane, Kingswood, Warwickshire**

Landscape and Visual Assessment

1413-13-RP01

**Appendices**



# Proposed Residential Development Site, Station Lane, Kingswood

## Landscape and Visual Assessment – Appendices

### Contents List

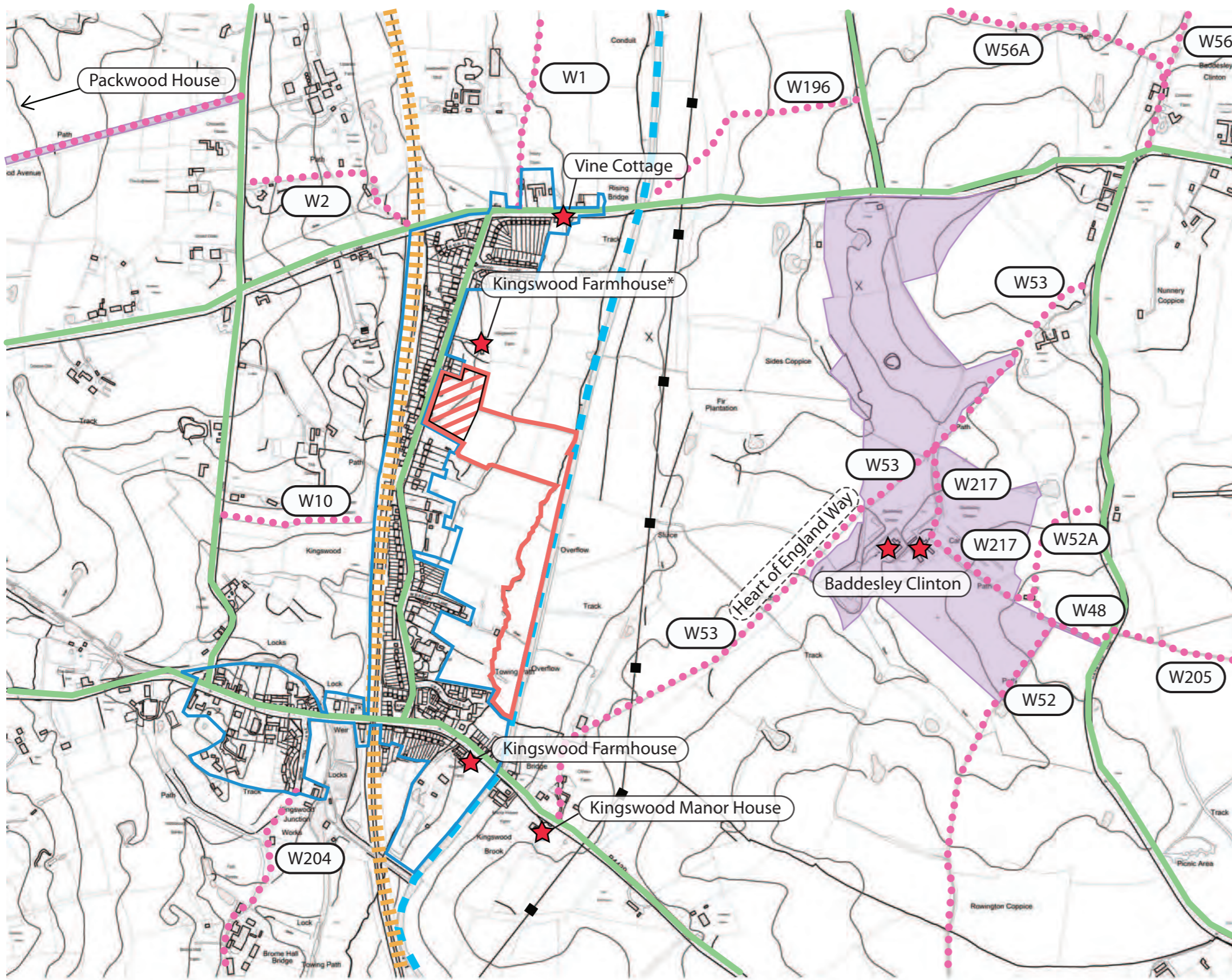
<b>Appendix A</b>	<b>Landscape Figures</b>
Fig.1	Local Context and Movement Network
Fig.2	Topography
Fig.3	Existing Vegetation
Fig.4	Local Landscape Character Areas
Fig.5	Assessment Viewpoint Locations
Fig.6	Site photos - Viewpoints 1, 2 and 3,
Fig.7	Site photos - Viewpoints 4 and 5
Fig.8	Site photos - Viewpoints 6, 7, and 8
Fig.9	Site photos – Viewpoints 9, 10 and 11
Fig.10	Site photos – Viewpoints 12,13 and 14
<b>Appendix B</b>	<b>Drawings</b>
	Landscape strategy
1413-13-sk01	Hedge and Tree Retention/removal to site frontage

**Residential Development Site, Station Lane, Kingswood, Warwickshire**

**Landscape and Visual Assessment**

**1413-13-RP01**

**Appendix – A  
Visual Figures**



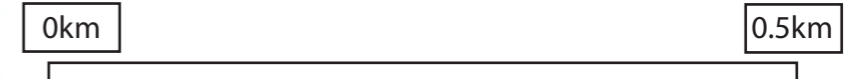
**KEY**

- Area of site proposed for development
- Assessment site boundary
- Public footpath
- Roads
- Towpath and Canal
- Railway line
- Village boundary
- Registered Parks and Gardens
- Listed Site/Ancient Monument

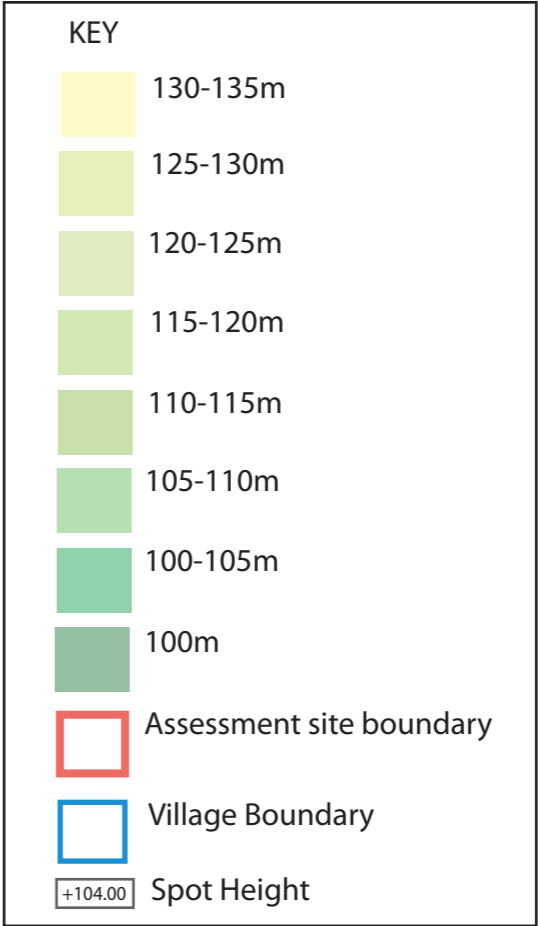
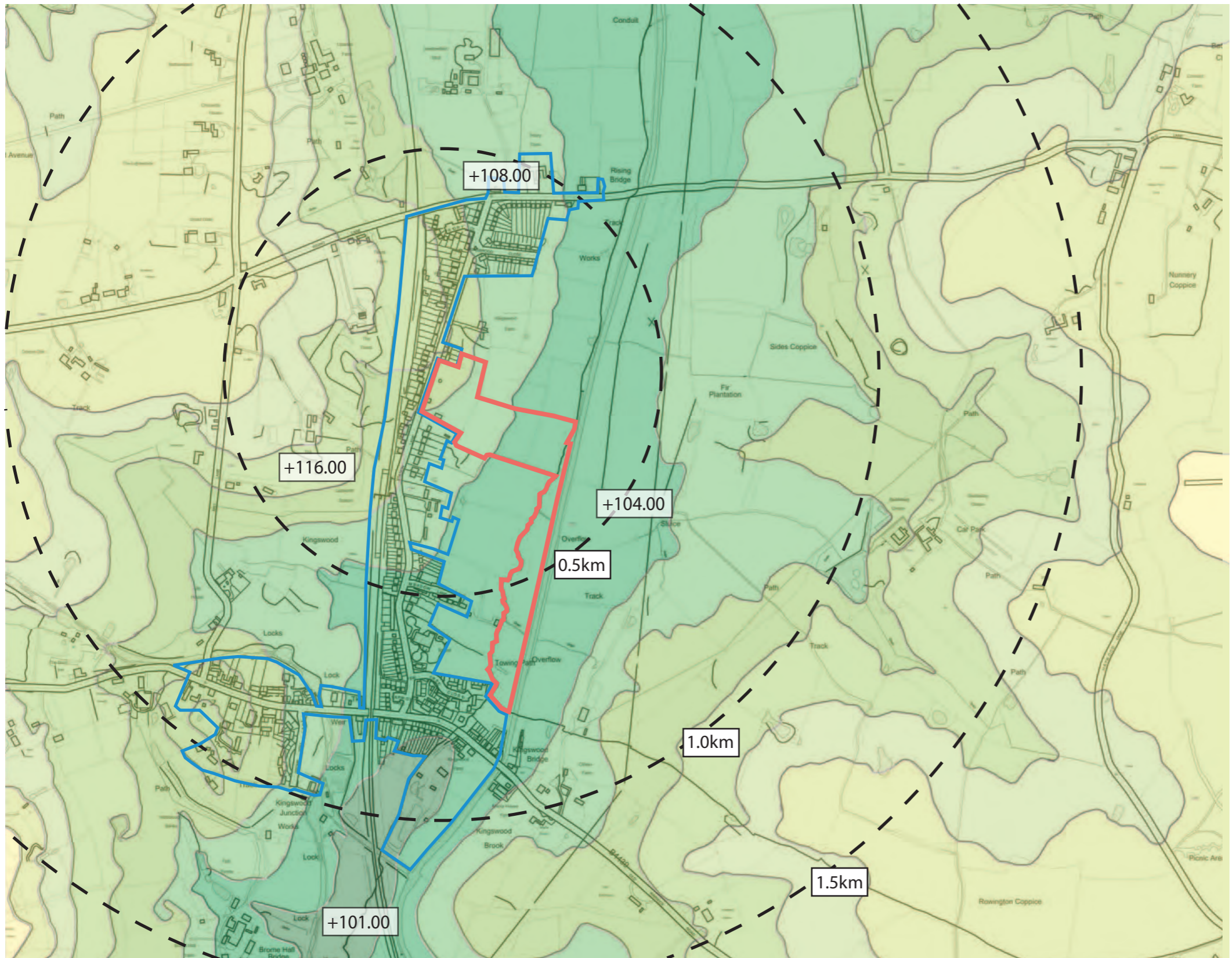
Listed buildings:  
 Vine Cottage - Grade II listed  
 Kingswood Farmhouse Station Lane\* - Grade II listed  
 Kingswood Farmhouse - Grade II listed  
 Kingswood Manor House - Grade II listed  
 Baddesley Clinton Hall - Grade II listed

Ancient Monument:  
 Baddesley Clinton Hall moated site and fishponds - Grade II listed

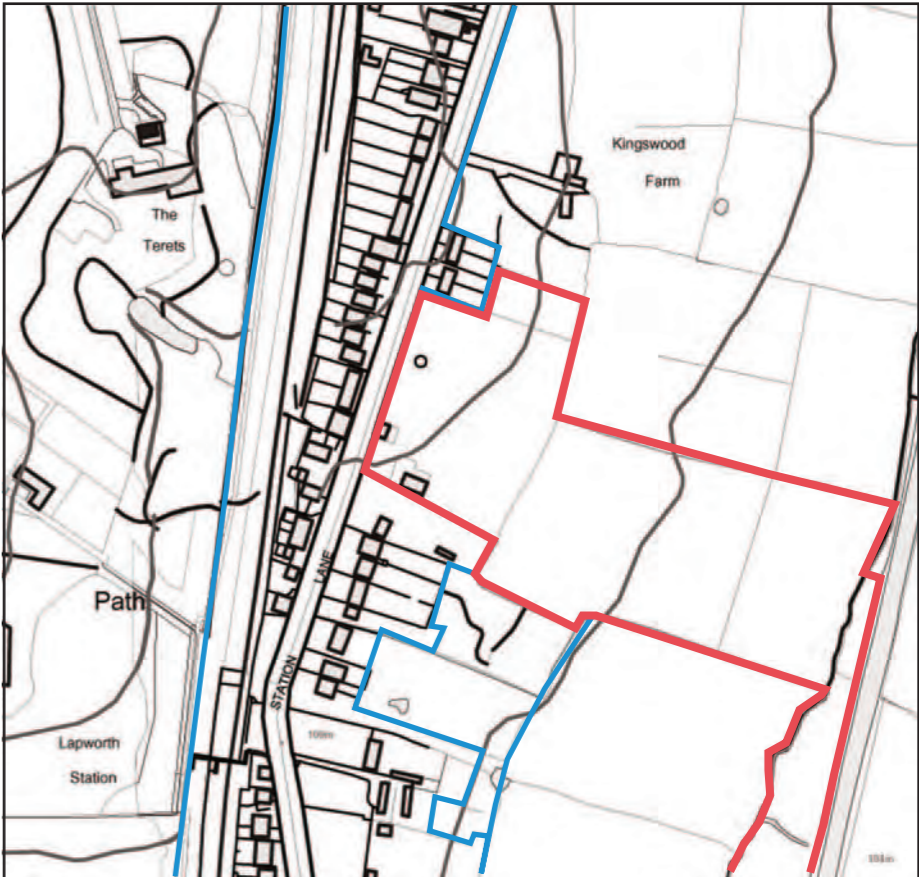
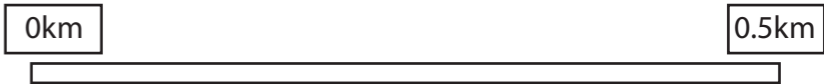
Inset Plan

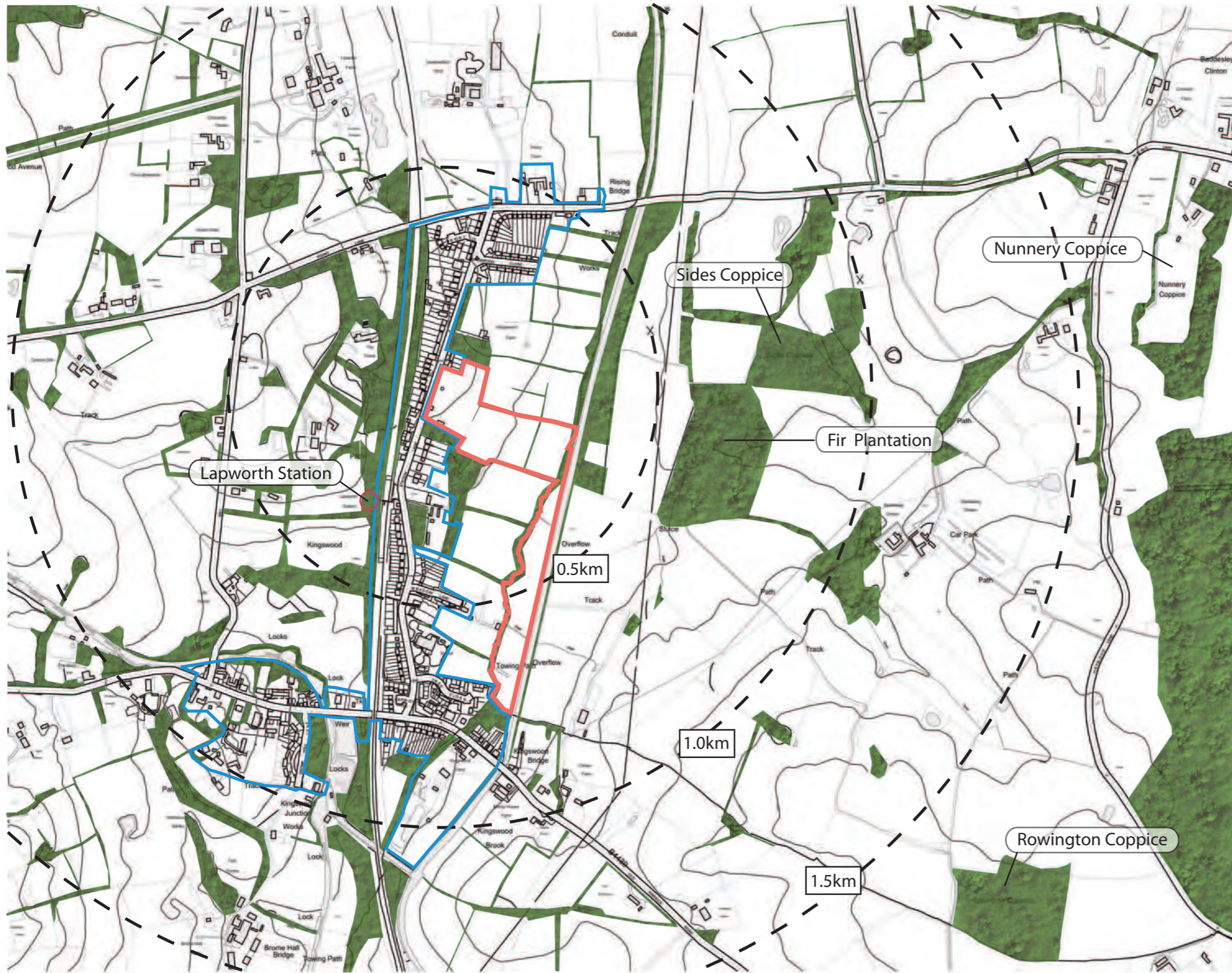


Station Lane, Kingswood  
 Appendix A, Figure 1  
 Local Context and Movement Network



Inset Plan

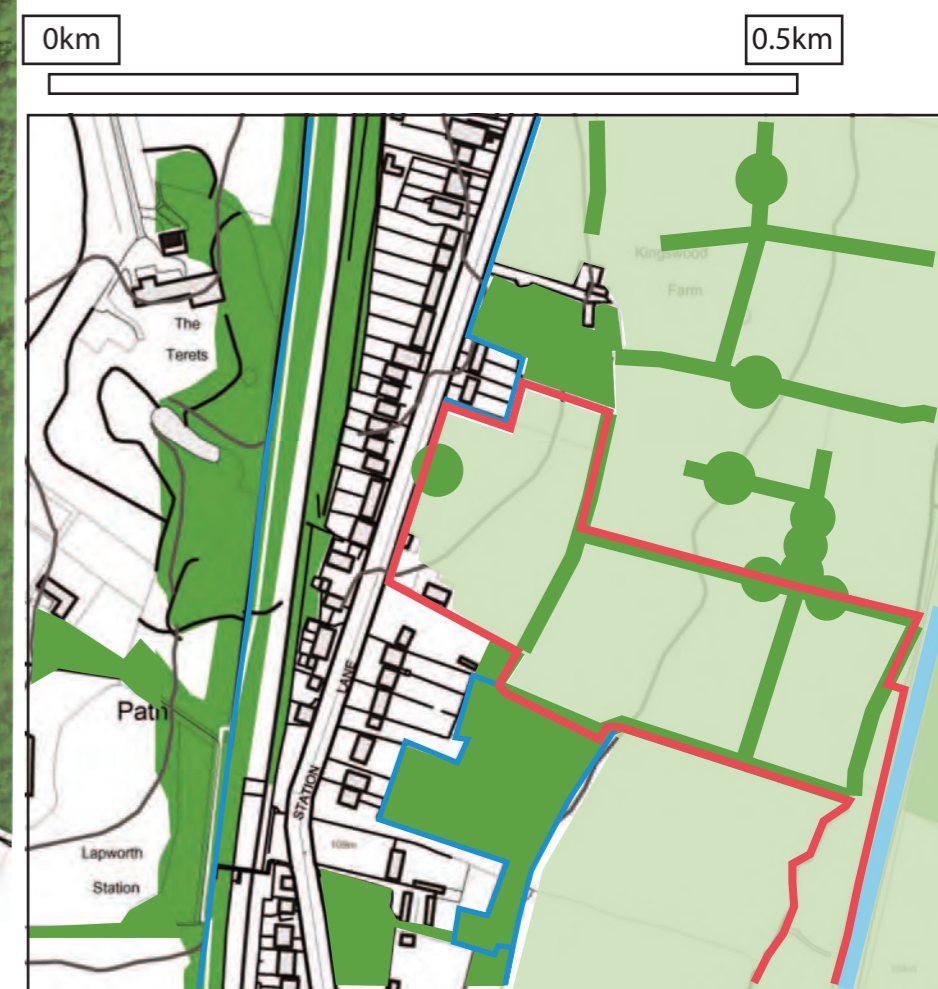




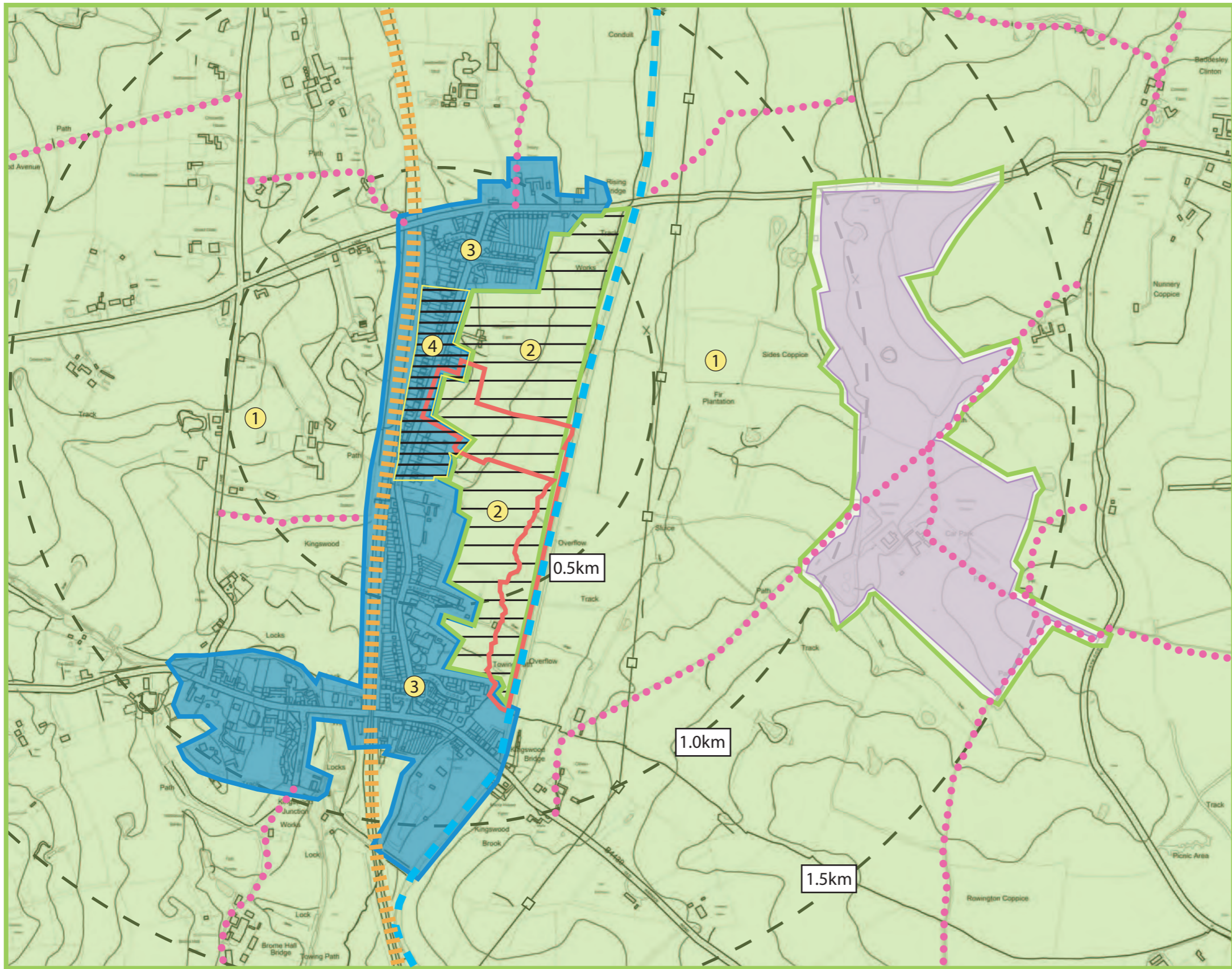
**KEY**

- Assessment site boundary
- Existing Woodland
- Village boundary

Inset Plan



Station Lane, Kingswood  
Appendix A, Figure 3  
Existing Vegetation

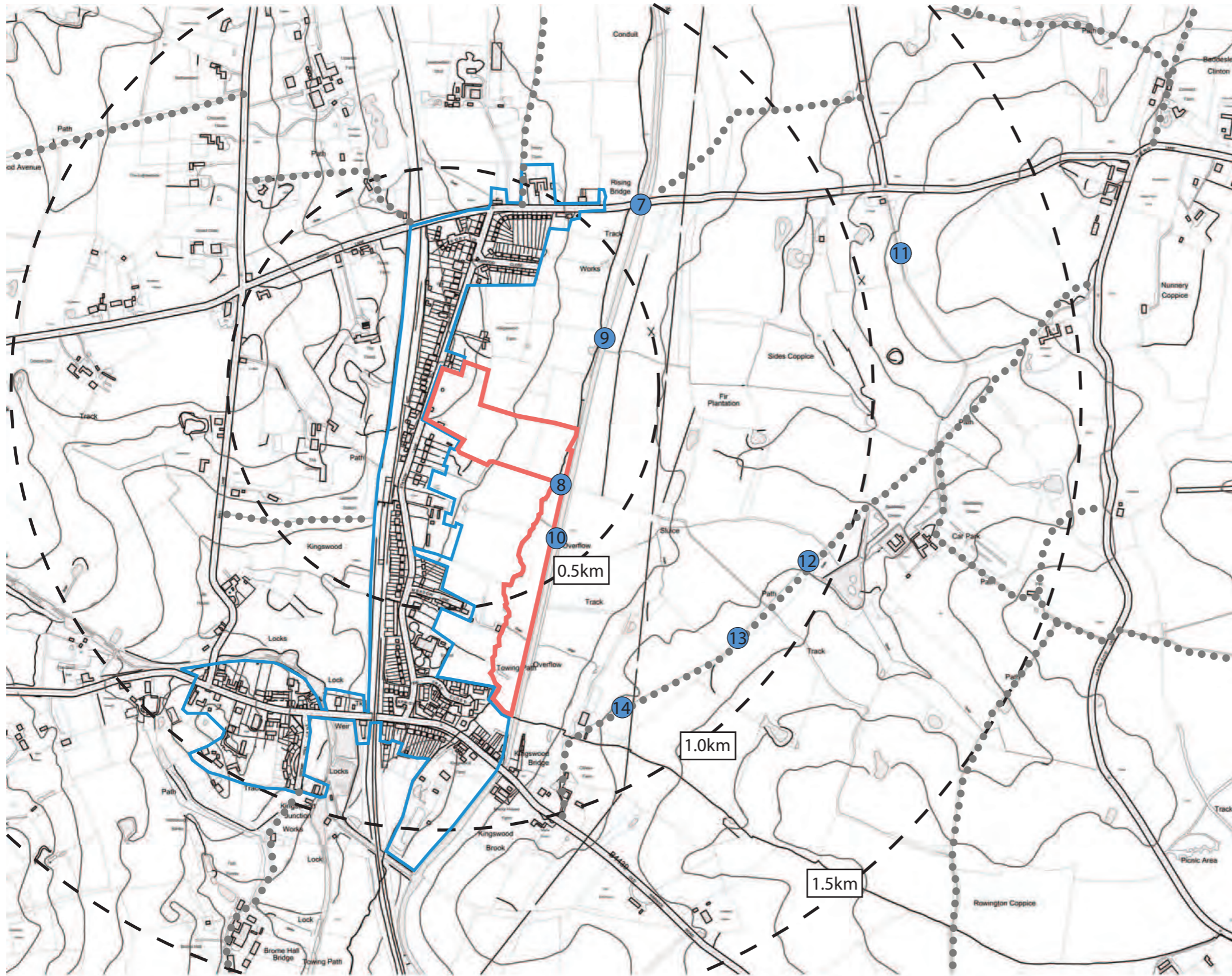


KEY	
	Assessment site boundary
	1 Arden Pasture (NCA 97)
	2 Rural character area
	3 Village settlement character
	4 Rural village character
	Registered Parks and Gardens
	Public footpath
	Towpath and Canal
	Railway line

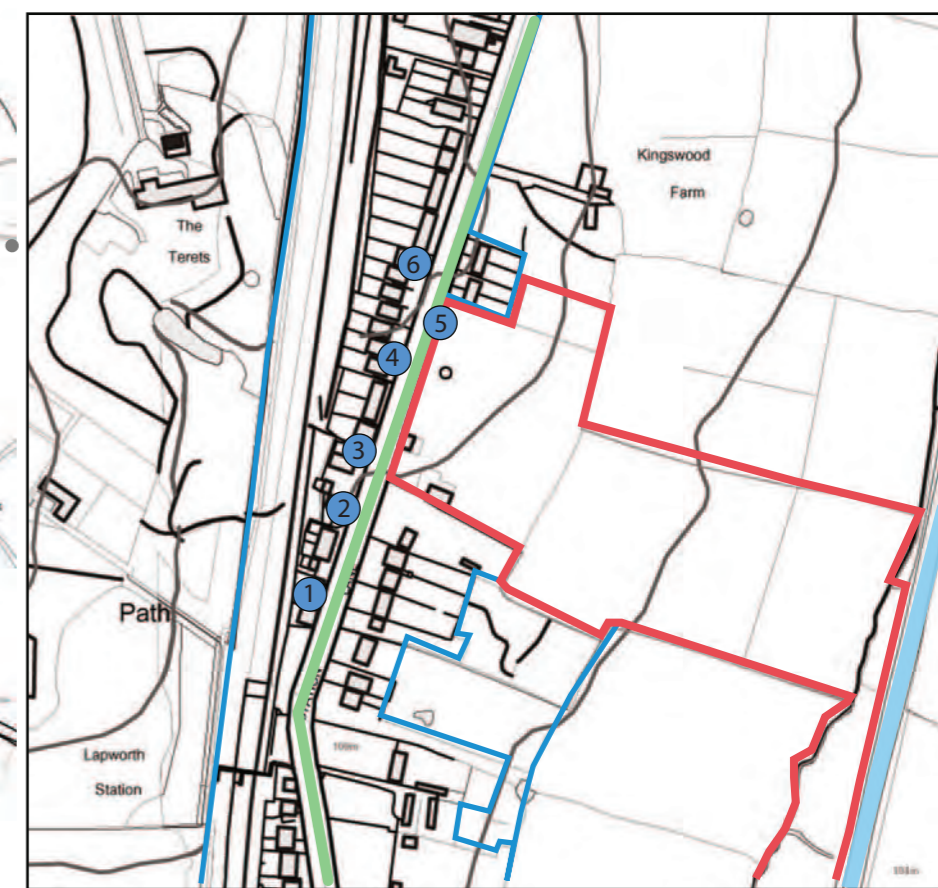


Station Lane, Kingswood  
Appendix A, Figure 4  
Local Character Areas





- KEY**
- Assessment site boundary
  - Village boundary
- Views to be assessed:
- 1 VP1: View North along Station Lane
  - 2 VP2: View North on Station Lane at site entrance
  - 3 VP3: View of existing gate
  - 4 VP4: Directly East of site
  - 5 VP5: View across site from gap between existing trees
  - 6 VP6: View at Northern corner of site from Station Lane
  - 7 VP7: From Rising Lane Bridge over canal
  - 8 VP8: From canal towpath on Western boundary
  - 9 VP9: From canal towpath at gap in hedge
  - 10 VP10: From canal towpath at gap in hedge
  - 11 VP11: From access drive to Baddesley Clinton
  - 12 VP12: From Heart of Endland Way
  - 13 VP13: From Heart of Endland Way
  - 14 VP14: From Heart of Endland Way



Station Lane, Kingswood  
Appendix A, Figure 5  
Assessment Viewpoints



**Viewpoint 1- View looking north along Station Lane**  
Photo taken: 7/12/13



**Viewpoint 2- Looking north on Station Lane at site entrance**  
Photo taken: 7/12/13



**Viewpoint 3- View of existing gate**  
Photo taken: 7/12/13



Station Lane, Kingswood  
Appendix A, Figure 6  
Site Photos



**Viewpoint 4- View of western boundary of site**  
Photo taken: 7/12/13



**Viewpoint 5- Panoramic view across site from western boundary looking west**  
Photo taken: 7/12/13

Station Lane, Kingswood  
Appendix A, Figure 7  
Site Photos



**Viewpoint 6- Looking north on Station Lane**  
Photo taken: 7/12/13



**Viewpoint 6- Looking at north-west corner of site on Station Lane**  
Photo taken: 7/12/13



**Viewpoint 7- View looking south from canal bridge on Rising Lane**  
Photo taken: 29/12/13



**Viewpoint 8- View from canal towpath adjacent to centre of site**  
Photo taken: 7/12/13

Station Lane, Kingswood  
Appendix A, Figure 8  
Site Photos

**Kingswood Farm**



**Viewpoint 9- View from canal towpath gap in hedge looking south-west  
Photo taken: 29/12/13**

**160 Station Lane**



**Viewpoint 10- View from canal towpath gap in hedge looking north-west  
Photo taken: 29/12/13**

**The Grange**

**160 Station Lane**

**Kingswood Farm**



**Viewpoint 11- View from access drive to Baddesley Clinton House  
Photo taken: 6/1/14**

Station Lane, Kingswood  
Appendix A, Figure 9  
Site Photos



**Viewpoint 12- View from Heart of England footpath**  
**Photo taken: 29/12/13**



**Viewpoint 13- View from Heart of England footpath directly east of site**  
**Photo taken: 29/12/13**



**Viewpoint 14- View from Heart of England footpath**  
**Photo taken: 29/12/13**

Station Lane, Kingswood  
 Appendix A, Figure 10  
 Site Photos

**Residential Development Site, Station Lane, Kingswood, Warwickshire**

**Landscape and Visual Assessment**

**1413-13-RP01**

**Appendix B  
Drawings**



- KEY**
- A** Existing hedge and trees retained with a new hedge planted along the back of the visibility splay. New tree planting to frontage, with the building line set back to match the existing properties. The RPA of existing trees must be avoided.
  - B** Existing poor hedge reinforced by new hedge and tree planting to screen development.
  - C** New boundary planting to screen development from existing houses .
  - D** New boundary planting to screen development from existing houses .

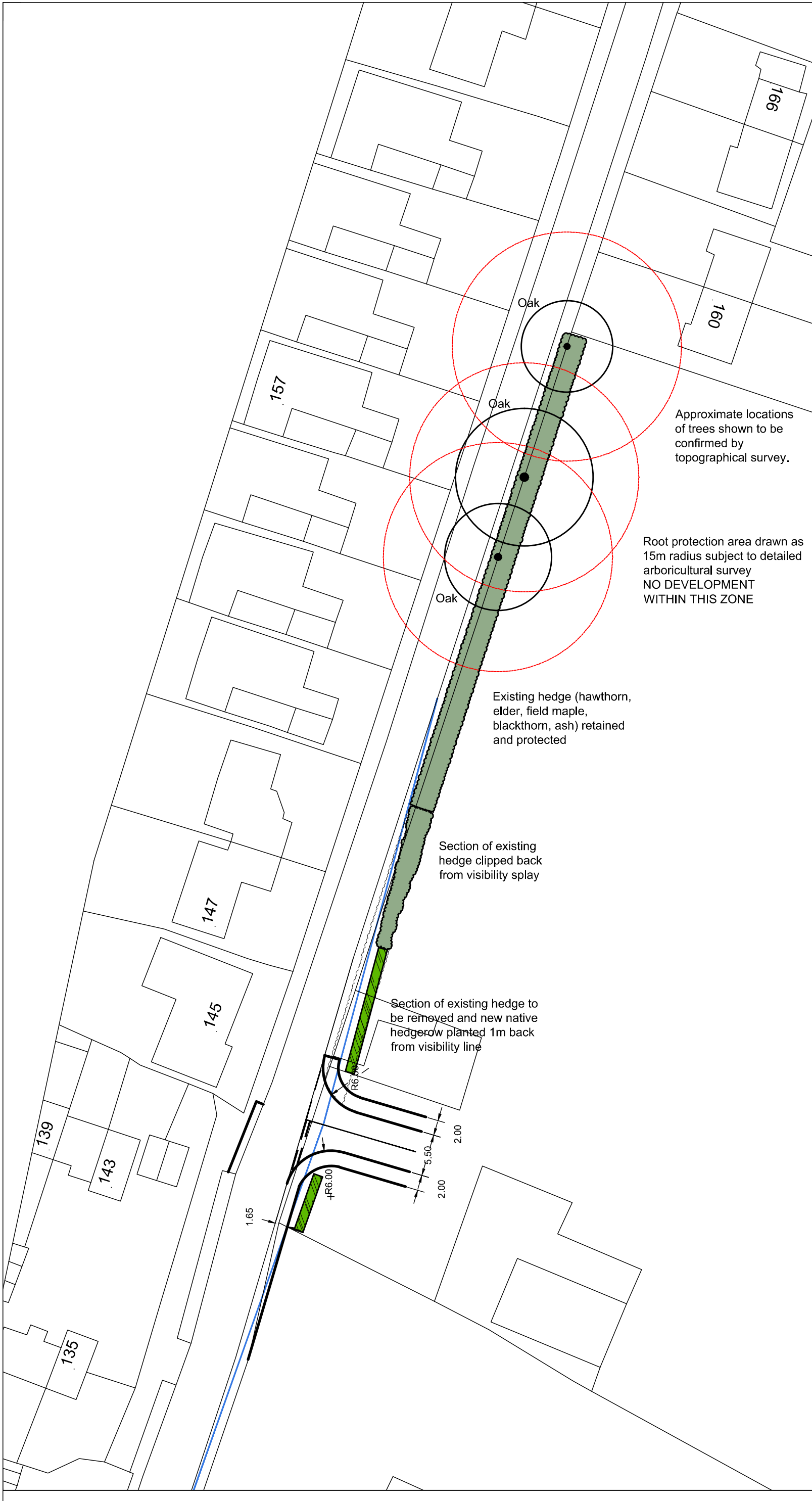
Refer to drawing prepared by Savoy Consulting for detail of site access and visibility splay.



0m 25m 50m 75m 100m



NOTES



Approximate locations of trees shown to be confirmed by topographical survey.

Root protection area drawn as 15m radius subject to detailed arboricultural survey  
NO DEVELOPMENT WITHIN THIS ZONE

Existing hedge (hawthorn, elder, field maple, blackthorn, ash) retained and protected

Section of existing hedge clipped back from visibility splay

Section of existing hedge to be removed and new native hedgerow planted 1m back from visibility line

REV NOTE DATE AUTH



CLIENT  
**TYLER PARKES**

PROJECT  
**STATION LANE, KINGSWOOD**

DRAWING  
**HEDGE AND TREE RETENTION/REMOVAL, SITE FRONTAGE**

CONTRACT	1413/13	DRG NO.	<b>SK01</b>	
DATE	15/01/14	DRAWN		dr
ISSUE	COMMENT	CHECKED		DR
SCALE	1:500	ORIG SHEET		A3
CAD FILE	PLAN.dwg	REV	-	

Our ref: 9852 LPA4 HRW

Development Policy Manager  
Development Services  
Warwick District Council  
Riverside House  
Milverton Hill  
Leamington Spa  
CV32 5QH

By Email: [newlocalplan@warwickdc.gov.uk](mailto:newlocalplan@warwickdc.gov.uk)

4<sup>th</sup> June 2014

Dear Sir/Madam

## Warwick District Local Plan Publication Draft Consultation: Formal Representation in respect of Land at Station Lane, Kingswood

We act on behalf of the Trustees of the F S Johnson 78NEL Settlement in respect of land at Station Lane, Kingswood. Representations have previously been submitted to the Revised Development Strategy, July 2013, to the Preferred Options consultation, July 2012, to the Warwick Local Plan Village Housing Options and Settlement Boundaries Development Plan Document, January 2014, and the full extent of land in our client's ownership was advanced for consideration in the Strategic Land Availability Assessment (SHLAA). The site is identified in the SHLAA, as reference R111.

Part of the site advanced on behalf of our clients, adjacent to Station Lane, was identified in the 'Warwick Local Plan Village Housing Options and Settlement Boundaries' Kingswood settlement plan as Discounted Option site 9. Representations submitted on behalf of our clients in January 2014 included a plan which identified the site area being promoted for residential development – an area of land extending slightly east of 'Discounted Option site 9', up to the first field boundary. The site plan is shown in Appendix A, figure 1 of the 'Landscape and Visual Assessment' which forms part of this and our previous submission.

You will recall that our letter of representation submitted in January 2014, included a Landscape and Visual Assessment prepared by Barry Chinn Associates Ltd and a



Highway Statement prepared by Savoy Consulting, January 2014, copies of which are attached and form part of the current submission. In January our letter explained that these reports highlight shortcomings and errors in the site assessment carried out by the local planning authority in respect of our client's land, as well as identifying concerns about the ability to achieve satisfactory vehicular access to several of the Preferred Option sites in Kingswood (Lapworth).

We welcome the opportunity to make representations on behalf of our client to the Warwick District Local Plan Publication Draft consultation and set out our formal representations below:

We raise **OBJECTION** to the Warwick Local Plan Publication Draft on the grounds that it is not 'sound' and it fails to fully meet the requirements of the National Planning Policy Framework (Framework), National Planning Practice Guidance and fails to include policies which fully meet the legal requirements of the Duty to Co-operate.

It is apparent that the approach taken to housing land allocations in the Warwick Local Plan Publication Draft is not wholly consistent with the Framework which, amongst other matters, seeks to: provide certainty by planning for the long term; locate development in the most sustainable locations; ensure a 5 year housing land supply is maintained; alter Green Belt boundaries in exceptional circumstances (such as required to meet housing need) to ensure they are capable of enduring beyond the Plan period; and ensure the legal Duty to Cooperate has been satisfied.

In summary, the Local Plan is not sound because it fails to -

- provide sound, accurate evidence to justify discounting land at Station Lane, Kingswood for housing development, despite assurances that previous misrepresentations would be rectified;
- provide certainty over the long term;
- identify sufficient land within or adjacent to the largest villages proportionate to their sustainability criteria;
- include sufficient sites which are deliverable in the next 5 years to meet the 5 year housing land requirement;
- address the need for a 20% buffer in the 5 year housing land supply arising from the Council's record of persistent under delivery of new housing;
- fully address the implications on Warwick District of the potential housing land shortfall in the Housing Market Area and surrounding local authority areas as required under the Duty to Cooperate;
- offer developers sufficient deliverable housing land choices to ensure a rolling 5 year housing land supply is maintained;
- ensure that Green Belt boundaries are capable of enduring beyond the plan period through the identification of 'areas of development restraint' or 'safeguarded land' including in/adjacent to the most sustainable villages;

- provide sound evidence to demonstrate that highway access could be satisfactorily achieved to enable safe development of the sites allocated for housing in Kingswood; and
- remove part of our client's sustainable and deliverable land fronting Station Lane from the Green Belt and include it within the Settlement Boundary and allocate it for residential development.

A more detailed assessment of issues of soundness and legal compliance raised above is set out below:

## National Planning Policy Framework (Framework)

1. The Framework, published on 27<sup>th</sup> March 2012, sets out the government's planning policies for England and how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. It is therefore vital that the policies and proposals contained within emerging Development Plans are consistent with the objectives and requirements of the Framework.
2. Paragraph 14 states that at the heart of the Framework is a 'presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.' Paragraph 15 requires policies in Local Plans 'to follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay'.
3. In Paragraph 7, the Framework recognises three dimensions to sustainable development; economic, social and environmental. In respect of the social role, the Framework sees the planning system as needing to perform the role of, 'supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being'.
4. Paragraph 17, sets out 12 core planning principles, including that planning should ensure that, '...Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth...' and '...actively manage patterns of growth to make the fullest possible use of public transport, walking, cycling, and focus significant development in locations which are or can be made sustainable...' as well as '...take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it...'
5. Paragraph 30 goes on to state that 'in preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.'

6. Paragraph 47, Delivering a Wide Choice of High Quality Homes, requires local planning authorities to identify ‘...key sites which are critical to the delivery of the housing strategy over the plan period...’ and identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against the identified housing requirement with an additional buffer of 5% to provide a realistic prospect of achieving the planned supply and ensure choice and competition in the market for land. Where there has been a persistent under delivery of housing, local planning authorities should increase the buffer to 20%. It also requires that local planning authorities should identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and where possible, for years 11-15.
7. According to the footnotes in the Framework, to be considered deliverable, ‘sites should be available now, offer a sustainable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable...To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.’
8. Paragraph 48 states that local planning authorities may only make an allowance for windfall sites in the rolling 5 year housing land supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any windfall allowance ‘should not include residential gardens’ in the calculation.
9. Paragraph 50 requires local planning authorities to, amongst other things, deliver a wide choice of high quality homes, plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community such as older people, ensure that local demand is reflected in the tenure and range of housing, widen opportunities for home ownership and create sustainable, inclusive mixed communities.
10. Paragraph 49 states that, ‘Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.’
11. Paragraph 83 notes that ‘Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.’ Paragraphs 84 and 85 require, when reviewing Green Belt boundaries, that local planning authorities take account of the need to promote sustainable patterns of development. Where necessary, they should identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet the longer-term development needs stretching beyond the plan period. They should ‘satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period’
12. Section 7 of the Framework is entitled ‘Requiring Good Design’ and it emphasises the great importance of the design of the built environment. It

states, 'Good design is a key aspect of sustainable development...and should contribute positively to making places better for people.' Paragraph 58 requires policies to ensure development establishes, amongst other matters, a strong sense of place, optimises the potential of sites, responds to local character and history, and results in visually attractive architecture and appropriate landscaping.

13. Paragraph 182, Examining Local Plans, requires Local Plans to be 'sound' meaning that they must be: positively prepared; justified such that the 'plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence'; effective; and consistent with national policy to enable the delivery of sustainable development.

## Site Specific Information

### **The Case for identifying the western part of SHLAA site R111, Land fronting Station Lane, Kingswood**

14. At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a 'golden thread' running through both plan-making and decision-taking. Local Plan policies are required to follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. The need to identify Green Belt land has been accepted in principle by Warwick Borough Council to meet the housing requirement for the Plan period. Therefore, it is entirely appropriate for the most sustainable sites to be allocated without delay as part of the current plan making process. To proceed without identifying sufficient land to meet the identified housing requirement in the most sustainable locations is unsound.
15. Identification of sites must be made on the basis of evidence which has been positively prepared and the strategy must be justified to show that it is the most appropriate when considered against reasonable alternatives, based on proportionate evidence. The site allocations should be the most effective site selections which are consistent with national policy to enable the delivery of sustainable development. We again present evidence below, as submitted previously in our January 2014 letter of representation, to demonstrate that this requirement has not been satisfactorily met in respect of our client's land.
16. We would strongly recommend allocation of part of our client's land as a housing site in the current Local Plan. The site proposed as a housing allocation in this submission is the field parcel fronting Station Lane extending east to approximately the same north/south line as the current Settlement Boundary to the south of the site. The site area would include Discounted Option 9 together with land to the east up to the existing field boundary, a defensible physical boundary, boundary shown in Appendix A, figure 1 of the 'Landscape and Visual Assessment' which forms part of this submission.
17. The site is bounded to the north by the side elevation and garden of 160 Station Lane as well as farmland; to the east by farmland; to the south by the garden of 128 Station Lane; and to the west by Station Lane. Land on the

opposite side of Station Lane is occupied by residential properties. The site has an existing access at the southern end of the site, close to the garden of 128, Station Lane. There are a number of agricultural structures, equipment and animal storage areas in the vicinity of the gated access.

18. The site is in an extremely sustainable location being approximately 2 minutes walk to Lapworth railway station and bus stops, 6 minutes walk to the local primary school, less than 10 minutes walk to the shops in Lapworth and just over 10 minutes walk to Lapworth surgery.
19. Our client contends that the assessment of their site was distorted by the Council's decision, in the original and updated evidence, to ignore the existing access opposite number 145 Station Lane and assume that access would be provided towards the northern end of the road boundary, opposite 155 Station Lane. In order to secure visibility sight lines in the new location proposed by the Council, it would necessitate the removal of existing Tree Preservation Order (TPO) oak trees and an extensive length of road frontage hedging. This loss of significant trees and hedging is cited as one of the primary reasons for discounting the site. However, retention of the access in its current position, as explained in our January letter of representation, would secure a safe access without the need for removal of any trees and only necessitating removal of a short length of poor quality hedging which could easily be replanted to the rear of the sight-lines.
20. Our clients also contend that the Council failed to assess in detail the landscape impact if development were confined to the field fronting Station Lane and appropriate mitigation measures taken. Instead their original and again the updated assessments are primarily concerned with the potential adverse impact residential development might have on the landscape if all, or a much larger section of the site promoted in the SHLAA, were to be developed. For these reasons we contend that the evidence base continues to be **UN SOUND** and does not satisfy the requirements of the Framework.

### Highway Statement

21. The 'Highway Statement' carried out by Savoy Consulting, provides evidence to dispute the County Council Highway Authority's conclusions. It clearly demonstrates that, contrary to the County Highway Authority's findings, there is an existing agricultural vehicular access into our client's site opposite number 145 Station Lane, which would provide the optimum location for access into a housing development. The 'Proposed Access and Visibility Spay' plan number DWG-01 (Appendix A), which accompanies the Highway Statement, demonstrates that with a minor adjustment northwards of the centre of the site access, visibility splays could be achieved which meet safety requirements for speeds of 38 mph along Station Lane.
22. Safe access into the site would not require the removal of any trees and it would only require removal of a short stretch of hedging which is not dense. It would of course be possible to replant a hedge to the rear of the new visibility sight lines. Therefore a safe vehicular access into the site could be achieved in a similar location to the existing access with no overall loss of hedging and no tree loss.

23. It is important to note that the 'Highway Statement' also considers highway access arrangements to all the Preferred Option sites in Kingswood (Lapworth) and this new evidence clearly calls into question many of the County Highway conclusions. For example in the opinion of Savoy Consulting: Preferred Option site 3, with an estimated capacity for 6 dwellings, - identified as site H31 in the Publication Draft; Preferred Option site 4 with an estimated capacity for 11 dwellings - identified as site HH32 in the Publication Draft; and Preferred Option site 7 with an estimated capacity for 5 dwellings - identified as site H33 in the Publication Draft, '...should not be allocated on road safety grounds.'
24. The Council have therefore based decisions on which sites to allocate for residential development and which to discount on unsound evidence. Evidence which continues to be included in the supporting information for site selection despite the fact that Council were made aware of the errors in January 2014. The Savoy Consulting Highway Statement continues to raise serious doubts about the deliverability of several of the allocated sites from both a highway safety perspective and from the perspective of land ownership, for example, the new access road into sites H29 and H30 would have to be over third party land and there is no certainty that the various land owners interests could be secured.
25. Clearly the Savoy Consulting Highway Statement has been confined to consideration of access arrangements into our client's site and the feasibility of achieving vehicular access into the Preferred Options sites. Given that this report has called into question the reliability of County Highway evidence in Kingswood (Lapworth), it is perhaps reasonable to assume that there may be similar discrepancies in the County Highway evidence and 'updated' evidence for sites selection within many of the other Settlements. This raises doubt over whether the scale of development proposed on the allocated sites in the Local Plan as a whole could be satisfactorily achieved.

### **Landscape and Visual Assessment**

26. The 'Landscape and Visual Assessment' carried out by Barry Chinn Associates Ltd, assesses both the field adjacent to Station Lane proposed in this submission as a housing allocation, and the entirety of the site within our client's ownership. The larger site, which extends east as far as the Grand Union canal and includes a 'finger' of land which projects south alongside the canal up to the rear gardens of Yew Tree Close, has been assessed by the local planning authority in the SHLAA, site reference R111. It also falls within a larger area of a more general assessment undertaken by the Council and detailed in the consultant's report, such as the Draft Green Belt Assessment.
27. Much of the evidence prepared to inform the 'Village Housing Options and Settlement Boundaries' DPD used to discount our client's site, refers to the landscape and ecological value of the canal and river corridor. In respect of the Green Belt in this area, it is recognised that the area has been eroded by residential development. There is some evidence in the Council's analysis of the Draft Green Belt Assessment, that the area could accommodate very limited extension to the village without significantly impacting on the purposes



of the Green Belt, and it would be important to protect natural assets such as mature trees, hedges, and the wildlife corridor of the canal.

28. Significantly, the SHLAA R111 site assessment and more recent update, May 2014, summary for our client's site states under Physical Constraints that '...Site access will require the removal of a number of mature trees' and 'Narrow development site. In an area of high landscape value.' With Potential Impacts being cited as, 'Significant impact on landscape character. Access will require removal of tree frontage. Area of high landscape sensitivity (2013 Assessment)' with the conclusion that the site is 'Not suitable due to impact on tree frontage and significant landscape impact.' However, it has been demonstrated by Savoy Consultancy, as set out above, that there would be no requirement to remove any trees from the site frontage to create an access into the site. Comments on the potential impact on the landscape are set out below.

29. The detailed site specific Landscape and Visual Assessment carried out by Barry Chinn Associates Ltd provides a detailed assessment of the R111 site as a whole as well as a specific assessment of the development site area proposed in this submission ie. the field adjacent to Station Lane. Some of the key messages which emerge from the recent professional assessment of the proposed development site are summarised as follows:

- Due to the presence of existing vegetation and landform, the site is generally not particularly prominent in the landscape;
- The towpath vegetation and existing hedgerows across the site screen the site from the fields and canal further to the east;
- The principal contribution the site makes to the visual character of this part of Kingswood Village is due to the presence of the existing hedgerow and mature trees, the wider landscape is only glimpsed;
- Development would be seen in the context of existing residential properties;
- Although the upper part of the site (adjacent to Station Lane) is visible from public footpaths, to the east, it is seen in the context of the existing village and these are comparatively distant views. From these locations it is considered that the development of the first field would be seen as a natural extension to the village and not an unacceptable encroachment into the rural landscape;
- The site is not visible from any more distant locations that might be considered sensitive such as the grounds of Packwood House;
- All three boundary TPO trees could be retained as could the majority of the hedging which could be strengthened;

- The highway visibility splay would require the removal of only a short section of the least species rich hedging, as shown on the Plan in Appendix B - Drawing 1413/13/SK01; and
  - A Landscape Strategy Plan demonstrates how development could be seen as a natural extension to the village with, for example, properties set back from Station Lane by at least 15 metres to avoid conflict with the Root Protection areas and re-enforced hedgerows plus additional boundary planting.
30. The report concludes at paragraph 6.6 'Overall the landscape and visual impacts for the development are considered to be predominantly localised and contained within a reasonably small area. The most notable landscape effects are due to loss of a piece of rural land close to the centre of the existing village. The implementation of the landscape strategy will ensure that the identified opportunities for mitigation are fully realised so that they achieve the aim of assimilating the development into the landscape.'
31. In summary, both the Highways and Landscape professional assessments carried out by independent consultants have highlighted significant errors and failings in the Council's evidence base which have not been corrected in the more recent May 2014 updates despite them being highlighted in our January 2014 representations. These errors have resulted in decisions being made based on misleading information. The local planning authority have thereby failed to meet the tests of soundness required by the Framework.

## Council Evidence Base

32. Following submission of our representations in January 2014, we attempted to positively engage with planning officers on a number of occasions by telephone and email to arrange a meeting to discuss technical landscape and highways issues relating to our client's site and try to agree a way forward. Despite initial verbal encouragement for such a meeting, planning officers declined to meet. This failure to engage with or co-operate with the landowner's representatives is a missed opportunity for the resolution of errors in the Council's evidence base.
33. In the Council's response to the comments received to the consultation on the 'Warwick Local Plan Village Housing Options and Settlement Boundaries' contained in the evidence document, 'Report of Public consultations', May 2014, published in support of the current consultation, we were encouraged by the assertion that '...Where potential errors have been raised through the consultation, these issues have been revisited eg. access, landscape, hydrology...' (page 220). However, despite the fact that the letter of representation submitted on behalf of our clients in January 2014 clearly set out access and landscape issues which needed to be re-visited to ensure a 'sound' site selection process in respect of our client's site, this has not been undertaken.
34. Planning Officers advised that the two updated evidence documents which relate to our client's site are the updated SHLAA, May 2014, and Landscape

Assessment Update. However, upon examination it is clear that the SHLAA information remains unchanged in respect of our client's site and the Landscape Assessment Update relates only to land south of the Old Warwick Road and does not re-evaluate the landscape impact of any proposed development on our client's site. Therefore, contrary to the Council's assertions, the evidence continues to remain inaccurate in respect of our client's land being promoted for residential development.

35. Therefore, our clients strongly **OBJECT** to the fact that the updated documentation supporting the policies and proposals remains flawed, misleading and unreliable in respect of Kingswood (Lapworth) and the appraisal of land in our client's ownership.
36. The Council have failed to satisfy the Framework's requirements for proportionate, positively prepared and justified evidence and it is therefore unsound. The plan's strategy is not justified because site selection has been based on inaccurate information. In addition, the revised, yet still inaccurate information which is available in the SHLAA, does not relate to the site area being promoted by our clients for residential development (letter submitted to the Council January 2014), instead it continues to consider the full extent of land in our client's ownership, much of which it is undisputed, would not be suitable for residential development and we agree would have an unacceptable impact on the landscape.
37. As set out above, the SHLAA update, May 2014, in respect of site reference R111 (land in our client's ownership but extending far beyond the site area proposed by our clients for residential development) continues to assert that the site is not suitable for development due to the impact on tree frontage and the significant landscape impact. Both these assertions are, we contend, unfounded for the reasons set out in the site specific information above. Disproved by independent Highways and Landscape assessments.
38. In addition, our clients object to the fact that these documents were not available on the Council's web site until over a week after the start of the six week consultation period and even when published they were not immediately available on the on-line Publication Draft evidence base web page. The delay in publication of vital evidence in support of the plan making process presents two major problems: firstly, the community and interested parties do not have the full statutory consultation period of time to assess the information; and secondly, the delay introduces the possibility that the Local Plan strategy could not have been devised as a response to the most recent up-to-date evidence since this evidence was not in fact complete when the Local Plan was considered and approved by Committee in April 2014.

## Warwick District Housing Land Requirement

39. Our Clients note the housing requirement has been increased from the Interim Level of Growth figure of 12,300, contained in the Revised Development Strategy, June 2013, to 12,860 new homes between 2011 and 2029 as set out in Policy DS6. However they contend that this figure should, as a minimum, correspond with the full objectively assessed need identified in the Joint Strategic Housing Market Assessment (Joint SHMA), November 2013,

carried out by GL Hearn. This report concludes that the 'assessed need' for Warwick District is 12,960 ie. there is a 'need' for an additional 100 new dwellings over the plan period.

40. This housing requirement figure is likely to increase in response to the legal obligations arising from the Duty to Cooperate. Where an authority is unable to meet its own housing need in full, it should work with other authorities to consider how these needs can be met. Therefore, in addition to the Strategic Housing Market assessed need it seems probable that Warwick District will be required to accommodate a need for additional housing arising beyond the local authority boundary.
41. The evidence document 'Coventry and Warwickshire Duty to Cooperate Sub-regional Approach to Delivering the Housing Requirement' sets out a number of cross-boundary factors which are likely to elevate this figure. For example, it notes at paragraph 8.6 that there remains a significant likelihood that a number of Councils within the Housing Market Area will have a shortfall in housing land supply which will be evident once they have completed work on their Strategic Housing Land Availability Assessments (SHLAA). Other significant risks include a probable requirement for the Housing Market Area to accommodate part of the shortfall arising from Birmingham and Coventry.
42. Our Clients welcome the recommendations by the Joint Committee that all constituent authorities agree to a number of actions, paragraph 2 of the evidence document 'Coventry and Warwickshire Duty to Cooperate Sub-regional Approach to Delivering the Housing Requirement'. However, they are concerned that Policy DS20 provides too much 'wriggle room' for the authority to potentially escape its obligations.
43. Policy DS20 does not set a timescale for an early review of the Plan and it states that a review will take place only '... if evidence demonstrates that significant housing needs arising outside the District should be met within the District and cannot be adequately addressed without a review...' There is no definition of 'significant' so it would be possible for the District to decide not to undertake a review if, in their opinion, the housing requirement was not regarded as 'significant'.
44. Given the evidence contained in the document 'Coventry and Warwickshire Duty to Cooperate Sub-regional Approach to Delivering the Housing Requirement' it seems almost inevitable that there will be a shortfall in housing land supply in several local authority areas which would, in part, need to be accommodated within Warwick District. In the light of this evidence, our clients contend that to meet the requirements of the Framework Warwick District should commit to a Local Plan review within three years from adoption.
45. Given the inevitable requirement for additional housing land, our clients contend that the Local Plan should identify additional 'safeguarded' land to meet these longer-term needs. The Framework requires that land should be identified as 'safeguarded land' between the urban area and the Green Belt in order to meet the longer-term development needs stretching beyond the plan period. Currently, our Clients do not consider that the Council have demonstrated that Green Belt boundaries will not need to be altered at the

end of the development plan period, contrary to the requirements set out in the Framework.

## **Housing Allocations proposed in the Local Plan Publication Draft**

### **An Overview**

46. The Publication Draft version of the Local Plan has significantly changed since the Revised Development Strategy, June 2013. Under the terms of Policy DS10, the number of dwellings proposed on brownfield sites has increased by 950 to 1,330 and the number proposed on greenfield sites on the edge of Kenilworth has increased by 150 to 850. However, the proposed residential development on greenfield sites on the edge of Warwick, Leamington and Whitnash has decreased by 1,305 to 3,245 and the number proposed within Growth villages and the rural area has also decreased by 235 to 763. Overall, the number of dwellings proposed on allocated housing sites has increased by 320 since the January 2014 consultation.
47. Despite the fact that there has been a significant increase in the number of allocated brownfield sites in the Local Plan, presumably taken from the SHLAA, the capacity of small urban sites assessed in the SHLAA as suitable for residential development has also risen from 300 in June 2013 to 393 in the publication Draft version of the Local Plan. There is genuine concern that the SHLAA sites are not necessarily deliverable given that they do not have planning permission.
48. There is also concern that many of the proposed allocated sites have not been subject to earlier consultation and have therefore not been subject to the depth of scrutiny the front-loaded Local Plan process seeks to achieve. Where sites have been included in earlier consultation documents site areas or the density of development proposed have often been amended in response to representations and/or more detailed site assessments. The huge increase in the number of allocated brownfield sites for example since January 2014 is not in accordance with the spirit of this front-loaded development plan process. Representations at this, the Publication Draft stage, must be confined to issues of soundness and legal compliance. There is therefore concern that the currently proposed development strategy has not been subject to the necessary public consultations and it consequently does not meet the requirements of the Framework.
49. Provided that the number of units can be delivered as proposed in or adjacent to the main urban areas – which is open to question - our clients would not dispute the principle that the number of dwellings allocated to housing sites within the Growth Villages may need to be decreased since the January 2014 consultation. However, they strongly **OBJECT** to: the distribution of these allocations between the settlements; the lack of 'safeguarded' sites for longer-term development; and the site selection in Kingswood (Lapworth). (The problems with the site selection being based on unsound evidence have been fully addressed in the sections above.)
50. The Warwick District villages have been ranked according to their sustainability and size with a hierarchy set out in the 'Draft Settlement

Hierarchy Report', May 2013. It would be appropriate and in accordance with national planning policy that the largest proportion of development be directed towards the larger, most sustainable settlements. Kingswood (Lapworth) settlement was classified in the 'Draft Settlement Hierarchy Report' as one of five largest villages referred to as Primary Service Villages. The Publication Draft Local Plan grouped both the five Primary and five Secondary Service Villages referring to them cumulatively as 'Growth Villages'.

51. The five Primary Service Villages followed by the five Secondary Service Villages, are listed below in order of sustainability score attributed to them in the 'Draft Settlement Hierarchy Report', together with the proposed housing allocation:

**Primary Service Villages**

▪ Hampton Magna	100
▪ Cubbington	100
▪ Radford Semele	50
▪ Kingswood (Lapworth)	43
▪ Bishops Tackbrook	150

**Secondary Service Villages**

▪ Barford	80
▪ Baginton	35
▪ Burton Green	60
▪ Leek Wootton	45
▪ Hatton Park	80

It is evident from the list above that not only has Kingswood (Lapworth) been allocated the smallest number of new dwellings when compared to the other Primary Service Villages, it has also been allocated less residential development than all but one of the Secondary Service Villages as well.

52. Kingswood (Lapworth) is identified as a Primary Service Village with a score in the 'Settlement Hierarchy Report', of 53, only 4 points short of the most sustainable village of Hampton Magna. This settlement score is derived from an assessment of a number of factors including: the size of the settlement in terms of usual resident population; the availability of services and facilities within the settlements; and the accessibility of services, facilities and employment opportunities including frequency and availability of public transport.
53. Given the evidenced sustainability of Kingswood (Lapworth) with its railway station, school, shops and local employment, we object strongly to the identification of preferred sites to accommodate only 43 new dwellings. It is unsound for Kingswood (Lapworth) to have fewer proposed new dwellings than not only all the other Primary Service Villages, but also fewer than all except one of the Secondary Service Villages. The Framework requires development to be directed in the first instance, towards the most sustainable locations. It is unsound for the Local Plan not to allocate more land in Kingswood (Lapworth) when there are suitable sustainable options available;

which we contend there are, such as part of our client's land at Station Lane where development would effectively be infill housing.

54. Our clients believe that the scale of new development sites and growth should broadly reflect the relative sustainability of each settlement such that those which score highest in terms of sustainability should accommodate the largest amount of growth. They therefore object to the local planning authority limiting the identification of development sites in the larger villages. Our clients **OBJECT** to the division of the housing allocation between the Growth Villages because it does not fully accord with the Framework's requirement to direct development towards the most sustainable settlements.
55. Whilst our clients acknowledge that it is important to make an informed judgement about the scale of development after considering factors other than sustainability, such as flood risk, landscape, ecology and access; they assert that the evidence produced in respect of Kingswood (Lapworth), certainly in so far as it relates to their site, is unsound. It would therefore be unreasonable to use the incomplete and factually incorrect access and landscape information as justification for deviating from the sustainability hierarchy. The Local Plan is therefore unsound.
56. The outstanding housing need is an 'exceptional circumstance' to justify a review of Green Belt boundary at Kingswood (Lapworth) to facilitate release of deliverable housing sites. In addition, to accord with the requirements of the Framework, the local planning authority should, "where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period." The Local Plan does not make sufficient provision of proposed housing land allocations to meet: the Joint Strategic Housing Market Assessment (SHMA) additional need; any cross-boundary requirement under the Duty to Cooperate; or the requirement to identify 'safeguarded land' to meet longer-term development requirements.
57. The lack of sufficient deliverable land to satisfy the housing requirement, in the next five years and over the plan period, imposes an artificial constraint on growth and is contrary to the Government's growth initiative and its objective of stimulating the housing market to provide sufficient houses of the right type in the right places to meet need.

#### **Five Year housing Land Supply**

58. Under the terms of Framework paragraph 49, where a deliverable 5 year housing land supply cannot be demonstrated none of the housing supply policies are considered up-to-date, even where a Plan has been recently adopted. In these circumstances each housing planning application should be considered in terms of the Framework and the presumption in favour of sustainable development. In order to avoid 'planning by appeal' and protect planning policies and strategies over the plan period it is important for local planning authorities to ensure that a 5 year housing land supply is maintained at all times.

59. The 5 year housing land calculation must provide a 'buffer' under the terms of the Framework of, '...specific deliverable sites sufficient to provide five years worth of housing against the identified housing requirement with an additional buffer of 5% to provide a realistic prospect of achieving the planned supply and ensure choice and competition in the market for land. Where there has been a persistent under delivery of housing, local planning authorities should increase the buffer to 20%...' There is no definition of 'persistent under delivery' and this has largely been left for determination by the Inspectorate.
60. It is important to note that the Publication Draft Local Plan makes no reference to the need for a 'buffer' to be included in the five year supply calculation. It is therefore reasonable to assume that, contrary to national guidance, the Council have not included a 'buffer' in their rolling annualised five year housing requirement figures. In addition, given the importance of an evidenced deliverable 5 year housing land supply to any Local Plan, it is unsound for the Council not to have calculated and provided as part of the background evidence, updated information on the five year housing land supply. Planning officers have advised that this information will not be available until the end of July 2014, sometime after the closing date for representations to be received to the current consultation.
61. Given that there is no reference to a 'buffer' or whether the Council consider themselves to have previously delivered on their housing requirement in the Proposed Draft Local Plan, Warwick Council have clearly based policies on the assumption that they do not have a record of persistent under delivery of housing. However, this is an assumption which evidence of their past housing delivery performance together with a recent interim decision by the Inspector for Staffordshire Moorlands would challenge.
62. The most recent available 'Five Year Housing Land Assessment 2013-2018' paper, published July 2013, concludes that the Council has a good track record in meeting the Warwickshire Structure Plan (1996-2011) and West Midlands Regional Spatial Strategy (2001-2021) housing requirement, early delivery of which resulted in introduction of a housing moratorium 2005 to 2009. Yet, according to the paper, during the post-moratorium years 2009 to 2012 only 422 dwellings were completed.
63. With build rates of 188, 97 and 137 net new dwellings built per annum since 2009, the Council have clearly fallen far short of both the historical annual housing targets and the more onerous and most up-to-date annual housing targets, as set out below, all of which exclude any 'buffer':
- the Regional Spatial Strategy (2001-2021) annualised target of 395 dwellings;
  - the annual housing requirements proposed in the Regional Spatial Strategy Panel Phase 2 Revision report, published September 2009, of 11,000 net new dwellings over the period 2006 to 2026 which equates to an annualised target of 550 per annum. (Although RSSs have now been revoked, the Panel Report housing requirement calculations have frequently been accepted by Planning Inspectors at appeals across the country)



as the most up to date publically examined housing requirement evidence, in the absence of locally derived and tested figures);

- the Publication Draft annualised target over the period 2011 to 2029 of 714 dwellings; or
- the Joint SHMA assessed need, using demographic and economic evidence, over the period 2011 to 2031, of 720 dwellings.

64. Warwick District therefore had a significant annual housing shortfall in delivery, following cessation of the housing moratorium at the end of 2009. This we believe is a 'persistent' annual under delivery when measured against the annual housing requirement. Once a 'persistent under delivery' has been proven, which we contend it has, the 5 year housing land requirement would rise by a 20% buffer rather than a 5% buffer.

65. In support of our contention is recent advice from a Development Plan Inspector. On 4<sup>th</sup> October 2013, the Inspector carrying out an Independent Examination of the Staffordshire Moorlands Core Strategy published 'Comments and Suggested Amendments to the Main Modifications' in which he made recommendations required to address issues of soundness. His rewording has been accepted by the Council in a letter dated 11<sup>th</sup> October 2013. In respect of the requirement for a housing buffer, he has recommended the following wording be introduced into the Core Strategy,

'... as a result of the significant underperformance in dwelling completions in years 2011 – 2012, the Council will ensure a supply of deliverable land for 1,320 dwellings to provide a 20% buffer supply, added to the 5 year requirement to 2016.'

66. It would therefore be reasonable to suggest that 'persistent' means at least two accounting years before the current one and 'under delivery' would be where fewer than the projected annual housing unit requirement are completed. Warwick have under delivered on their housing requirement for over two years and therefore we firmly believe that the emerging Local Plan is unsound without a 20% buffer in addition to the annual housing requirement for a rolling five year period, until such time as the housing target can be met for a minimum of two consecutive years. This increased housing need should have been considered in the Publication Draft Local Plan to ensure that sufficient land is allocated to meet the need and ensure sufficient choice for developers.

67. As previously stated, the 'Five Year Housing Land Assessment 2013-2018' paper concludes that there is only a requirement for a buffer of 5% applied to the housing requirement. Even on this basis, using the lower Interim Level of Growth housing requirement figure, less stated completions of 447 units over the two years 2011 to 2013, there would be a five year annual requirement of 910 dwellings per annum, extremely onerous given that, according to Appendix 1, only 137 dwellings were built in 2011/12.

68. If a 20% buffer were added, as we contend is necessary, the five year target increases to 5,201 which equates to 1040 dwellings per annum. Taking the Joint SHMA assessed need figure, the five year target would be 5512 dwellings which equates to 1,102 net new dwellings required per annum over the next five years.
69. In terms of the five year land supply, the 'Five Year Housing Land Assessment 2013-2018' paper states that sites considered as having a 'realistic prospect of being developed within the next five years' include: sites with planning permission and under construction; sites in the Strategic Housing Land availability Assessment (SHLAA); and windfall sites.
70. In order to be included in the five year housing land supply calculation, the Framework requires sites to be deliverable and developable. They must be available now, offer a sustainable location for development, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.
71. We contend that there must be a question mark over the deliverability of the SHLAA units. Without the benefit of a planning application or permission, there can be no certainty that the SHLAA sites will come forward and deliver the total potential housing estimated, within a five year period.
72. Notwithstanding the question mark over the deliverability of sites included in the five year supply calculation, the 'Five Year Housing Land Assessment' paper concludes that the authority has only 2.8 years supply. Given that the 5% buffer should, we contend be increased to 20% and the housing growth requirement increased in line with the findings of the Joint SHMA, the five year housing land supply would be 2.4 years based on the Interim Growth figure and 2.3 years using the Joint SHMA assessed need figure. This number of years supply is an optimistic assessment given the vulnerability to change of the SHLAA and windfall site totals included in the supply.
73. Whilst it has not been possible to conduct a comprehensive assessment of the current 5 year housing land supply, using the revised housing information contained in the Publication Draft version of the Local Plan, there still appears to be a shortfall in the deliverable housing land supply over the next five years of approximately 3.6 years.
74. The fundamental importance of demonstrating a 5 year housing land supply has been highlighted by Local Plan Examination Inspectors. Most recently, in April 2014, Inspector Thickett commented on the East Hampshire Local Plan Joint Core Strategy as follows:

*'The NPPF requires local planning authorities to identify a supply of sites sufficient to provide five years worth of housing against their housing requirements with, in this case an additional 5%...the Authorities calculate there to be a 3.5 year supply of housing sites. This is a significant problem. The NPPF advises that where a five*

*year supply cannot be demonstrated relevant policies for the supply of housing should not be considered up to date, which would include policies in this Plan the day it is adopted.'*

75. The Publication Draft Local Plan is therefore unsound because it does not identify sufficient housing sites to meet the need for the five year annual housing target including a 20% buffer. It fails to address the need to ensure sufficient deliverable sites are identified and available to be developed in the 5 year timeframe. Without additional sustainable and deliverable sites being identified in the most sustainable villages, there is a risk that the emerging housing policies will not be considered up-to-date.

### **Summary**

76. It is clear from the evidence set out above that our client's site, land fronting Station Lane, Kingswood, performs well in terms of its suitability for development when judged against the Council's sieving criteria once the more accurate and site specific evidence supplied by expert consultants, which accompanies this representation, is taken fully into consideration. The site is available now and could be delivered within the next five years making a valuable contribution towards meeting the Council's 5 year housing land supply shortfall.
77. The site is in an extremely sustainable location with excellent links to local retail outlets, school, GP surgery, bus stops and the train station. Access can be satisfactorily achieved into the site from a similar point to the existing access with minimal loss of vegetation which could readily be replaced by hedge planting to the rear of the visibility sightlines. The landscape and visual impact of development on the site would be moderate provided mitigation measures, such as protecting the tree roots of TPO trees, additional planting to strengthen the existing hedges within the development site and further planting on land within our Client's ownership are implemented. All mitigation measures could easily be secured by planning condition.
78. Given the requirement to meet the housing need, the principle of realigning the Green Belt boundary at Kingswood (Lapworth) to accommodate residential development has been accepted in the Publication Draft Local Plan. Therefore, it would be contrary to emerging Local Plan policies and the Framework to reject our client's site on the basis that, as with any greenfield site in the Green Belt, there will inevitably be some impact on openness, the landscape and on the character of the area. The aim should be to identify those sites which are in the most sustainable locations and for which the impact of development can be minimised and mitigated, as is the case on our client's land.
79. Although our client's site is currently undeveloped, it is sandwiched between existing residential development and opposite residential development. Allocation of this site for housing would effectively be 'infilling' in character with the existing form of village development along Station Lane. In line with the requirements of the Framework we envisage that the site would be developed with well designed dwellings which would make a positive contribution to the

street scene, enhancing the current eclectic housing styles along Station Lane.

80. Our client's site is 'deliverable' under the terms of the Framework. It is available now, achievable, has a realistic prospect that housing will be delivered on the site within five years and that development of the site is viable.
81. It is our firm opinion that after balancing all the material planning considerations relevant to the consideration of our client's site as a potential development site, the case for allocating this deliverable site for housing is overwhelming. The housing land requirement represents an exceptional circumstance where removal of the land from the Green Belt is appropriate.

## Conclusions

82. It is apparent from the case put forward in this letter of representation that the Publication Draft Local Plan is not sound and does not satisfactorily meet the tests of soundness in paragraph 182 of the Framework in that it is not consistent with national policy.
83. In this letter of representation we have highlighted that there is a strong case to demonstrate that the Publication Draft Local Plan, is not sound because it fails to:
- provide sound, factually correct evidence on which to base decisions;
  - satisfy the requirements of the Framework in plan making;
  - provide guidance and certainty over the long term;
  - identify sufficient developable, deliverable land which has been subject to public scrutiny and consultation to meet the housing requirement over the plan period;
  - include a 20% buffer in the 5 year housing land supply;
  - ensure all land included in the housing land supply calculation is deliverable;
  - offer developers housing land allocation choices to ensure a rolling 5 year housing land supply is maintained;
  - alter Green Belt boundaries to meet the latest identified growth requirement, including to meet any cross-boundary housing land shortfall under the Duty to Cooperate;
  - ensure that Green Belt boundaries are capable of enduring beyond the plan period through the identification of 'safeguarded land';
  - identify a quantum of housing land allocations appropriate to the scale and sustainability of settlements; and
  - remove our client's land, and other similarly 'deliverable' sites, from the Green Belt and allocate them for residential development.
84. Identification of part of our client's land, the field adjacent to Station Lane, would contribute towards meeting the proven outstanding need for Green Belt land to be allocated for housing development. The shortfall in housing land is an exceptional circumstance which justifies alteration to the Green Belt in this location. Our client's site is deliverable and it is in a sustainable location

adjacent to the settlement boundary lying between exiting residential development within easy reach of services and facilities.

85. Development on our Client's site would be a natural extension of the settlement and provide an opportunity to create a strong defensible boundary for the realigned Green Belt boundary. Contrary to the findings of the Council, evidence submitted with this representation clearly demonstrates that there are no overriding highway or landscape and visual impacts which would justify discounting this site for development.

86. We formally request that the Green Belt boundary be realigned at Kingswood (Lapworth) to exclude the field in our client's ownership, east of Station Lane, from the Green Belt designation and include it within the Settlement Boundary. We formally request that our Client's land be allocated for residential development.

We should be grateful if you would confirm receipt of this letter of representation.

Kind regards,

Yours sincerely,

**Helen Winkler Bsc(Hons), Dip. T.P., MRTPI**  
**Planning Consultant**  
[h.winkler@tyler-parkes.co.uk](mailto:h.winkler@tyler-parkes.co.uk)

## Publication Draft Representation Form 2014

For Official Use Only
Person ID:
Rep ID:

This consultation stage is a formal process and represents the last opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) before it is submitted to the Secretary of State. All comments made at this stage of the process are required to follow certain guidelines as set out in the **Representation Form Guidance Notes** available separately. In particular the notes explain what is meant by legal compliance and the 'tests of soundness'.

This form has two parts:

- Part A – Personal Details
- Part B – Your Representations

If you are commenting on multiple sections of the document, you will need to complete a separate Part B of this form for each representation on each policy.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the plan has been made available (see the table below). You can also respond online using the Council's e-Consultation System, visit: [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan)

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be received by 4.45pm on Friday 27 June 2014

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH**  
or email: [newlocalplan@warwickdc.gov.uk](mailto:newlocalplan@warwickdc.gov.uk)

### Where to see copies of the Plan

Copies of the Plan are available for inspection on the Council's web site at [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan) and at the following locations:

Warwick District Council Offices, Riverside House, Milverton Hill, Royal Leamington Spa
Leamington Town Hall, Parade, Royal Leamington Spa
Warwickshire Direct Whitnash, Whitnash Library, Franklin Road, Whitnash
Leamington Spa Library, The Pump Rooms, Parade, Royal Leamington Spa
Warwickshire Direct Warwick, Shire Hall, Market Square, Warwick
Warwickshire Direct Kenilworth, Kenilworth Library, Smalley Place, Kenilworth
Warwickshire Direct Lillington, Lillington Library, Valley Road, Royal Leamington Spa
Brunswick Healthy Living Centre, 98-100 Shrubland Street, Royal Leamington Spa
Finham Community Library, Finham Green Rd, Finham, Coventry

Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410.

# Part A - Personal Details

	1. Personal Details*	2. Agent's Details (if applicable)
Title		
First Name		
Last Name		
Job Title (where relevant)		
Organisation (where relevant)		TYLER-PARKES PARTNERSHIP
Address Line 1		66, STRATFORD ROAD
Address Line 2		SHIRLEY
Address Line 3		SOLIHULL
Address Line 4		WEST MIDLANDS
Postcode		B90 3LP
Telephone number		0121 7445511
Email address		howinkler@tyler-parkes.co.uk

**3. Notification of subsequent stages of the Local Plan**  
 Please specify whether you wish to be notified of any of the following:

The submission of the Local Plan for independent examination	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The adoption of the Local Plan.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

# Part B - Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

**4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?**

Local Plan or SA:	LOCAL PLAN
Paragraph Number:	PLEASE REFER TO LETTER OF REPRESENTATION
Policy Number:	" " " " ^ "
Policies Map Number:	" " " " " "

**5. Do you consider the Local Plan is :**

5.1 Legally Compliant?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5.2 Complies with the Duty to Co-operate?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5.3 Sound?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

**6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not: (please tick that apply):**

Positively Prepared:	<input checked="" type="checkbox"/>
Justified:	<input checked="" type="checkbox"/>
Effective:	<input checked="" type="checkbox"/>
Consistent with National Policy:	<input checked="" type="checkbox"/>

For Official Use Only	
Person ID:	Rep ID:



7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

PLEASE REFER TO LETTER OF REPRESENTATION

Continue on a separate sheet if necessary

8. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

PLEASE REFER TO LETTER OF REPRESENTATION

Continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

For Official Use Only

Person ID:

Rep ID:

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination  POSSIBLY

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

THIS WILL NEED TO BE REVIEWED NEARER THE TIME FOLLOWING ASSESSMENT OF ANY PROPOSED MAIN MODIFICATIONS TO THE LOCAL PLAN AND PUBLICATION OF ANY ADDITIONAL EVIDENCE

Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

**11. Declaration**

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

Signed: 

Date: 4/6/14

Copies of all the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.


For Official Use Only

Person ID:

Rep ID:



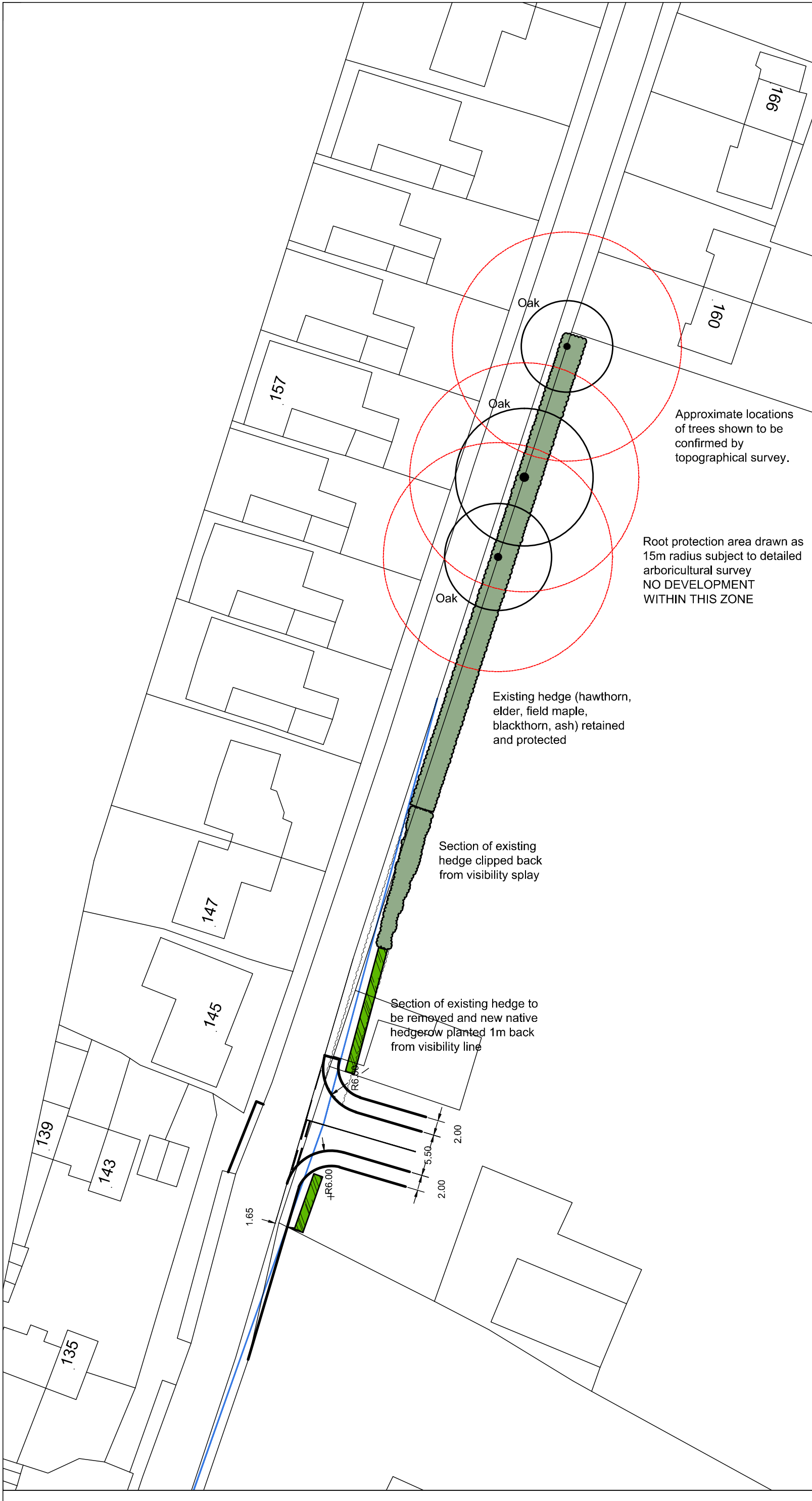
General Notes		
-	-	-
Rev	Issue Comment	Date



**SAVOY CONSULTING**  
*Specialist Solutions in Transport Planning*

Client
Architect
Project
<b>Station Lane Lapworth</b>
Drawing Title
<b>PROPOSED SITE ACCESS &amp; VISIBILITY SPLAY</b>
Drawing Number
<b>DWG-01</b>
Scale & Sheet Size
<b>1:200 @ A1</b>

NOTES



Approximate locations of trees shown to be confirmed by topographical survey.

Root protection area drawn as 15m radius subject to detailed arboricultural survey  
NO DEVELOPMENT WITHIN THIS ZONE

Existing hedge (hawthorn, elder, field maple, blackthorn, ash) retained and protected

Section of existing hedge clipped back from visibility splay

Section of existing hedge to be removed and new native hedgerow planted 1m back from visibility line

REV NOTE DATE AUTH



CLIENT  
**TYLER PARKES**

PROJECT  
**STATION LANE, KINGSWOOD**

DRAWING  
**HEDGE AND TREE RETENTION REMOVAL**

CONTRACT	1413/13	DRG NO.	<b>SK01</b>	
DATE	15/01/14	DRAWN		dr
ISSUE	COMMENT	CHECKED		DR
SCALE	1:500	ORIG SHEET		A3
CAD FILE	PLAN.dwg	REV	-	



General Notes

Rev	Issue Comment	Date
-	-	-

**SAVOY CONSULTING**  
*Specialist Solutions in Transport Planning*

Client

Architect

Project  
**Station Lane  
Lapworth**

Drawing Title  
**PROPOSED SITE ACCESS  
& VISIBILITY SPLAY**

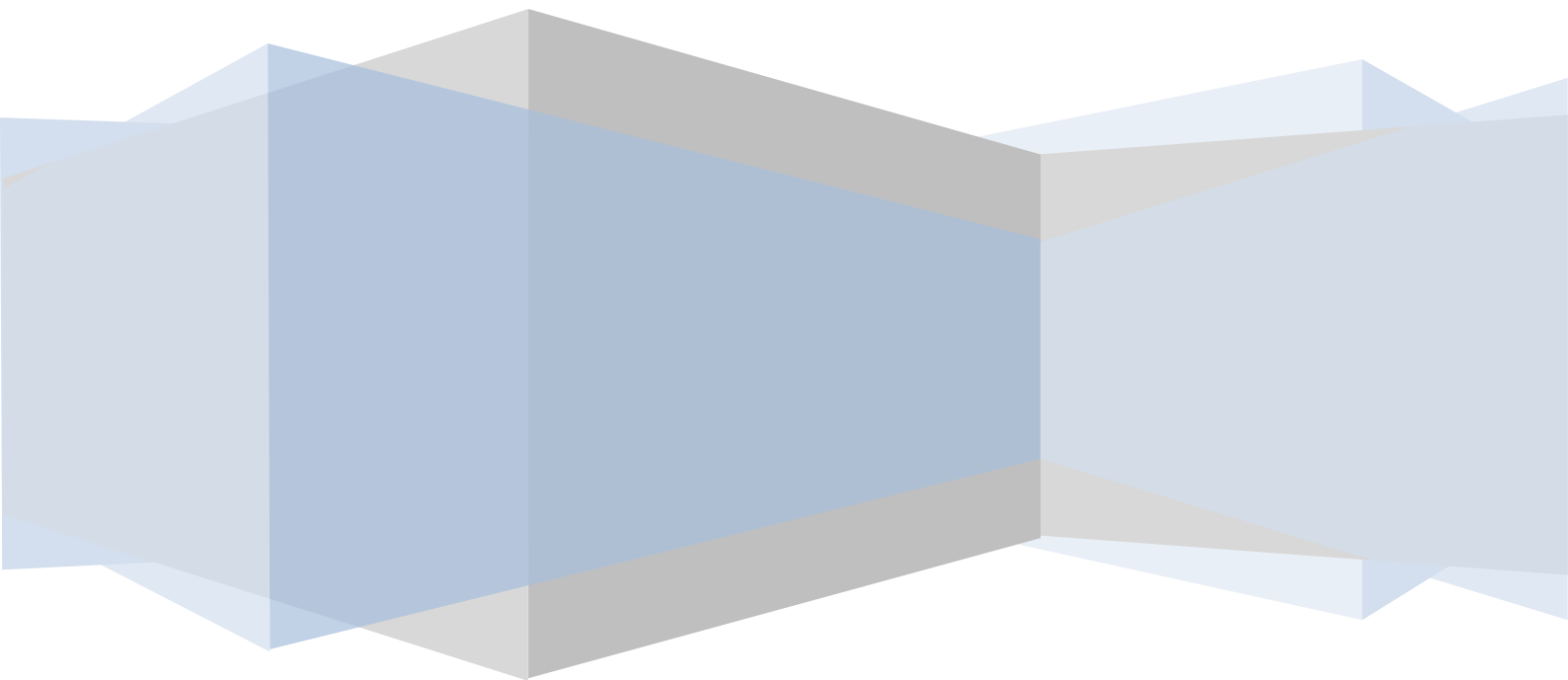
Drawing Number  
**DWG-01**

Scale & Sheet Size  
**1:200 @ A1**

Trustees of FS Johnson 78 Nel Settlement

**Land at Station Lane, Kingswood**  
**Warwick Village Housing Options-Kingswood**

Highway Statement  
January 2014



## 1 Introduction

---

Savoy Consulting, a specialist transport planning consultancy, has been instructed by their Client, Trustees FS Johnson 78 Nel Settlement, to undertake an access appraisal to support the allocation of a site in Kingswood for a residential development on the eastern side of Station Lane and also examine access to the seven allocated sites.

The Options Consultation identified the site in question as being site no. 9 in the Kingswood settlement but was not originally selected as one of the preferred sites in the Warwick Village Housing Options Consultation published on 25 November 2013. This was due, in part, to concerns as to whether a suitable means of access could be provided and the impact such an access could have on existing hedgerows and trees.

As part of the consultation process, the County Council claimed that there was no existing access to the site and the local highway authority had decided that if an access were to be provided then, in their opinion, the access could be opposite No. 155 Station Lane. No. 155 is opposite the northern part of the site.

The highway authority noted that the carriageway was 5.6 metres wide, there was no footway present fronting the site but there was a 1.5 metres wide verge available. The speed limit in force on this section of road was recorded as being 30 mph.

Warwickshire County Council also noted that in their opinion visibility splays at their chosen point of access would be restricted to both the left and the right. They said that to the left it would only be possible to achieve a visibility splay of 11.5 metres and to the right a visibility splay of 27.5 metres.

They went on to say that if the frontage hedgerow was to be removed or replanted, visibility could possibly be achieved but this would also involve the possible removal of three mature trees.

As a final observation it was noted that access to bus routes is within the recommended walking distance, although no reference was made to the railway station which is closer.

Nevertheless, due to the lack of a viable access into the site, the County Council recommended site no. 9 should be discounted.

Savoy Consulting's brief was therefore to design an access solution to appropriate highway design standards that could serve a residential development, but would have the minimum impact on the existing hedgerow and should avoid the existing mature trees on Station Lane.

## 2 Existing Conditions

---

The District Council has identified Kingswood as being a Green Belt village located approximately 8 km from Knowle. It was noted that the village has a good range of services and facilities, including a primary school, village hall, shops, post office, doctor's surgery and place of worship.

The village has developed incrementally over the years but is constrained physically by the railway and canal corridors.

## 3 Access Design

---

Bearing in mind the comments of the highway authority Savoy Consulting decided to design a suitable means of access from first principles. The first step was therefore to undertake a series of speed measurements on Station Lane, Lapworth, in the vicinity of the proposed site access to establish the appropriate design standards for the visibility splays.

The results of the speed surveys showed that the 85<sup>th</sup> percentile speeds were 38 mph in both directions. This meant that visibility splays of 2.4m x 63m need to be provided in each direction at the new access.

Contrary to the comments made by the County Council there is an existing access into the site near its southern boundary, currently used by agricultural vehicles. On-site observations showed that in principle this existing access is located in the optimum position for providing a new junction with the appropriate visibility splays and having least impact on existing trees and hedges.

Savoy Consulting has now produced a plan, attached at **Appendix A**, which shows a new junction at the southern end of the site. The plan also shows a footway on Station Lane in a southerly direction.

It can be seen that whilst a short length of hedge would have to be lost in order to achieve the necessary visibility splays, visibility to the north and south can be achieved over public highway. The visibility splay to the north does not affect any mature trees north of the new access. A plan produced by BCA demonstrating this point is attached at **Appendix B**.

It should be noted that the section of hedge that would have to be removed does not appear to be of high quality, is not dense, nor is it well maintained. To ensure a secure enclosure the current tenant has installed metal panelling against the hedge on the field side.



The overall conclusion of the technical work carried out demonstrates that a satisfactory junction can be achieved for site no. 9 that meets with all the design standards set out in Manual for Streets and would only require a short length of hedge to be removed to achieve the necessary visibility splays. This hedgerow could be replanted to the rear of the proposed visibility splays in accordance with a specification agreed with the local planning authority.

## **4 Other Preferred Option Sites, Kingswood**

---

The District Council noted that there has been significant development interest in Kingswood but following discussions with the two Parish Councils which cover the Kingswood district, this led to the development of a portfolio of smaller development sites on which research was carried out on matters such as site access, landscape impact and habitat sensitivity. These selection criteria restricted the development options in Kingswood.

The site access appraisals were carried out by the County Council which helped inform the District Council as to which sites should be selected as the Preferred Options.

This process originally identified 18 potential development sites but of these sites, five were discounted at a fairly early stage in the process due to the distance from settlement, loss of facilities and, in one case, lack of land owner interest.

Of the remaining sites, six were discounted for various reasons and seven remain as Preferred Options. Site no. 9 was discounted as it has a specific impact on tree frontage and landscape impact.

Despite Warwickshire County Council carrying out the access appraisals Savoy Consulting has conducted an independent audit of the County Council's findings.

### **4.1 Site no. 1 Meadow House - Capacity for 20 dwellings and Site no. 2 Kingswood Farm - capacity for 10 dwellings**

Access to these two sites would be from the same point on the south side of Old Warwick Road.

The existing access to serve these two sites is a private drive leading to a nursery. This drive would need a major up-grade to provide an access road to adoptable standards to serve 30 dwellings. This would take the form of a 4.8m wide carriageway, a 2m footway and a service strip to meet highway design standards.

The new access road would be very close to the recently constructed Nursery Cottages. Access would have to be over third party land to ensure a satisfactory means of access could be secured. There is no certainty that the various land owners interests could be secured and some doubt must exist over deliverability.

The County Council also needs to be certain that the necessary visibility splays to the west can be secured over public highway as part of the visibility splays may be controlled by the Environment Agency.

#### **4.2 Site no. 3 Land south of The Staples - Capacity 6 dwellings**

The District Council has reduced the capacity of this site to six dwellings due to insufficient highway access.

Savoy Consulting is of the opinion that a safe and satisfactory means of access cannot be secured to this site, even if the County Council were to accept the principle of a private drive to serve six dwellings. For any size of residential development adequate visibility splays need to be provided and Savoy Consulting is of the opinion that the requisite visibility splays would clearly be over third party land.

To achieve the required visibility splays would also require the removal of several trees and long lengths of hedgerow. A footway along the eastern side of Station Lane would also be required but this provision would require further removal of existing trees and hedgerows.

It is the opinion of Savoy Consulting that this site should not be allocated on road safety grounds.

#### **4.3 Site no. 4 Brome Hall Lane - Capacity 11 dwellings**

A development of 11 dwellings would require the provision of a road to adoptable standards. This would require a carriageway 4.8m wide, a 2m footway and a service strip.

On-site observations indicate that the existing access is not wide enough to provide a road to these standards and doubts must remain over the deliverability of this site as the existing access is clearly private and several third party land interests are likely to exist.

#### **4.4 Site no. 5 East of Lensana - Capacity 5 dwellings**

Savoy Consulting is of the opinion that a safe and satisfactory means of access cannot be secured to this site, even if the County Council were to accept the principle of a private drive to serve five dwellings.

As with site no. 3 for any size of residential development adequate visibility splays need to be provided and Savoy Consulting is of the opinion that the requisite visibility splays cannot be achieved to the east because of the railway bridge abutment and to the west it would require the removal of a mature, well maintained hedge.

It is the opinion of Savoy Consulting that this site should not be allocated on road safety grounds.

#### **4.4 Site no. 6 Land to the rear of Kingswood Cottages - Capacity 5 dwellings**

No comment.

#### **4.5 Site no. 7 Land to the west of Mill Lane - Approximate capacity 5 dwellings**

Although a private drive could be provided to serve a maximum of five dwellings, it has to be noted that visibility from such an access would be very restricted; to the north because of the railway bridge and to the south because of existing buildings being very close to the back of the highway boundary.

It is the opinion of Savoy Consulting that this site should not be allocated on road safety grounds.

## **5 Conclusions**

---

The District Council claim that as part of their site appraisals the County Council, as local highway authority, considered that a satisfactory means of access could be provided to the Preferred Option sites.

Savoy Consulting has carried out an independent detailed site appraisal of these seven sites and has come to the conclusion that a safe and satisfactory means of access to appropriate highway design standards can only be achieved for potentially one site, namely site no. 6, land to the rear of Kingswood Cottages, with a capacity for five dwellings. Sites 3, 5 and 7 should also be rejected on road safety grounds.

Doubts must exist over the deliverability of sites 1, 2 and 4 because third party land will be required to either secure a road to adoptable standards or provide the necessary visibility splays.

Perversely, the one site where a satisfactory means of access could be provided to a reasonably sized development site, namely site no. 9, was wrongly appraised by the local highway authority who claimed there was not an existing access serving the site. A site visit will establish there is and it is currently in use.

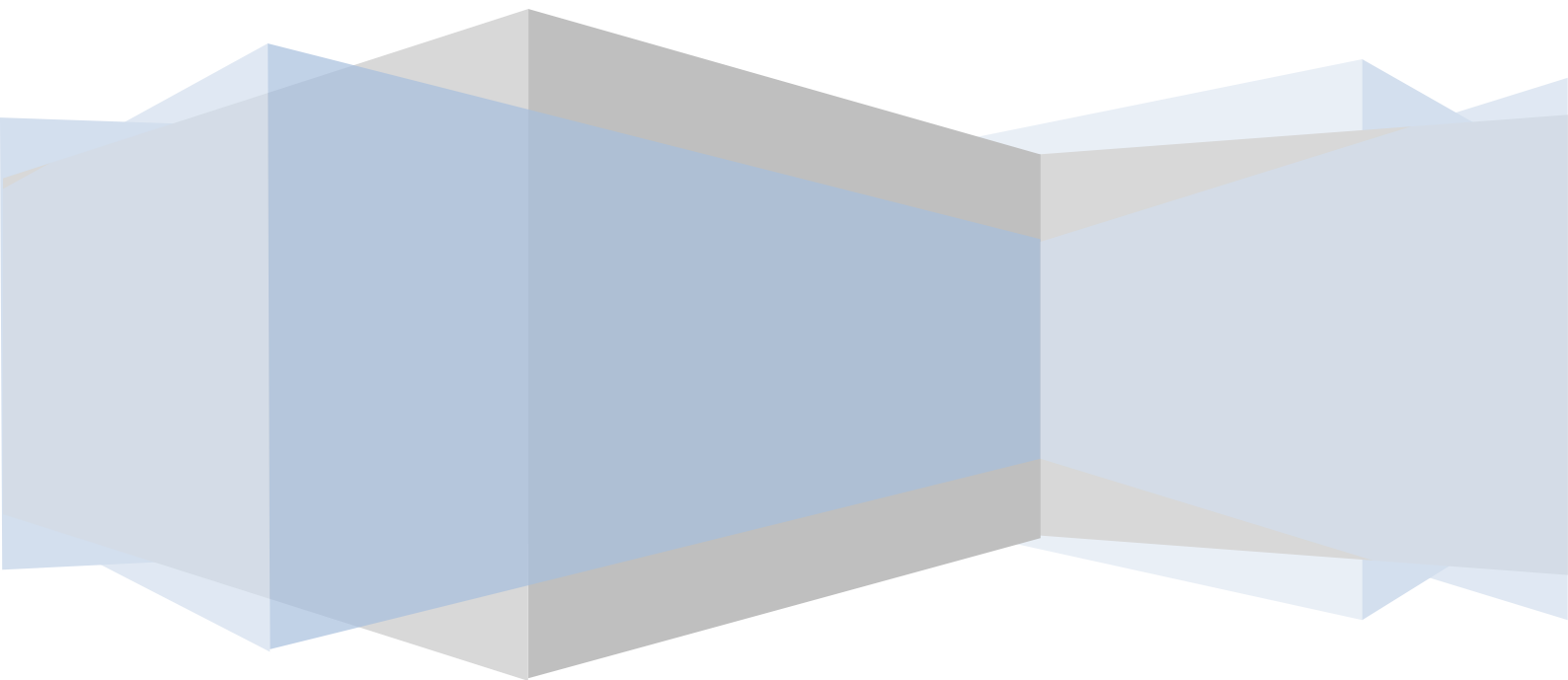
If more care had been taken by Warwickshire County Council in deciding where access to the site could be achieved, it could have been established that an appropriate and safe means of access to appropriate highway design standards can be provided, as has been demonstrated in this report.

In the opinion of Savoy Consulting therefore there is no material or overriding highway reason why site no. 9 should not be allocated for a residential development.

Trustees of FS Johnson 78 Nel Settlement

**Land at Station Lane, Kingswood**  
**Warwick Village Housing Options-Kingswood**

Highway Statement  
January 2014



## 1 Introduction

---

Savoy Consulting, a specialist transport planning consultancy, has been instructed by their Client, Trustees FS Johnson 78 Nel Settlement, to undertake an access appraisal to support the allocation of a site in Kingswood for a residential development on the eastern side of Station Lane and also examine access to the seven allocated sites.

The Options Consultation identified the site in question as being site no. 9 in the Kingswood settlement but was not originally selected as one of the preferred sites in the Warwick Village Housing Options Consultation published on 25 November 2013. This was due, in part, to concerns as to whether a suitable means of access could be provided and the impact such an access could have on existing hedgerows and trees.

As part of the consultation process, the County Council claimed that there was no existing access to the site and the local highway authority had decided that if an access were to be provided then, in their opinion, the access could be opposite No. 155 Station Lane. No. 155 is opposite the northern part of the site.

The highway authority noted that the carriageway was 5.6 metres wide, there was no footway present fronting the site but there was a 1.5 metres wide verge available. The speed limit in force on this section of road was recorded as being 30 mph.

Warwickshire County Council also noted that in their opinion visibility splays at their chosen point of access would be restricted to both the left and the right. They said that to the left it would only be possible to achieve a visibility splay of 11.5 metres and to the right a visibility splay of 27.5 metres.

They went on to say that if the frontage hedgerow was to be removed or replanted, visibility could possibly be achieved but this would also involve the possible removal of three mature trees.

As a final observation it was noted that access to bus routes is within the recommended walking distance, although no reference was made to the railway station which is closer.

Nevertheless, due to the lack of a viable access into the site, the County Council recommended site no. 9 should be discounted.

Savoy Consulting's brief was therefore to design an access solution to appropriate highway design standards that could serve a residential development, but would have the minimum impact on the existing hedgerow and should avoid the existing mature trees on Station Lane.

## 2 Existing Conditions

---

The District Council has identified Kingswood as being a Green Belt village located approximately 8 km from Knowle. It was noted that the village has a good range of services and facilities, including a primary school, village hall, shops, post office, doctor's surgery and place of worship.

The village has developed incrementally over the years but is constrained physically by the railway and canal corridors.

## 3 Access Design

---

Bearing in mind the comments of the highway authority Savoy Consulting decided to design a suitable means of access from first principles. The first step was therefore to undertake a series of speed measurements on Station Lane, Lapworth, in the vicinity of the proposed site access to establish the appropriate design standards for the visibility splays.

The results of the speed surveys showed that the 85<sup>th</sup> percentile speeds were 38 mph in both directions. This meant that visibility splays of 2.4m x 63m need to be provided in each direction at the new access.

Contrary to the comments made by the County Council there is an existing access into the site near its southern boundary, currently used by agricultural vehicles. On-site observations showed that in principle this existing access is located in the optimum position for providing a new junction with the appropriate visibility splays and having least impact on existing trees and hedges.

Savoy Consulting has now produced a plan, attached at **Appendix A**, which shows a new junction at the southern end of the site. The plan also shows a footway on Station Lane in a southerly direction.

It can be seen that whilst a short length of hedge would have to be lost in order to achieve the necessary visibility splays, visibility to the north and south can be achieved over public highway. The visibility splay to the north does not affect any mature trees north of the new access. A plan produced by BCA demonstrating this point is attached at **Appendix B**.

It should be noted that the section of hedge that would have to be removed does not appear to be of high quality, is not dense, nor is it well maintained. To ensure a secure enclosure the current tenant has installed metal panelling against the hedge on the field side.

The overall conclusion of the technical work carried out demonstrates that a satisfactory junction can be achieved for site no. 9 that meets with all the design standards set out in Manual for Streets and would only require a short length of hedge to be removed to achieve the necessary visibility splays. This hedgerow could be replanted to the rear of the proposed visibility splays in accordance with a specification agreed with the local planning authority.

## **4 Other Preferred Option Sites, Kingswood**

---

The District Council noted that there has been significant development interest in Kingswood but following discussions with the two Parish Councils which cover the Kingswood district, this led to the development of a portfolio of smaller development sites on which research was carried out on matters such as site access, landscape impact and habitat sensitivity. These selection criteria restricted the development options in Kingswood.

The site access appraisals were carried out by the County Council which helped inform the District Council as to which sites should be selected as the Preferred Options.

This process originally identified 18 potential development sites but of these sites, five were discounted at a fairly early stage in the process due to the distance from settlement, loss of facilities and, in one case, lack of land owner interest.

Of the remaining sites, six were discounted for various reasons and seven remain as Preferred Options. Site no. 9 was discounted as it has a specific impact on tree frontage and landscape impact.

Despite Warwickshire County Council carrying out the access appraisals Savoy Consulting has conducted an independent audit of the County Council's findings.

### **4.1 Site no. 1 Meadow House - Capacity for 20 dwellings and Site no. 2 Kingswood Farm - capacity for 10 dwellings**

Access to these two sites would be from the same point on the south side of Old Warwick Road.

The existing access to serve these two sites is a private drive leading to a nursery. This drive would need a major up-grade to provide an access road to adoptable standards to serve 30 dwellings. This would take the form of a 4.8m wide carriageway, a 2m footway and a service strip to meet highway design standards.



The new access road would be very close to the recently constructed Nursery Cottages. Access would have to be over third party land to ensure a satisfactory means of access could be secured. There is no certainty that the various land owners interests could be secured and some doubt must exist over deliverability.

The County Council also needs to be certain that the necessary visibility splays to the west can be secured over public highway as part of the visibility splays may be controlled by the Environment Agency.

#### **4.2 Site no. 3 Land south of The Staples - Capacity 6 dwellings**

The District Council has reduced the capacity of this site to six dwellings due to insufficient highway access.

Savoy Consulting is of the opinion that a safe and satisfactory means of access cannot be secured to this site, even if the County Council were to accept the principle of a private drive to serve six dwellings. For any size of residential development adequate visibility splays need to be provided and Savoy Consulting is of the opinion that the requisite visibility splays would clearly be over third party land.

To achieve the required visibility splays would also require the removal of several trees and long lengths of hedgerow. A footway along the eastern side of Station Lane would also be required but this provision would require further removal of existing trees and hedgerows.

It is the opinion of Savoy Consulting that this site should not be allocated on road safety grounds.

#### **4.3 Site no. 4 Brome Hall Lane - Capacity 11 dwellings**

A development of 11 dwellings would require the provision of a road to adoptable standards. This would require a carriageway 4.8m wide, a 2m footway and a service strip.

On-site observations indicate that the existing access is not wide enough to provide a road to these standards and doubts must remain over the deliverability of this site as the existing access is clearly private and several third party land interests are likely to exist.

#### **4.4 Site no. 5 East of Lensana - Capacity 5 dwellings**

Savoy Consulting is of the opinion that a safe and satisfactory means of access cannot be secured to this site, even if the County Council were to accept the principle of a private drive to serve five dwellings.

As with site no. 3 for any size of residential development adequate visibility splays need to be provided and Savoy Consulting is of the opinion that the requisite visibility splays cannot be achieved to the east because of the railway bridge abutment and to the west it would require the removal of a mature, well maintained hedge.

It is the opinion of Savoy Consulting that this site should not be allocated on road safety grounds.

#### **4.4 Site no. 6 Land to the rear of Kingswood Cottages - Capacity 5 dwellings**

No comment.

#### **4.5 Site no. 7 Land to the west of Mill Lane - Approximate capacity 5 dwellings**

Although a private drive could be provided to serve a maximum of five dwellings, it has to be noted that visibility from such an access would be very restricted; to the north because of the railway bridge and to the south because of existing buildings being very close to the back of the highway boundary.

It is the opinion of Savoy Consulting that this site should not be allocated on road safety grounds.

## **5 Conclusions**

---

The District Council claim that as part of their site appraisals the County Council, as local highway authority, considered that a satisfactory means of access could be provided to the Preferred Option sites.

Savoy Consulting has carried out an independent detailed site appraisal of these seven sites and has come to the conclusion that a safe and satisfactory means of access to appropriate highway design standards can only be achieved for potentially one site, namely site no. 6, land to the rear of Kingswood Cottages, with a capacity for five dwellings. Sites 3, 5 and 7 should also be rejected on road safety grounds.

Doubts must exist over the deliverability of sites 1, 2 and 4 because third party land will be required to either secure a road to adoptable standards or provide the necessary visibility splays.

Perversely, the one site where a satisfactory means of access could be provided to a reasonably sized development site, namely site no. 9, was wrongly appraised by the local highway authority who claimed there was not an existing access serving the site. A site visit will establish there is and it is currently in use.

If more care had been taken by Warwickshire County Council in deciding where access to the site could be achieved, it could have been established that an appropriate and safe means of access to appropriate highway design standards can be provided, as has been demonstrated in this report.

In the opinion of Savoy Consulting therefore there is no material or overriding highway reason why site no. 9 should not be allocated for a residential development.