

OLD MILVERTON AND BLACKDOWN JOINT PARISH COUNCIL

GRAHAM E.COOPER
Clerk to the Council

151, Cubbington Road
Leamington Spa
Warwickshire
CV32 7AZ.

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

26th July 2012

Dear Sir

LOCAL PLAN PREFERRED OPTIONS CONSULTATION, 1 JUNE TO 27 JULY 2012

We write in response to the consultation exercise for the preferred options of the emerging Warwick District Local Plan. Old Milverton and Blackdown Joint Parish Council ("The Parish Council") make comments on this emerging strategy in order to help provide a vision for new development and shape the District in an appropriate manner that delivers sustainable development and accords with the national planning policy objectives.

The Parish Council recognises the enormity of the task that faces Warwick District Council ("the Council") in providing new growth whilst balancing environmental and other objectives. Nevertheless, the Parish Council welcomes a Local Plan that is based on sound principles and robust evidence to ensure that it provides a solid framework upon which to guide future development.

Following a meeting with the Chief Executive of the Council, the Parish Council also welcomes this public consultation exercise and now fully recognises that the preferred option sites may change if they are found to be unsuitable or do not accord with national planning policy objectives.

In order to assess the consistency of the preferred options with national planning policy and the accuracy of the evidence base used to support these options, the Parish Council has retained its own consultants (Hunter Page Planning and Cooper Partnership) especially in relation to the proposed allocations at Old Milverton and Blackdown. Separate planning and landscape reports will be sent to the Council by Hunter Page and Cooper Partnership in relation to these sites. However, on our own assessment of these sites and the alternative development options available to the Council, the Parish Council strongly objects to the development in Old Milverton and Blackdown included in Warwick District Council's Preferred Options for its Local Plan published for public consultation on 1 June 2012 ("the Preferred Options").

In particular the Parish Council is opposed to the proposal to redraw the Green Belt north of Leamington to permit the construction of:

- 1,980 dwellings;
- out of town shopping facilities;
- light industrial units;
- schools;
- park and ride facilities; and
- changes to the road network to cope with the increased traffic resulting from this development including the proposal for a "Northern Relief Road"

in Old Milverton and Blackdown.

Previous Planning Options

We understand that there is a shortage of housing in the country and that Warwick District will continue to expand, creating further need for housing and employment. The Parish Council does not choose to challenge the growth figures set out in the preferred options at this stage. Instead the Parish Council looks at the constraints that are apparent to a normal reader of the Preferred Options document and to securing appropriate new allocations for the District that conform to national planning policy and are therefore robust when they are examined at public inquiry.

It is notable that a large part of the north of the District is constrained by Green Belt, which has been allocated primarily to prevent the coalescence of settlements as well as to stop urban development encroaching into the countryside. These constraints are still alive and well and if the Green Belt were not in situ there is a fear locally that both Kenilworth and Leamington could merge into Coventry creating one large urban sprawl. This would also be detrimental to the setting of both of these historic towns.

The original preferred options (contained in the 2009 Core Strategy) therefore, sensibly placed most development to the south of Leamington where there is capacity to grow the town sustainably, coupled with some incremental local growth in Kenilworth which is suitably contained between the existing urban boundary and the A46. We believe that the A46 boundary at Kenilworth will help contain urban encroachment into the countryside and will not physically impair the value of the landscape.

The original option of containing most growth to the south of Leamington also makes the most sense as it is close to all the major employment allocations and therefore cross town commuting would be significantly reduced.

The sudden move of a large proportion of the District's housing requirement is therefore not understood especially in the light of the fact that the original option avoided this very significant Green Belt constraint.

The Green Belt

In order to get to a preferred options scenario it is important for any draft Local Plan to provide for sustainable development and to be compliant with national planning policy principles. To this end, the Preferred Options should be consistent with the principles and policies set out in the National Planning Policy Framework ("NPPF"), including the presumption in favour of sustainable development. Local Plans are also the key to delivering sustainable development that reflects the vision and aspirations of the local communities (paragraph 150 of the NPPF).

With regard to the NPPF, it is stipulated that Local Plans should seek to achieve economic, social and environmental dimensions of sustainable development. **Significant adverse impacts on any of these dimensions** should be avoided and where possible alternative options which reduce or eliminate such impacts should be pursued.

The environmental role of sustainable development includes:

"contributing to protecting and enhancing our natural, built and historic; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including a low carbon economy."

The Parish Council strongly believes that a significant amount of new housing development in the Green Belt at Old Milverton and Blackdown will have a significant and adverse environmental impact and will not therefore constitute sustainable development. The harm caused to the Green Belt is also exacerbated by the fact that non-Green Belt options are available and deliverable to accommodate these growth needs.

The Preferred Option is to locate 45% of the proposed new housing development in the Green Belt. This Preferred Option cannot be supported by sound planning policies and contravenes the National Planning Policy Framework ("NPPF") which requires there to be "very special circumstances" to permit inappropriate development in the Green Belt. Housing is defined as inappropriate development in the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm to the Green Belt, is clearly outweighed by other considerations.

The Local Planning Authority has alluded to the need for housing as a 'very special circumstance' to permit a significant amount of development at Old Milverton and Blackdown. However, the very existence of alternative sites outside the Green Belt that are deliverable, takes away from the Council their perceived 'very special circumstance' argument.

One of the primary principles of Green Belts is their intended permanence in the long term, so that they should be capable of enduring beyond the plan period. Green Belt boundaries should only be altered in exceptional circumstances. The Parish Council therefore does not believe that exceptional circumstances exist in this instance and therefore consider that the local planning authority should be looking outside the Green Belt to accommodate their main housing needs in order to deliver a policy compliant Local Plan strategy.

Further commentary on the appropriateness or otherwise of development in the Green Belt is given by our consultants Hunter Page.

The Preferred Options ignore Warwick District Council's Joint Green Belt Study of the land at Old Milverton and Blackdown. The Study concluded that the land at Blackdown was not suitable for development and that the land at Old Milverton was only worthy of further study because "there were no other towns to the north, from which the Green Belt would provide protection from encroachment [and] there were other physical barriers to the wider open countryside." This conclusion on the land at Old Milverton has ignored the resulting coalescence with Leek Wootton and Kenilworth.

Warwick District Council has also ignored the results of its March 2011 consultation exercise in which nearly 60% of respondents said "they were against any development on Green Belt land".

Coalescence

The Preferred Option is “to avoid development in locations which could potentially lead to the coalesce of settlements” yet the proposals encourage the coalescence of Leamington and Kenilworth, where the Green Belt will be reduced to 1½ miles and allows Blackdown to be subsumed by Leamington.

It seems inevitable that future creeping development will allow Old Milverton to also be subsumed by Leamington as the new Northern Relief Road will provide a natural boundary for future development.

Recreation Value of Old Milverton and Blackdown

The land at Old Milverton and Blackdown is enjoyed by many walkers, runners, riders, and cyclists. It provides a countryside environment close to the centres of Leamington and Warwick. Both the proposed building development and the “Northern Relief Road” would substantially reduce the amount of land that is available to be enjoyed and have a detrimental impact on the ambience and hence the amenity value of the land. Turning some of it into a maintained park land would detract from, rather than enhance its value.

Old Milverton is one of the last surviving villages close to Leamington that has not been absorbed into the greater conurbation. If the proposals go ahead it is only a matter of time before it is also absorbed by Leamington.

Public Opinion

There is substantial public opposition to the proposals to develop in Old Milverton and Blackdown.

The Central Leamington Area Residents Association opposes the development included in the Preferred Options in the Green Belt north of Leamington. Ashow, Cubbington and Leek Wootton Parish Councils are also opposed to the Preferred Options

The Parish Council has received emails and telephone calls from [456] adult members of the public expressing opposition to the proposed developments in the Green Belt north of Leamington and in Old Milverton and Blackdown. A list of these correspondents is attached to this letter. As you will see the opposition not only comes from the two parishes directly affected by the proposals but from Leamington, Warwick, Kenilworth and further afield.

The following is an extract from one of the emails and demonstrates the value that this area has in attracting visitors to the District.

“Dear Parish Councillors

It was our first visit to the Saxon Mill today. Our daughter from London, and our daughter who lives in Kidderminster with her husband and ourselves, my husband and I who live near Loughborough in Leicestershire, thought it would be a good half way point to meet up. we had a very enjoyable lunch and then were delighted to realise we could do a circular walk from the Mill. We had a lovely walk admiring the rural environment, and looking at the ruined house, and the church spire in the distance. we passed a swan in the water, and our little grandson was fascinated by all the small coloured snails on the plants. He enjoyed running on ahead and then coming back to tell us what he had seen.

When we arrived back to cross the bridge to the Mill we were horrified to read your notice about the proposals to build on the land. What a travesty.

We thoroughly support your campaign, and wish you every success.

Yours sincerely

Carole and Peter Walker”

The villagers in Old Milverton and Blackdown together with residents from North Leamington have collected signatures on petitions opposing the proposed developments contained in the Preferred Options north of Leamington and in Old Milverton and Blackdown in particular. In total these signatures together with the objections received by the Parish Council number some 2000 people. Copies of these petitions were lodged with the District Council on 26th July 2012 and have been sent to both local MPs

Proposed New Roads

Turning the A452 between Leamington and Kenilworth into dual carriage way will not help traffic flows. At peak times the delays on the A452 result from commuters wanting access to the Town centres.

Building nearly 3000 houses north of Leamington will simply increase the congestion.

The dual carriage way will have a detrimental effect on the picturesque northern gateway to Leamington and southern gateway to Kenilworth and will not support the Preferred Option to protect the historic environment of the District

A "Northern Relief Road" (budgeted cost £28m) is not required. Traffic flows tend to be north to south rather than east to west. The road will serve no purpose other than to take new home owners quickly on to the A46 and to jobs and shopping opportunities away from our Towns. If the development does not go ahead the road will not be required.

A "Northern Relief Road" will form a natural barrier and encourage further development in the Green Belt up to this new road. It will need to be built across the flood plain (at considerable cost) and will violate an important nature corridor along the River Avon.

The A46 already effectively provides a Northern Relief Road.

If the proposed development is concentrated in the South of Leamington there is an existing road network that could be upgraded at considerably lower cost than the £28m allocated to construct a "Northern Relief Road".

New Out of Town Stores

Warwick District Council's vision is to make "Warwick District a Great Place to Live, Work and Visit". The Preferred Option is to "ensure that our town centres remain successful". A key element which already makes Warwick District a Great Place to Live, Work and Visit is the number of independent retailers and the pleasant and unique "feel" that this gives to our High Streets.

The proposed "out of town" retail operations will be another blow to independent retailers in Leamington, Kenilworth and Warwick as further "out of town" shopping will take trade away from the Towns.

More out of town shopping and the A452 dual carriage way between Leamington and Kenilworth will detract from the uniqueness of our Towns making them like any other in the UK and deter visitors.

Employment

Most of the District's employment opportunities are located south of Leamington and Warwick. The proposal to put 40% of the new housing north of Leamington will not provide housing close to the main employment opportunities.

Although The Preferred Options include proposals for retail and light industrial development North of Leamington the assumption that housing and employment north of Leamington will develop together is predicated on the assumption that the District can attract inward investment by industry and commerce. The current economic downturn and period of austerity which is expected to continue for many years must cast significant doubt on that assumption. The more likely scenario is that housing in the North of Leamington will increase cross District commuting or provide homes for people who work outside the District. Major employers in south Leamington want more housing close to employment opportunities there. The employers also want more investment in the infrastructure south of Leamington to help them attract more investment into the region.

Alternative sites

The Parish Council has asked Hunter Page to work with Warwick District Council to help identify alternative sites following closure of this consultation period but in the mean time it makes the following observations:

If the requirement is to spread development around Warwick and Leamington why is the Preferred Option to concentrate development on a north, south axis rather than east, west? There are two sites west of Warwick that have been identified which are not in the Green Belt but are not included in the Preferred Options.

In the 2009 Core Strategy land was identified to the west and east of Radford Semele outside the Green Belt. The Parish Council understand that the land east of Radford Semele has been rejected in the current Preferred Options because of gas pipe lines. Given the severity of harm to the Green Belt with development at Old Milverton and Blackdown, it is considered to be premature to reject options where gas pipelines are located until further assessments of their delivery have been made. It is considered that gas pipe lines do not rule out the entire site for development when the building constraints only prevent construction within 100 metres of the pipelines.

The area around Grove Farm to the south of Leamington (not Green Belt land) was included in the 2009 Core Strategy. We are now aware this option has been discounted from the Preferred Options because it was considered that there would be too much development concentrated in the south and would consequently lead to problems of delivery within the market. Following discussions with our consultants and developers of the land, it is considered that such fears are unfounded and conversely the concentration of development would be welcomed by the market and would help to deliver better and improved infrastructure and community facilities for the District which could not be achieved through the segregation and dispersal of development.

Public Consultation

Local employers do not appear to have been consulted on the Preferred Options.

A number of residents have expressed significant concern to us about the public consultation process. No options have been presented for public consideration only The Preferred Options for comment. At a number of the public meetings that Parish Councillors have attended it has appeared that Warwick District Council has been trying to defend its Preferred Options. Certainly at the Parish Council meeting held on 16th July 2012 it was felt by many residents that Council had already made up its mind that The Preferred Options were the only options and was trying to defend them. We do not believe that this is a safe or sustainable option for the Council or the community

as the current Preferred Options contravene the primary purposes of including land in the Green Belt, which is a fundamental constraint to development in this area. If the Council pursue this option, it is likely that a preferred strategy will not get adopted and leave the Council without an adopted Local Plan and exposed to developer led development across the District for the foreseeable future.

Conclusions

The areas identified for development in the Preferred Options for the Local Plan issued by Warwick District Council simply fulfil the key principle to “Distribute development across the District”. The Preferred Options are not based on sound planning principals. Very Special Circumstances to permit 45% of the development in the Green Belt and in particular in Old Milverton and Blackdown cannot be demonstrated. There are other suitable sites for development which are not in the Green Belt. The building of a new “Northern relief Road” and turning the A452 into dual carriageway will not address any of the existing traffic congestion. Developing the Green Belt in Old Milverton and Blackdown will deprive the community of an area of countryside close to Leamington and Warwick that is used by many for recreational purposes. The area of Green Belt between Leamington and Kenilworth is particularly important because it provides a narrow “green lung” between the two towns, preventing their coalescence and preserving their identities. It should continue to be protected.

The Parish Council wants to ensure that the Local Plan that goes to public inquiry is robust and compliant with national planning policy so that it has a smooth transition to adoption and accordingly becomes the definitive guide to new development within the District. However, our primary concern is the inclusion of a significant allocation of Green Belt land for new housing development which contravenes 4 out of the 5 reasons for why Green Belts have been allocated as set out in the National Planning Policy Framework. Equally, the Government places great emphasis on the permanence of Green Belt designations, especially where alternatives are available for new growth.

The Parish Council does not want Warwick District Council to be left without a Local Plan and for developers to potentially have the upper hand in shaping the District. The recent Cheltenham decision does however lend significant weight to our view that Central Government will act to protect the green belt and uphold the criteria set out for the green belt in the NPPF if your current Preferred Options should be tested at a Public Inquiry.

The Parish Council urges Warwick District Council to reconsider its Preferred Options to develop in Old Milverton and Blackdown.

Yours faithfully

Graham E Cooper
Clerk to Old Milverton and Blackdown Parish Council

Copy without attachments to:
C Elliott CEO WDC
Councillor M Doody
Councillor J Hammon
Councillor N Pratt
Jeremy Wright MP
Chris White MP