
WARWICK DISTRICT COUNCIL

LOCAL PLAN PROPOSED MODIFICATIONS CONSULTATION

REPRESENTATIONS

For and on behalf of:

The Burman Family

In respect of:

Land at Birmingham Road, Hatton

Proposed Modification H28

1. BACKGROUND

- 1.1. Our Clients, the Burman Family, are the Freehold owners of the land edged red and blue on Plan 'A' attached.
- 1.2. The whole of the edged red field is currently under Contract to Taylor Wimpey UK Limited.
- 1.3. We have previously made representations on the emerging Warwick District Local Plan, on behalf of the Burman Family.
- 1.4. The proposals for additional Main Modifications to this District Local Plan, were issued dated January 2016, and for which there is a closing date of Friday, 22nd April 2016 (by 4.45 p.m.) for receipt by Warwick DC of representations.
- 1.5. We set out below those representations.

2. REPRESENTATIONS - SUPPORT

- 2.1. Mod 16: Para 2.81 and Mod 19: Policies Map
 - 2.1.1. Our Clients support, in principle, the release of part of their land edged red for housing, identified as H28 "*Hatton Park – north of Birmingham Road*" for an estimated 120 dwellings (page 34 of the Table of Proposed Modifications).

3. REPRESENTATIONS – OBJECTIONS

- 3.1. Mod 4: Policy DS6: Level of Housing Growth
 - 3.1.1. It is our understanding that planning authorities are encouraged to adopt Local Plans which have an unexpired term after Adoption of at least 15 years. Given that it is now 2016, and the Plan is unlikely to be Adopted before 2017, the Plan should be re-based to 2033. This has a consequential upward effect for the required housing growth and all that follows in Local Plan terms from this change.
- 3.2. Mod 6: Policy DS7: Meeting the Housing Requirement
 - 3.2.1. As a consequence of our proposals in Mod 4 above, the base end date would have to change and the numbers in the chart to DS7 will have to be re-calibrated.
- 3.3. Mods 10 and 11: Policy DS11 and paras 2.41 to 2.53 and Map 21
 - 3.3.1. We confirm our agreement in principle with the proposed Allocation of site H28 for approximately 120 dwellings given its position directly adjoining the Hatton Park village urban area in an obviously sustainable location.
 - 3.3.2. We have a fundamental planning objection to the rationale for the retention of a green belt strip of land along the eastern and northern edge of our Clients agricultural field edged red on the attached plan. This can be seen from a proper consideration of Map 21 Hatton Park within the Maps section of the Proposed Modifications.

- 3.3.3. There are a number of valid reasons why the retention of this strip of land in the Green Belt is entirely illogical and does not meet the advice in Chapter 9 of the NPPF, as follows:
- 3.3.3.1. Under paragraph 85 of the NPPF, bullet point 6, planning authorities should "... define boundaries clearly, using physical features that are readily recognisable and likely to be permanent." .
- 3.3.4. In this respect Warwick DC have failed this first test by identifying a new theoretical boundary in the field without properly considering, logically, that there is already a very well established field boundary hedge running along the eastern boundary of the field only some 66 metres away from the edge of Proposed Allocation H28, at the southern end of the hedge and varying to some 40 metres at the northern end of the field hedge. Beyond the field hedge to the east there is a verge and then a farm vehicle access-way which we understand is called Ugly Bridge Road, runs virtually the full extent of the eastern boundary of our Clients field, albeit skirting round a housing development. This existing and well recognisable physical feature, the field hedge, should be the proper, enduring, long-term Green Belt boundary for the urban village of Hatton in this specific part of the Hatton settlement.
- 3.3.5. Looking again at Plan 21, there seems absolutely no benefit in Green Belt terms for the strip of land north of H28 between that Allocation and the woodland known as Smith's Covert, which is edged blue and managed by our Clients.
- 3.3.6. Adopting the field boundary hedge on the eastern side of our Clients agricultural field would meet the NPPF advice in paragraph 85, bullet point 5, as Warwick DC could then "... *satisfy themselves that Green Belt boundaries would not need to be altered at the end of the Development Plan period*"; in this specific location.
- 3.3.7. By amending the Green Belt boundary, as we are suggesting and proposing, see our Plan 'B' attached, the five Green Belt purposes would still be upheld and in particular, there would be no encroachment of any real significance whatsoever on the countryside, with the retention of the field hedge as the logical boundary.
- 3.3.8. In our view the proposed change to the Green Belt boundary that we propose is entirely logical, local and "de-minimis".
- 3.3.9. What the planning authority have failed to understand is that there is absolutely no benefit in farming terms for the retention of this small strip of land. Generally, this field is down to arable in rotation. The proposal to retain the eastern and northern strip in the Green Belt, cannot be farmed efficiently or economically and our Clients, whose business is farming, see no benefit to its retention in farming. In their view this strip, adjoining H28, once developed, is highly likely over time to be trespassed and a dumping ground for litter, etc.

3.3.10. We would draw your attention to the Landscape Addendum (2016) which appears to seek the provision of a minimum of a 50 metre planted landscaped buffer on the eastern boundary. There is absolutely no justification for this requirement by the District Council. It is a complete and utter waste of resources and benefits little given the substantial nature of the existing field hedge and the trees within it which provide an excellent landscape buffer on the eastern side of the proposed housing development. To the east of the access trackway (Ugly Bridge Road) there is a very substantial hedge and landscaping strip running down that boundary from the housing to Birmingham Road. There is, therefore, in landscape and visual terms, two substantially treed and hedged boundaries to the east of the housing development which provides excellent screening for the proposed housing from any views to the east and as such, there is absolutely no requirement to provide yet another planted landscape buffer and certainly not one of such width as 50 metres and all the consequential cost that that would involve.

3.3.11. In our view, it would be much more beneficial to have a series of connected footpaths running through the housing development connecting up with Smith's Covert and for Smith's Covert to be incorporated as a Community Feature within the housing scheme. Again, there is absolutely no reason why the housing development and Smith's Covert cannot be properly integrated and connected for the benefit of all the residents of Hatton Park and realistically a proper urban design concept can be found that does not need a full or rigid 15 metre landscape strip but only that the houses are seen to "seamlessly" merge into the woodland.

3.4. Mod 16: Paragraph 2.81

3.4.1. It is pleasing to note that the land to the east of Hatton Park received a high score when the Council undertook a Review of the Green Belt Study (Parcel HA1) and concluded that it was an appropriate location to release land from the Green Belt for housing given the basic criteria for establishing Green Belt.

4. PROPOSAL

4.1. We would propose, firstly, that the Green Belt line to be adopted relative to Proposal H28 should, as of right in planning terms, be re-drawn following the mature boundary hedge on the eastern side of the field, adjoining Ugly Bridge Road, from Birmingham Road to the edge of the residential development at the northern end of that hedge line, as identified on Plan B attached.

4.2. In addition, it would make logical sense to extend proposal H28 eastwards up to the field boundary and northwards up to Smith's Covert. If this were to happen, it would make sense for Smith's Covert, the mature woodland, to be functionally part of H28, retained in its entirety as woodland and properly maintained in the future as a community asset for Hatton Park.

4.3. If the proposal in 4.1 does not find favour then the eastern and northern strip should be excluded from the Green Belt at this point in time and identified as "Safeguarded Land" for consideration at the next Local Plan Review. Advice is contained in paragraph 85 of the NPPF, bullet points 3 and 4.

5. ATTACHMENTS

5.1. Plan 'A' Land Ownerships

5.2. Plan 'B' Proposed line of Green Belt to be Adopted

NIGEL GOUGH ASSOCIATES LTD

20 April, 2016



