

---

## CHAPTER 14: PROPOSALS MAP

---

### 14.1 Overview

**14.1.1** This part of the report looks at a wide variety of objections to the Proposals Map. Part 1 of the Proposals Map is District-wide; Parts 2-4 are Insets that cover, respectively, the Leamington and Warwick Urban Area, Leamington Town Centre, Warwick Town Centre, and Kenilworth. Many of the objections are related to others considered elsewhere in the report.

\*\*\*\*\*

### 14.2 Proposals Map Part 1: District Wide

#### Objections to First Deposit Version

1/AG	Warwickshire Wildlife Trust
10/AE	Bubbenhall Parish Council
52/AE	Barford, Sherbourne & Wasperton Joint Parish Council
64/AC	Leek Wootton & Guys Cliffe Parish Council
107/AD	University of Warwick
142/AB	A C Lloyd Ltd
148/BP	Campaign to Protect Rural England (Warwickshire Branch)
148/BY	Campaign to Protect Rural England (Warwickshire Branch)
150/AM	Warwickshire County Council (Museum Field Services - Ecology)
156/AD	Alan Moore
167/AC	Mrs E Brown
239/AP	Mr D Austin
242/AH	Coventry City Council (Planning & Transportation)
242/AJ	Coventry City Council (Planning & Transportation)

#### Objections to Revised Deposit Version

226/RAK	Environment Agency
239/RAA	Mr D Austin
260/RAB	Baginton Parish Council
353/RAB	Mr A Brown

#### Key Issues

- 14.2.1** (1) Whether Hatton Park should be excluded from the Green Belt and a settlement boundary drawn encompassing some 'white land' in order to accommodate future development.
- (2) Whether ancient woodlands at Hunningham Coppice, Hunningham and Broadwells Wood, Stoneleigh should be shown on the Proposals Map.

- (3) Whether there should be a village envelope drawn around Bubbenhall.
- (4) Whether flood risk areas should be shown at a larger scale and in more detail and be based upon the most up-to-date information.
- (5) Whether Gaveston Cross should be identified as a scheduled ancient monument and the Arboretum at Warwickshire Golf Club shown on the Proposals Map.
- (6) Whether the extent of the University of Warwick campus lying within Warwick District should be identified on the Proposals Map.
- (7) Whether the historic parks and gardens recognised by English Heritage should be shown on the Proposals Map.
- (8) Whether the status of 'The Pleasance' in Kenilworth should be clarified.
- (9) Whether the significance of the purple-edged area at Wappenbury should be clarified.
- (10) Whether land between Howes Lane, Finham and the A46 should be taken out of the Green Belt.
- (11) Whether sites covered by Policies SSP1, SSP2 and SSP3 are labelled clearly enough.
- (12) Whether the Proposals Map should include strategic cross-boundary cycle and pedestrian routes.
- (13) Whether the public transport corridor between Kenilworth and Coventry should be removed from the Proposals Map.
- (14) Whether the site at Brownley Green Lane, Hatton should be removed from the Green Belt and allocated for housing.
- (15) Whether the base map used for the Proposals Map is out-of-date.

### **Inspector's Appraisal and Conclusions**

**14.2.2 Issue 1:** (*Hatton Park*) The objection site was originally the site of the Warwickshire County Lunatic Asylum opened in 1852. It became the Warwickshire County Mental Hospital in 1930. The hospital was closed in the 1990s and the listed buildings converted into residential accommodation. In the 1995 adopted Local Plan land around the hospital was designated as a 'rural growth point' for 650 homes, and the adjacent King Edward V11 Hospital and grounds were allocated for employment use. The latter has subsequently been granted planning permission for a further 100 or so dwellings which are now under construction. When complete the 2 sites will accommodate approximately 700 dwellings together with a shop and community facilities. The site occupies an elevated position on the north side of the A4177 Birmingham Road. It is largely screened by trees and the undulating topography. The main village of Hatton is situated on the south side of Birmingham Road, with Hatton

Station linking Warwick, Leamington Spa and Birmingham by rail. Hatton Park, Hatton village and the surrounding area are all washed over by the Green Belt.

- 14.2.3** A C Lloyd Ltd considers that the community of Hatton Park is capable of being expanded in the future to create a sustainable mixed-use settlement. There are bus services linking to Warwick and Leamington Spa and the area is well related to the railway station at Warwick Parkway. Moreover, it is argued that the shop and community hall would benefit from increased activity. While it acknowledges that further housing allocations may not be required to meet strategic targets to 2011, taking a longer term view it says that the option of creating a more sustainable community at Hatton Park should not be denied through continued inclusion in the Green Belt. In its view, a 'white area' of safeguarded land should be identified to enable further development to take place as and when it can be justified. The other objector, Mr D Austin, agrees that Hatton should be removed from the Green Belt (and from the Special Landscape Area – subsequently deleted in the Revised Deposit Plan) and, together with other villages, should be provided with a settlement boundary within which development will be allowed to meet local housing requirements.
- 14.2.4** These objections raise a number of considerations. First of all, I am satisfied that adequate provision has been made for new homes in the Plan. There is currently evidence of an oversupply of new housing in relation to strategic targets set out in the RSS. In response to that oversupply, the District Council produced in 2005 a Supplementary Planning Document 'Managing Housing Supply' to reduce the future supply of urban windfall housing. In these circumstances, there is no need to release any further land for market housing in this Local Plan. Nor has a local need been identified. A C Lloyd Ltd recognise this. As regards the supply position post-2011, I consider it would be premature to safeguard further land for housing. The housing requirements for the District are uncertain pending completion of the partial review of the RSS. While current indications are that additional housing beyond 2011 can largely be accommodated on urban brownfield sites, any greenfield sites should only be released through an Allocations DPD where a comparative assessment of all development opportunities can be made in the context of a sustainability appraisal and following public consultation. The District Council is committed to start preparation of a Core Strategy DPD in 2007. That will tie in with completion of the partial review of the RSS and accommodate up-to-date housing requirements to 2021.
- 14.2.5** Turning to Green Belt aspects, the objection site covers about 35ha. I agree with the District Council that an amendment to the Green Belt boundary of this magnitude would be of a strategic scale that ought to come from the Structure Plan or the RSS. PPG2 requires 'exceptional circumstances' to be shown for altering Green Belt boundaries. None have been put forward by either of the objectors. I note that the new village formed by development of the 2 hospital sites was carefully controlled through a planning brief. Any additional development here would, I feel, be likely to put pressure on community facilities and infrastructure and would be out of scale with the setting of the site. I consider that removing the settlement from the Green Belt to facilitate future development would risk harming the special character of this newly formed community.
- 14.2.6** Hatton Park/Hatton village is not recognised as a Limited Growth Village in the Revised Deposit Plan. Identifying a settlement boundary is, in my view, unnecessary and inappropriate. It would put pressure on land within the boundary for further development that would be likely to damage the character of the area and the setting of the community. Hatton Park has reached its natural boundaries set by the parkland of the former hospitals

By definition, Limited Growth Villages are settlements where there is a nucleus of community facilities sufficient to accommodate limited growth in a sustainable manner. In contrast, Hatton Park is a 'planned community' where further opportunities for expansion are unlikely to exist.

**14.2.7** Although the original employment allocation has now been lost to housing, I am content that there is no evidence to suggest that further development is required at Hatton Park to make it sustainable. The development is balanced. It has its own well-used shop and community hall and is conveniently located for bus and rail public transport links. Putting additional pressure on these facilities/services would not, in my opinion, make for a more sustainable settlement. I note that this site was subject of the Omission Sites Consultation. Four representations were received, all objecting. Both the CPRE (Warwickshire Branch) and the Warwick Society consider that Hatton Park should not have a settlement boundary nor should it be excluded from the Green Belt. I agree. I consider that the most appropriate way to control development here is to retain the land in the Green Belt.

**14.2.8 Issue 2:** These ancient woodlands, listed in Appendix 3, have been included on the Proposals Map of the Revised Deposit Plan. I endorse those alterations. One of the objectors, Warwickshire Wildlife Trust, has subsequently confirmed that its objection is conditionally withdrawn.

**14.2.9 Issue 3:** Policy RAP2 of this Plan identifies just 5 Limited Growth Villages on the basis of their suitability for limited growth. Bubbenhall is not one of them. Given the strategy of restraint on growth in rural areas set by the Structure Plan, I agree with the District Council that it would be inappropriate to identify additional settlements for further development.

**14.2.10 Issue 4:** I am told that the most up-to-date information available, supplied by the Environment Agency, has been used in preparation of the Proposals Map of the Revised Deposit Plan. At the same time Paragraph 4.59 of the reasoned justification has been amended to indicate that because the boundaries of the flood risk areas are subject to change over time they should be used as a basis for consultation only, rather than for decision making. I support that amendment and note that on this basis Barford, Sherbourne and Wasperton Joint Parish Council has conditionally withdrawn its objection.

**14.2.11 Issue 5:** Gaveston Cross is not included in the list of scheduled ancient monuments maintained by English Heritage. It is a Grade II listed building protected under other Plan policies. I concur with the District Council that it would not be appropriate to identify either Gaveston Cross or the Arboretum at Warwickshire Golf Club on the Proposals Map.

**14.2.12 Issue 6:** This objection from the University of Warwick has been met by its identification as a Major Developed Site in the Green Belt through Policy SSP2 of the Revised Deposit Plan.

**14.2.13 Issue 7:** I note that all of the parks and gardens of particular historic interest included in the list maintained by English Heritage have been identified on the Proposals Map. The objection has therefore been addressed.

- 14.2.14 Issue 8:** The Pleasance is a scheduled ancient monument. It is listed as such on the Proposals Map. CPRE (Warwickshire Branch) has since indicated that this objection is conditionally withdrawn.
- 14.2.15 Issue 9:** The area in question at Wappenbury is a scheduled ancient monument. Again, CPRE (Warwickshire Branch) has conditionally withdrawn this objection.
- 14.2.16 Issue 10:** See Chapter 10, Policy omissions, Issue 4 for a detailed assessment of this objection.
- 14.2.17 Issue 11:** I acknowledge that the scale of the Proposals Map makes some allocations/designations difficult to read. The District Council points out that it is for this reason Inset Maps and Information Plans have been prepared. They cover, amongst other matters, sites identified in Policies, SSP1, SSP2 and SSP3.
- 14.2.18 Issue 12:** The District Council has accepted this objection. The existing cycleways which form part of Route 41 of the National Cycle Network are shown on the Proposals Map of the Revised Deposit Plan. I agree, though, that it would be inappropriate to indicate proposed routes until such time as those routes have been defined and committed.
- 14.2.19 Issue 13:** Unlike the Local Transport Plan 2000, the latest Local Transport Plan 2006 no longer shows 'Quality Bus Corridors'. I have accepted elsewhere in my report in response to other objections that because the policy basis for protecting these routes has changed, all of the public transport corridors shown on the Proposals Map, including that between Kenilworth and Coventry, should be deleted. Moreover, Policies UAP2 and UAP8 and their supporting text should be amended (see Chapter 6, Policy UAP8, Issue 1).
- 14.2.20 Issue 14:** (*Brownley Green Lane, Hatton*) This site is on the edge of Hatton village which is washed over by the Green Belt. No exceptional circumstances have been put forward for excluding the land from the Green Belt. Being a greenfield site in the countryside, its development for housing would conflict with strategic policies. Structure Plan Policy GD.3 directs most new development to previously-developed land in the urban areas while Policy H.3 requires local plans to minimise the development of greenfield sites. Structure Plan Policy RA.3 only allows development in rural areas where it meets local needs identified by the community in an appraisal or assessment. In a similar manner, RSS Policy RR1 confirms that in rural areas the main priority will be to manage the rate and nature of further development to that required to meet local needs. Again, RSS Policy CF2 indicates that in such locations new housing should only be provided to meet local needs or to support services, with priority given to the re-use of previously developed land in existing villages. In any event, there is currently an oversupply of housing in Warwick District and this Plan does not, in my view, need to allocate further land for housing development. I conclude that this site should not be taken out of the Green Belt and should not be allocated for housing.
- 14.2.21 Issue 15:** Objectors are concerned that the base map used by the planning authority for the Proposals Map of the Revised Deposit Plan does not record large areas of existing development, for example around Coventry Airport. In their view maps should be used that are accurate and contemporary to avoid confusion and subsequent dispute. The District Council explains that this was the most modern one to be had from the Ordnance Survey. Should a better and more up-to-date map become available before adoption

stage then it will be used instead. I accept that in such circumstances little else can reasonably be done.

### **Recommendations**

#### **14.2.22(a) That the Revised Deposit Plan be modified as follows:**

**delete the public transport corridors from the Proposals Map. (NB This recommendation duplicates that at Paragraph 6.10.13 of my report.)**

#### **(b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

\*\*\*\*\*

### **14.3 Proposals Map Part 2: Leamington and Warwick Urban Inset**

#### Objections to First Deposit Version

66/BC	The Warwick Society
122/AA	Warwick Castle
132/AC	KB Benfield Group Holdings Ltd
139/AA	Coventry Diocesan Board of Finance Ltd
142/AA	A C Lloyd Ltd
153/AA	Thomas Bates and Son Ltd
193/AT	Coten End and Emscote Residents' Association
199/AT	James Mackay
220/AA	Cala Homes (Midlands) Ltd
227/AE	David Wilson Homes (East Midlands) Ltd.
240/AE	George Wimpey Strategic Land
245/AB	Hallam Land Management and William Davis Ltd
246/AA	The Europa Way Consortium
250/AD	Andrew & Julie Day
256/AA	T & N Ltd (In administration)
277/AA	Mr M F Dodd
290/AA	H E Johnson
291/AC	George Wimpey UK Ltd
303/AJ	Racecourse Holdings Trust

#### Objections to Revised Deposit Version

199/RAN	James Mackay
224/RAE	Mr and Mrs R M Orr
303/RAF	Racecourse Holdings Trust

### **Key Issues**

#### **14.3.1 (1) Whether it is appropriate to leave areas 'white' on the Leamington and Warwick Urban Inset.**

- (2) Whether Castle Lane Car Park, Warwick should be omitted from the Area of Restraint.
- (3) Whether land at Leigh Foss, The Valley, Radford Semele should be excluded from the area where rural policies apply.
- (4) Whether the Area of Restraint between Radford Semele and the Leamington Spa urban area should be deleted.
- (5) Whether land adjacent to Woodside Farm, Whitnash should be omitted from the Area of Restraint.
- (6) Whether North Leamington School should be taken out of the Green Belt.
- (7) Whether sites covered by Policies SSP1, SSP2 and SSP3 should be more clearly defined on the Inset Map.
- (8) Whether the Area of Restraint between Whitnash and Bishops Tachbrook should be redrawn to exclude the Leamington and County Golf Course and land at Fieldgate Lane/Golf Lane, Whitnash.
- (9) Whether land at Milverton should be taken out of the Green Belt.
- (10) Whether land at Gallows Hill should be removed from the area where rural policies apply.
- (11) Whether land west of Europa Way should be designated as an Area of Restraint.
- (12) Whether land south of Harbury Lane and on both sides of Tachbrook Road should be designated as an Area of Restraint.
- (13) Whether land south-west of Radford Semele should be excluded from the Area of Restraint and allocated/safeguarded for mixed use development.
- (14) Whether land south of the Thwaites factory, Cubbington, should remain outside the Green Belt.
- (15) Whether the flood risk areas shown for the Offchurch Bury area are incorrect and should be altered.
- (16) Whether rural area policies should apply to land at Stratford Road, Warwick.
- (17) Whether the Area of Restraint at Warwick Racecourse should be amended to omit the grandstand and associated buildings, together with a section of the racecourse.
- (18) Whether the Area of Restraint should be extended to include gardens and allotments adjacent to St John's House, Warwick.
- (19) Whether the Leamington and Warwick Urban Inset should be extended to allow greater flexibility in the retail area boundary.

### **Inspector's Appraisal and Conclusions**

- 14.3.2 Issue 1:** Although parts of Leamington Spa and Warwick may have no specific designation, this does not mean there are no applicable Plan policies. The key to the Proposals Map makes it clear that District-wide policies and urban area policies apply throughout.
- 14.3.3 Issue 2:** (*Castle Lane Car Park, Warwick*) Castle Lane Car Park is not a key area of open land and does not contribute to the structure and character of Warwick. Being in daily use and urban in appearance, it is contained within the town centre boundary. In recognition of this, the boundary of the AoR was amended in the Revised Deposit Plan to accommodate this objection. I endorse that alteration. As a result, Warwick Castle has conditionally withdrawn its objection.
- 14.3.4 Issue 3:** I have considered elsewhere in my report objections relating to this site seeking its incorporation into the village envelope of the Limited Growth Village of Radford Semele together with amendments to Policy RAP2 (see Chapter 8, Policy RAP2, Issue 25). I have concluded that such alterations would not be appropriate, nor would it be appropriate to exclude this greenfield site from the area where rural policies apply.
- 14.3.5 Issue 4:** I see no reason to amend the boundary of the AoR separating Radford Semele from the urban area of Leamington Spa from that shown in the adopted Local Plan. While the previous Local Plan Inspector recommended certain deletions he concluded that this “Area of Restraint is, no doubt, fully justified in its main part between the two settlements”. I take a similar view. At Issue 13 below I examine in more detail objections from T&N Ltd (In administration) in respect of part of this land to the south-west of the village where mixed use development is being promoted. My conclusions regarding the narrowness of the gap and intervisibility between the 2 communities apply equally to other sites within the AoR. This land was subject of the Omission Sites Consultation. Some 526 representations were received from residents of Radford Semele objecting to deletion of the AoR. Clearly, local opinion is that this gap continues to perform an important function and should be maintained in its current undeveloped form.
- 14.3.6 Issue 5:** This matter is addressed elsewhere in my report in conjunction with a related objection that seeks to allocate the land for residential development (see Chapter 10, Policy omissions, Issue 7). I conclude that this site should remain within the AoR.
- 14.3.7 Issue 6:** This objection has been met in part by designation of the school site as a ‘Major Developed Site in the Green Belt’ under Policy SSP2 of the Revised Deposit Plan. The issue is dealt with in more detail elsewhere in my report when addressing other objections (see Chapter 10, Policy SSP2, Issue 18). I conclude that North Leamington School should remain in the Green Belt.
- 14.3.8 Issue 7:** This objection is identical to one made in respect of the District-wide Proposals Map. The District Council recognises that the scale of these maps makes some allocations/designations difficult to read. For that reason, the Plan includes Inset and Information Maps drawn to a larger scale. Amongst other sites, they cover those identified through Policies SSP1, SSP2 and SSP3. I consider that to be appropriate.
- 14.3.9 Issue 8:** This issue is dealt with elsewhere in my report in conjunction with other related objections (see Chapter 9, Policy DAP2, Issue 8). Together, the objections seek to safeguard land at Fieldgate Lane/Golf Lane, Whitnash as a reserve housing site for residential development beyond the Plan period. I conclude that the Leamington and

County Golf Course and land at Fieldgate Lane/Golf Lane, Whitnash should remain in the AoR and not be safeguarded for housing.

**14.3.10 Issue 9:** Again, this matter is examined in association with other site-specific issues in another part of my report (see Chapter 10, Policy omissions, Issue 10). I conclude that land at Milverton should remain in the Green Belt and not be allocated/safeguarded in this Local Plan for residential development.

**14.3.11 Issue 10:** Land at Gallows Hill is subject of other site-specific objections which together seek to promote employment development (see Chapter 10, Policy SSP1, Issue 11). I conclude that there is no justification for removing this site from the area where rural policies apply and allocating it for employment uses.

**14.3.12 Issue 11:** This matter is considered in association with other site-specific objections in a different section of my report (see Chapter 9, Policy DAP2, Issue 11). I conclude that the land is properly identified as an AoR.

**14.3.13 Issue 12:** Similar objections have been made by Bishops Tachbrook Parish Council (see Chapter 9, Policy DAP2, Issue 1), except that they relate to a more extensive area. I do not believe that this locality requires additional protection through expansion of the existing AoR or designation of a further AoR. In my opinion, Harbury Lane represents a strong defensive boundary and the rural area policies of the Plan provide a sound basis for resisting inappropriate development in the countryside. Designating further land as an AoR would, I feel, devalue the concept by extending protection to less vulnerable areas.

**14.3.14 Issue 13:** (*Land south-west of Radford Semele*) The objection site is located on the south-western edge of Radford Semele and is approximately 5.9 ha in extent. Accessed from Spring Lane, it forms part of a small agricultural tenancy of about 38ha formerly known as the Radford Estate. The land is currently in arable production. In the south-western corner is a disused filter bed and small copse. The land is designated under Policy DAP2 of the Revised Deposit Plan as part of a more extensive AoR separating Radford Semele from Sydenham, Leamington Spa.

**14.3.15** The objector considers that removal of that designation to facilitate a phased mixed use development of the land would not prejudice any of the AoR objectives. The settlements would not coalesce nor would they be located any closer to one another. The setting of the settlements would not be harmed. It would afford an opportunity to improve the urban edge of Radford Semele through strategic landscaping and well designed development, improve the setting of both settlements through the creation of a country park, establish direct travel links for pedestrians and cyclists between the settlements, and provide additional local community and informal recreation facilities. Residents would be able to make use of the close proximity to Leamington Spa and the facilities and services on offer there. It is argued that retaining the current boundaries of the AoR without questioning their validity creates a risk that opportunities for sustainable development and enhancements to Radford Semele and the surrounding area would be lost. Such a rigid approach contradicts the aims of Government policy in PPS7 and PPG3 that seek to create sustainable communities. There is a danger that policies like this with physical boundaries are rarely reviewed and become fixed way beyond one local plan period.

**14.3.16** The Revised Deposit Plan indicates that the District's housing and employment requirements to 2011 have either already been met through extant planning permissions and potential windfall sites or will be met through development of employment sites allocated by Policy SSP1. T&N Ltd accept those figures. Nevertheless, it is felt that consideration should be given to a small development at this stage for local needs only, setting the scene for a future, larger phased allocation during the next LDF review.

**14.3.17** In support of the objection, a Landscape Appraisal has been carried out. This shows that the objection site is not essential to the visual perception of the gap, nor does it contribute to the setting or character of either Leamington Spa or Radford Semele. Intervisibility between the settlement edges is affected more by factors of topography and the openness of the landscape than by their distance apart. The width across the gap between the two settlements varies. At its narrowest it is 300m. Measured across the objection site it is 670m. This gap would reduce to 500m if the objection site was omitted from the AoR. But even where the gap is at its narrowest, it provides a clear physical separation between the settlements and maintains a perception of each having an individual identity. The land is not prominent when viewed from Sydenham due to the underlying topography and existing field boundary hedgerows and trees. At closer range it is heavily influenced by the existing built-up margins of Radford Semele, with 1970s housing, garages and boundary fencing giving a hard urban edge.

**14.3.18** Radford Semele has a population of about 2,000 in 800 households. Although it contains a number of services and facilities and a factory employing 500 workers, a high number of car journeys are generated in travelling to work and driving children to school. New development here would support existing facilities such as the primary school, which has falling numbers of children, and the post office. Because of the tightly knit building pattern there are few opportunities for future development within the village itself.

**14.3.19** The objector considers it important that AoRs are not just seen as open wedges between settlements. They can also have a physical use in promoting outdoor activities for residents. There is potential for the remainder of this landholding to be used to provide a public amenity area such as a country park between the two communities. This would provide a valuable local amenity with benefits that include landscape and nature conservation enhancements, informal recreation, and a more direct and practical footpath/cycleway link between settlements.

**14.3.20** Looking first at the purposes of AoR designation and visual matters, I consider it essential to protect the openness of this tract of land in order to prevent Radford Semele and Leamington Spa from merging, and to safeguard the character and setting of each settlement. The communities of Radford Semele and Sydenham can view each other across the AoR. The objection site occupies high and exposed ground in a landscape that is characterised by an undulating topography of low rounded hills and narrow meandering valleys. Development of this land would increase intervisibility between the settlements. Along much of the western boundary of the site there are no topographic barriers and only occasional trees and hedgerows to filter long views during the summer months. Not all views are uninterrupted but in general they are clear and significant. There are fewer publicly accessible points within Sydenham from which to obtain a long view. However, many dwellings do have views towards Radford Semele. South Sydenham was an allocation for 300 homes in the previous Local Plan. It is 50% complete with a further 10% under construction and 120 dwellings remaining to be built. I accept, as does the District Council, that development of the objection site would not

bring buildings in Radford Semele any closer to Sydenham than they already are at the narrowest point. But the perception would be that the gap between these settlements is being further eroded.

**14.3.21** Turning to the need for development, no compelling evidence has been presented of a requirement for further housing or employment land to meet local needs within Radford Semele or to improve sustainability. The Parish Council has not undertaken any village appraisal and the District Council says it is not aware of any pent-up demand for affordable or market housing or local employment opportunities at the present time. Likewise, I believe that there is no case for additional housing or employment land to meet the District's wider needs, over and above the provisions made in the Local Plan. As regards future development beyond 2011, those needs are not known at the present time. If the outcome of the partial review of the RSS requires the District Council to make large greenfield allocations and re-examine opportunities on the fringe of the urban areas, this should be done by way of a comprehensive exercise through preparation of an Allocations DPD where a comparative assessment of all opportunities can be made in the context of a formal sustainability appraisal and public consultation.

**14.3.22** This site was subject of the Omission Sites Consultation. It generated by far the highest number of responses for an individual site anywhere in the District. 708 forms and letters were received by the District Council from people living in Radford Semele, objecting to loss of part of the AoR and safeguarding of the objection site for mixed use development. I note that 362 households responded, equating to 45% of all dwellings in the village. This shows the sensitivity of this land and the desire of Radford Semele residents to maintain separation from Leamington Spa.

**14.3.23** Finally, the District Council says that it has not taken a formal position on the proposal for a country park. It is, however, likely that such a scheme would be seen as compatible with the AoR status of the land and favourably received. While this would undoubtedly be of benefit to both neighbouring communities it does not, in my opinion, count as a compelling argument for removing land from the AoR.

**14.3.24** I conclude that there is no case for rolling back the AoR to meet current local or District-wide needs, or future development requirements beyond 2011.

**14.3.25 Issue 14:** (*Land south of the Thwaites factory, Cubbington*) The land in question is in agricultural use. It totals 9.4ha and provides a buffer to the Thwaites factory to the north. It has no consent for employment use. The reason for its original exclusion from the Green Belt is unclear but is thought to have been to allow for long-term industrial growth. I agree with the District Council that a significant expansion of employment development in this area would not be sustainable. The site can only be accessed by a classified 'C' road that passes through Cubbington towards Offchurch and is not served by public transport. The land is 'best and most versatile' agricultural land. In character the site is identical to existing Green Belt land lying west, east and south of it. In these circumstances, I support its inclusion in the Green Belt. In my view, the requirement for a consistent approach to be taken to boundary definition and the correction of anomalies, together with the unsustainable nature of this location rendering it unsuitable for development, constitute the exceptional circumstances necessary to justify amending the Green Belt boundary here. The land fulfils several of the Green Belt purposes identified in PPG2. It checks the unrestricted sprawl of a large built-up area, safeguards the countryside from encroachment and assists in urban regeneration by encouraging the recycling of derelict and other urban land. Notwithstanding the area of the land involved,

I consider this to be a minor amendment. I do not regard it as a strategic change that ought properly to be made only through a review of the RSS.

**14.3.26 Issue 15:** I note that information on the areas at risk of flooding shown on both the District-wide Proposals Map and the various Inset Maps has been provided by the Environment Agency. The District Council says it is committed to using the best information available. However, Paragraph 4.59 of the Revised Deposit Plan makes it clear that this is indicative only and should be used as a basis for consultation rather than decision making. Applicants are advised to refer to the Environment Agency for the most up-to-date indicative flood zone maps to identify any changes.

**14.3.27 Issue 16:** This issue is addressed elsewhere in my report when assessing other related objections (see Chapter 10, Policy omissions, Issue 20). I conclude that the site at Stratford Road, Warwick is rural in character and should be subject to rural rather than urban area policies.

**14.3.28 Issue 17:** This matter is dealt with elsewhere in my report when examining other objections in respect of the Racecourse (see Chapter 10, Policy omissions, Issue 27). I note that the District Council amended the AoR boundary at Revised Deposit stage to exclude the grandstand and other main buildings. While those alterations do not go far enough to satisfy the objector, I am content that the revised boundary of the AoR is appropriate.

**14.3.29 Issue 18:** This objection is considered alongside a related objection to the Warwick Town Centre Inset (see Chapter 14, Proposals Map Part 4, Issue 5). I conclude that the AoR boundary should not be extended.

**14.3.30 Issue 19:** Retail area boundaries have been drawn to defend the shopping function of the town centres and existing retail outlets. Concise core areas have been defined in which retail uses will be concentrated. This approach is supported by PPG6 which advises that plans at the local level should define the extent of the primary shopping area for their centres and distinguish between primary and secondary frontages. In such circumstances, I see no need to alter the Leamington and Warwick Urban Inset to allow greater flexibility.

### **Recommendations**

**14.3.31 That no modifications be made to the Revised Deposit Plan in respect of these objections.**

\*\*\*\*\*

## **14.4 Proposals Map Part 3: Leamington Town Centre Inset**

Objections to First Deposit Version

143/AA	Scottish Widows Investment Partnership
192/AB	Chamber of Trade
192/AD	Chamber of Trade

## Objections to Revised Deposit Version

No objections

### Key Issues

- 14.4.1** (1) Whether 1-2 Clarendon Square should be taken out of the town centre employment area and included in the area to be primarily in residential use.
- (2) Whether the telephone exchange site is more appropriate for Class A2/A3 uses and housing, than retail.
- (3) Whether the Leamington Spa 'primary retail frontage' should be extended to include the rest of Warwick Street and all of Park Street/Regent Street.

### Inspector's Appraisal and Conclusions

**14.4.2 Issue 1:** This objection has been met in the Revised Deposit Plan. 1-2 Clarendon Square have been removed from the protected employment area shown on the Leamington Town Centre Inset. This reflects the planning permission granted for residential use. I agree that it rationalises the residential character of this elevation and the block of buildings of which it forms part.

**14.4.3 Issue 2:** The old telephone exchange falls within the definition of 'edge of centre' sites set out in Annex A of PPS6, being within 300m of the town centre retail area. Any proposal for a Class A use (including A3, A4 or A5) would need to demonstrate that no sequentially preferable sites exist in the town centre retail area. If this can be done then A2 or A3 uses, as well as other Class A uses, might be acceptable providing all other issues can be addressed. I am content that in these circumstances an appropriate policy framework exists. In my view, it is not necessary to identify specific uses for this building.

**14.4.4 Issue 3:** As the District Council points out, it is the purpose of the primary retail frontage to protect the core shopping elevations in order to maintain the predominant A1 retail function of the town centre. The majority of the frontages within the defined retail area, particularly to the north of the River Leam, are already identified as primary rather than secondary. It is important to protect the integrity of those primary frontages, as well as supporting diversity by recognising sufficient secondary frontages. I agree with the planning authority that this is best achieved by allowing those retail areas that are clearly not part of the core shopping elevations, such as Park Street and part of Regent Street, to remain as secondary frontages. The objector's proposals would, I feel, dilute and disperse the primary retail frontage to the detriment of the health of the town centre as a whole.

### Recommendations

**14.4.5 That no modifications be made to the Revised Deposit Plan in respect of these objections.**

\*\*\*\*\*

## 14.5 Proposals Map Part 4: Warwick Town Centre Inset

### Objections to First Deposit Version

158/AD	Tyler-Parkes Partnership
193/BW	Coten End and Emscote Residents' Association
199/BW	James Mackay
258/AA	Sainsburys Supermarkets Ltd

### Objections to Revised Deposit Version

66/RBS	The Warwick Society
199/RAP	James Mackay

### Key Issues

- 14.5.1** (1) Whether land bounded by Northgate Street, Northgate, The Butts and the Collegiate Church of St Mary should be omitted from the 'town centre employment area'.
- (2) Whether all land within the Inset Map should be given a land use designation.
- (3) Whether the retail area should be extended to include the car park of the Sainsbury store and adjacent Council-owned land.
- (4) Whether the Inset Map is sufficiently accurate and up-to-date - for instance, in terms of the number of shops in Smith Street.
- (5) Whether the allotments to the rear of St John's House should be excluded from the Town Centre Inset and incorporated as part of the adjacent Area of Restraint.

### Inspector's Appraisal and Conclusions

**14.5.2 Issue 1:** This issue is addressed elsewhere in my report in response to other objections (see Chapter 7, Policy TCP9, Issue 7). I conclude that the land should remain as part of the designated Warwick town centre employment area.

**14.5.3 Issue 2:** Parts of the town centre where there are no specific proposals or designations are left unannotated as 'white land' on the Inset Map. I see nothing wrong with that. There is no requirement for blanket coverage of all sites. Such areas are not bereft of policy direction since District-wide policies will apply throughout.

**14.5.4 Issue 3:** I do not believe it would be appropriate to extend the retail area to cover the car park and adjacent land. Such a designation could be construed as indicating that full coverage of the land for retail use would be acceptable when any proposals to extend the store or introduce further retail floorspace on the site would need to be assessed against relevant Plan policies.

**14.5.5 Issue 4:** I note that the base map has been supplied by the Ordnance Survey and is the most up-to-date available. Its purpose is to show the main retail areas rather than

the number of shop units. That number will vary as shops are combined into larger units or subdivided.

**14.5.6 Issue 5:** I am satisfied that the land in question is already afforded adequate protection under Policy DAP13 as an historic park and garden. That protection is enhanced through my recommendation, in addressing a related objection, that the reference in Paragraph 9.51A of the supporting text to St John's House Garden be amended to state 'St John's House Garden and Allotments'. Additional layers of protection are given by the location of the allotments within the Warwick Conservation Area, to which Policy DAP10 applies, and through Policy SC5 (Protecting Open Spaces). There is a strong boundary in existence at the southern end of the allotments bordering the car park of St Nicholas Park. In my view the edge of that car park provides the most appropriate boundary for the adjacent Area of Restraint. I see no reason to exclude the allotments from the town centre boundary.

### **Recommendations**

**14.5.7 That no modifications be made to the Revised Deposit Plan in respect of these objections.**

\*\*\*\*\*

## **14.6 Proposals Map Part 5: Kenilworth Inset**

### Objections to First Deposit Version

136/AA	George Wimpey Strategic Land
221/AY	Kenilworth Society
258/AC	Sainsburys Supermarkets Ltd
277/AB	Mr M F Dodd
276/AA	Michael and Barbara Hague
264/AA	Cobalt Estates

### Objections to Revised Deposit Version

149/RAB	Warwickshire County Council ( Museum Field Services - Archaeology)
332/RAA	Mr R Foskett
221/RAH	Kenilworth Society

### **Key Issues**

- 14.6.1** (1) Whether Tainters Hill (Pleasure Ground) should be designated as an Area of Restraint.
- (2) Whether the triangle of land between Highland Road and Woodland Road should be added to the Green Belt.
- (3) Whether the town centre boundary should be redrawn to include Smalley Place, Abbey Hill, the whole of Abbey Fields and High Street.

- (4) Whether:
- (a) the key should be changed to indicate that flood areas are not shown comprehensively;
  - (b) existing employment areas (Princes Drive, Farmer Ward Road and Common Lane) should be identified as employment land;
  - (c) the national cycle network should be shown;
  - (d) the 'transport corridor' should be amended and renamed as a public transport corridor;
  - (e) the key should refer to all town centre policies, not just Policy TCP2;
  - (f) open space should be identified;
  - (g) Tainters Hill is wrongly identified and should be designated as an Area of Restraint; and
  - (h) land at Thickthorn should be included in the Special Landscape Area so that it completely surrounds Kenilworth.
- (5) Whether the town centre boundary should be extended to include land to the rear of Talisman Square and Bertie Road.
- (6) Whether land at Rouncil Lane should be excluded from the Green Belt, Special Landscape Area, and area where rural policies apply.
- (7) Whether the boundary of the scheduled ancient monument at St Mary's Abbey, Abbey Fields is accurately drawn.
- (8) Whether Crackley Barn should be taken out of the Green Belt.

### **Inspector's Appraisal and Conclusions**

**14.6.2 Issue 1:** (*Tainters Hill Pleasure Ground*) This is a small remnant of common land. It lies within the Kenilworth Conservation Area and adjoins the Green Belt. The land is identified as public open space on the Kenilworth inset map of the adopted Local Plan. The Town Council considers that it has much in common with the valley of Finham Brook and should be identified as an 'Area of Restraint'.

**14.6.3** I agree with the District Council that there is no rationale for creating an 'Area of Restraint' here. The role of these areas is explained in Paragraphs 9.11 and 9.13 of the Plan and in Core Topic Paper 4: The Natural Environment. Their value and importance lies in their contribution to the character and structure of the urban area, providing open areas in and around towns and preserving open wedges. If designated, Tainters Hill would be by far the smallest such area in the Plan and detached. While it is necessary to protect Tainters Hill from development, adequate safeguards are achieved through conservation area status, through the application of other Plan policies (particularly SC5, UAP1 and DAP10), and through ownership and management by the District Council as public open space. In this regard, I note that the District Council is in the process of carrying out a District-wide audit with the intention of issuing a Supplementary Planning Document on Open Space.

**14.6.4 Issue 2:** (*Highland Road/Woodland Road*) This site, known locally as the Crackley Triangle, lies outside the Green Belt in the Local Plan adopted in 1995. It extends to some 2.9 ha and is currently in agricultural use. To the east it is bordered by the Leamington Spa - Coventry railway line running north-east to south-west in a deep cutting. To the west is the disused Leamington Spa – Kenilworth – Balsall Common

railway line also in cutting. It is accessed from Common Lane via a fieldgate. The site occupies an elevated position with long views northwards over open countryside towards Coventry. The land can be clearly seen from the A429 Kenilworth Road when travelling southwards from Coventry to Kenilworth.

**14.6.5** There are 2 sets of objectors - Mr and Mrs Hague who are the landowners, and George Wimpey Strategic Land who, until recently, held an option on the land and were prospective developers. The first of these refer to the advice in PPG2 and to the judgements made in *Carpets of Worth v Wyre Forest DC* (1991) and *Copas and Another v Royal Borough of Windsor and Maidenhead* (2001). Together, policy guidance and case law establish that the essential characteristic of Green Belts is their permanence. Detailed Green Belt boundaries, once they have been defined in an adopted development plan, should only be altered exceptionally. In the objectors' view the District Council's response provides no suggestion of exceptional circumstances. The only explanations offered are in Paragraph 9.10 of the First Deposit Plan ('a minor change to reflect the current situation on the ground'); in the Topic Response Analysis ('This land was omitted from the Green Belt in the previous Local Plan....It should properly be considered as Green Belt given its character, appearance and use....Its designation in the draft Local Plan was supported by a number of local people'); and in Paragraph 4.27 of Core Topic Paper 10 (Rural Areas) where the alteration is described as being minor in nature. The impression promoted by the District Council is that the land was previously inadvertently omitted from the Green Belt.

**14.6.6** There has been just one previous planning application in respect of the land when outline planning permission for residential development was refused in 1971. In December 1982 Warwickshire County Council adopted the Green Belt Local (Subject) Plan. The objection site was not included in the Green Belt. The objectors consider that by implication their land was deemed to lie inside the town boundary. Green Belt boundaries were revisited in the Warwickshire Structure Plan Review of 1984. Again, when the Structure Plan was approved in 1987 the objection site was excluded. The next review of boundaries was in the 1988 Kenilworth Inset Plan, an informal local plan prepared by Warwick District Council. It was proposed that the Green Belt boundary be amended to include the objection site. The alteration was described as being of a minor nature amounting to rationalisation. Representations were made by Mr and Mrs Hague and when the Inset Plan was adopted in 1989 the proposal to include the land within the Green Belt boundary had been dropped. The next attempt made by the District Council to include the site was in 1990. Once again, objections were made and when the current Local Plan was adopted in 1995 the Green Belt designation did not embrace the objection site. The objectors say that history is repeating itself with the emerging Local Plan 1996-2011. The current objection is the third one made in the space of 18 years. Mr and Mrs Hague maintain that their objection is not designed to promote the land as being suitable or appropriate for any form of development, but only to maintain the status quo.

**14.6.7** Previous objections have made the point that the District Council has not produced any evidence showing the existence of exceptional circumstances. The current situation on the ground is exactly the same as has appertained throughout Mr and Mrs Hague's ownership of the land, dating from 1957. In the objectors' view, the admission by the planning authority that the proposal is minor in nature implies that there are no exceptional circumstances. Issues as to the suitability of the revised Green Belt boundary only become relevant once the District Council has demonstrated such circumstances. In fact, the existing Green Belt boundary established as long ago as 1982 has proved to be robust. Moreover, policy with regard to the permanence of Green Belt boundaries has

fundamentally remained the same through Circular 14/84 into PPG2 in both its 1995 and 1998 guises.

**14.6.8** Looking first at the question of exceptional circumstances, the following points were decided in the Carpets of Worth case. Firstly, the boundary of existing Green Belts in structure plans should not be altered, either way, except in exceptional circumstances, nor should adopted local plans be treated any differently. Secondly, the Court rejected any suggestion that the process of producing a new local plan was in itself an exceptional circumstance. Thirdly, because it directly prejudices landowners an extension to the Green Belt should not be brought into effect unless it can be justified directly for those purposes for which the Green Belt was designated. Fourthly, once a Green Belt has been established it must require exceptional circumstances to justify an alteration. The objections in respect of land at Highland Road/Woodland Road need to be examined in light of these considerations.

**14.6.9** I am satisfied that exceptional circumstances do exist for amending the Green Belt boundary in this location and that the District Council does not rely upon general planning concepts. There is no logic to the present boundary. It is an anomaly that should be corrected, and the nettle should be grasped now. I am in no doubt that if the Green Belt was being established around Kenilworth for the first time, this parcel of land would be included. The need to apply a consistent approach to Green Belt designation is, I feel, an exceptional circumstance. I agree with the District Council that the site has a clear visual and functional relationship with open, undeveloped land to the north. In my opinion, this amendment is not of such significance as to constitute a strategic alteration that should only be made through a review of the Regional Spatial Strategy. The reason why this land was originally excluded from the Green Belt is obscure. However, it is not unreasonable to conclude that it was based upon a purely administrative convenience in following the old Urban District boundary. That position has changed with revision of the local authority boundary. In terms of the Copas case, I consider that the fundamental assumption which caused the land initially to be excluded from the Green Belt has been clearly and permanently falsified by this later event. Its continuing exclusion from the Green Belt can, I believe, be properly characterised as an incongruous anomaly. If the correction of a past mistake is not regarded as an exceptional circumstance, then there would be no opportunity through PPG2 to put matters right. The preparation of a new Warwick District Local Plan is not in itself an exceptional circumstance. But it does provide the vehicle for addressing an inconsistency that has, in my view, prevailed for far too long and has unreasonably raised expectations as to future development potential. This leads on to the next consideration.

**14.6.10** I find that the land fulfils many of the Green Belt purposes set out in Paragraph 1.5 of PPG2. It checks the unrestricted sprawl of a large built up area, prevents neighbouring towns from merging into one another, assists in safeguarding the countryside from encroachment and, in a more modest way, assists in urban regeneration by encouraging the recycling of derelict and other urban land. The gap between Kenilworth and Coventry is perilously narrow and extremely sensitive. This can be readily appreciated from examination of the District-wide Proposals Map and from the map and aerial photographs at Appendices 1 and 2 of the District Council's proof of evidence. There would be a gap of only 0.9 km remaining between the northern part of the objection site and Coventry. At the hearing the District Council accepted that the land is not exposed to a threat of development in this Plan period. Even if excluded from the Green Belt, the absence of an allocation, the greenfield nature of the site, and the District Council's SPD 'Managing Housing Supply would preclude residential development. Moreover, any

future development of the site would not bring buildings any closer to Coventry than dwellings that exist in parts of Highland Road and Woodland Road. But possible longer-term development would fill in a deep indent in the urban boundary. The perception would be of a much greater mass of development rolling down the hillside towards Coventry, presenting a more solid edge to the town. This would result in a serious loss of openness and harm to the rural setting of Kenilworth and give the impression of settlements merging.

**14.6.11** Incorporation of this site in the Green Belt is strongly supported by local people as evidenced through formal representations to the First Deposit version of the Plan and comments on the Omission Sites Consultation. The latter generated 20 representations, all objecting to the principle of development of the site. They included objections from the Kenilworth Society, Kenilworth Town Council, CPRE (Warwickshire Branch) and Crackley Residents' Association. While those representations do not amount to exceptional circumstances for altering the Green Belt boundary, they do demonstrate the strength of local feeling as to the need for protection of this sensitive tract of land.

**14.6.12** The District Council argues that if this site remains outside the Green Belt it should continue to be shown as being within the rural area (and therefore subject to the Plan's rural area policies), as opposed to the built-up area of Kenilworth. Additional protection should be also given through its designation as an Area of Restraint, continuing the AoR located to the south-west on the opposite side of Common Lane which follows the line of Finham Brook. While the latter suggestion may have merit, it does not fall to be considered here - if only because the public have had no opportunity to consider the proposal. As regards inclusion of the land in a Special Landscape Area, I have resolved elsewhere in my report that such a designation should be deleted from the Plan.

**14.6.13** Notwithstanding the alternative proposals outlined above, I conclude that the Green Belt boundary at Highland Road/Woodland Road should be amended to incorporate the objection site which is clearly rural rather than urban in character.

**14.6.14 Issue 3:** The town centre boundary has been drawn to encompass uses that are essential to the effective operation of the town centre as a focus of shopping, service and civic functions. I agree that to draw a much wider boundary would dilute activities to the detriment of the health and vitality of the town centre. As pointed out by the District Council, Abbey Fields has little in common with the town centre while High Street is physically divorced from it by a considerable gap. Offering a different and complementary type of shopping experience, High Street is more appropriately included in the retail hierarchy as a local shopping centre. At Revised Deposit stage the police station and library at Smalley Place have been included in the town centre boundary. I support that alteration. Such uses clearly represent essential town centre activities. I note that on this basis the objection by the Kenilworth Society has been conditionally withdrawn.

**14.6.15 Issue 4:** I respond to this miscellany of points in the order raised. (a) The District Council confirms that the most up-to-date information available from the Environment Agency on flood risk areas will be incorporated in the Local Plan at the time of its adoption. I support that commitment. Paragraph 4.59 of the supporting text explains that this information is liable to change over time and should be used as a basis of consultation rather than decision making. (b) I note that unlike the adopted Local Plan the approach taken through Policy SC8 has been to protect all employment land rather than just those sites identified by a protective designation. I believe this to be

appropriate. (c) There are 2 national cycle network routes that run through Warwick District. Route 41 between Rugby and Stratford upon Avon is partially completed while Route 52 between Derby and Stratford upon Avon is still at proposals stage. The District Council has accepted that it would be useful to show the implemented sections of Route 41. I agree that until the remaining sections are defined (including Route 52), it would be inappropriate to include them on the Proposals Map. (d) I have concluded elsewhere in my report in response to other objections that the transport corridors should be deleted. (e) The District Council accepted at Revised Deposit stage that the key indicating the boundary of Kenilworth town centre should refer to all relevant town centre policies - that is, TCP1, 2, 4, 5, 9, 11, 12 and 13 - and not just TCP1. I endorse that alteration in the interests of clarity. (f) An audit of open space is currently being carried out. In view of this, I consider it would be inappropriate to identify areas of open space on the Inset Map. In any event, Policy SC5 affords protection to all open space in the District. (g) Tainters Hill is incorrectly referred to on the base map supplied by the Ordnance Survey. The District has, I note, undertaken to correct this error. The question of whether this land should be identified as an AoR is addressed elsewhere in my report. I conclude that it should not be. (h) Finally, the District Council has withdrawn the 'special landscape area' designation in the Revised Deposit Plan. For reasons set out elsewhere in my report, responding to other objections, I support that action.

**14.6.16 Issue 5:** I agree with the planning authority that until such time as the recently approved planning application for redevelopment of Talisman Square and provision of a new supermarket for Waitrose has been implemented it would be premature to include this area in the town centre boundary.

**14.6.17 Issue 6:** (*Rouncil Lane*) This land has been in the Green Belt for some considerable time. Its inclusion was confirmed in Warwickshire County Council's 1982 Green Belt Local (Subject) Plan. That designation was subsequently carried forward into the adopted Warwick District Local Plan 1995. At First Deposit stage of the emerging Local Plan, the Green Belt boundary was amended to include the adjacent playing fields of Kenilworth Castle Sixth Form School. That has reinforced the Green Belt in this area. Removal of the objection site would create a gap. No exceptional circumstances have been put forward to justify releasing this site from the Green Belt. I am satisfied that circumstances have not materially changed and that this site continues to perform several Green Belt functions. It assists in safeguarding the countryside from encroachment, prevents Kenilworth and Leek Wootton from merging, checks unrestricted sprawl of the built-up area of Kenilworth, and assists in urban regeneration by encouraging the recycling of derelict and other urban land. I note that it was subject of the Omission Sites Consultation when it generated 9 objections. As regards the Special Landscape Area, I have concluded elsewhere in my report that this designation should be removed from the Plan. Finally, I see no reason why rural area policies should not apply in this area close to but beyond the urban limits of the town.

**14.6.18 Issue 7:** The District Council has accepted advice from Warwickshire County Council (Museum Field Services) that the boundary of St Mary's Abbey scheduled ancient monument in Abbey Fields is incorrect. The scheduled area is more extensive than shown on the Inset Map. I agree that this discrepancy should be corrected.

**14.6.19 Issue 8:** (*Crackley Barn*) The objection site is situated in the Green Belt on the edge of Kenilworth. It is located on the western side of Coventry Road between the former Crackley Garage and a row of dwellings known as Crackley Crescent. Opposite is the relatively recent Arborfield Close development. The site contains a dwelling set in

large grounds bounded by dense vegetation that screens the site on all sides including the road frontage. The triangular-shaped garage site to the south, now cleared, has approval in principle (subject to a legal agreement) for the erection of 33 houses and flats. Crackley Garage, Crackley Crescent (together with a dwelling to the rear known as Southcot) and the majority of Arborfield Close lie outside the Green Belt boundary.

**14.6.20** The objector argues that the objection site is of no visual significance in terms of separating Crackley Crescent from the rest of the urban area, neither is it an important tract of open countryside. It is claimed that it does not contribute towards maintaining the Green Belt boundary nor does it fulfil any of the purposes for including land in the Green Belt. Consequently, the objector believes it is unnecessary to keep the land permanently open.

**14.6.21** The objection site has formed part of the Green Belt for some time. It was shown as such in the 1995 Warwick District Local Plan. I am satisfied that there has been no significant change in circumstances since that time. No exceptional circumstances have been advanced by the objector to justify release of this site from the Green Belt. While the land is well screened at present, the trees around the site are not protected by any preservation order. If they were removed, I concur with the planning authority that the site would take on a more open character with long views towards open countryside. In my opinion, the site fulfils more than one Green Belt purpose. It assists in safeguarding the countryside from encroachment and also, in a more modest way, assists in urban regeneration by encouraging the recycling of derelict and other urban land.

**14.6.22** The Arborfield Close development on the opposite side of Coventry Road includes a small triangular-shaped parcel of Green Belt land. It forms part of a larger area, the remainder of which falls within the urban boundary. The frontage of that site (including the land in the Green Belt) was previously intensively used as a petrol filling station and garage. A planning application in 2002 for the construction of 8 dwellings, 2 of which were in the Green Belt, was treated as a departure from the development plan. In deciding not to call in the application for his own determination, the Secretary of State agreed that the proposed residential use would be less intensive than previous commercial activities. It is clear that the circumstances there were very different from those prevailing at Crackley Barn.

**14.6.23** As regards Southcot, the linear curtilage of that property runs along the rear of houses in Crackley Crescent. Together with that adjacent block of dwellings it is excluded from the Green Belt. In contrast, the objection site makes a potentially stronger contribution to the Green Belt. Most importantly, it maintains a largely undeveloped tract of open land between Crackley Crescent and Crackley Garage. While the objector feels that there is an anomaly in the Green Belt boundary, I am satisfied that the planning authority has been consistent in its approach to the treatment of individual dwellings. The District Council cites the example of Kenilworth Lodge on Leamington Road. There, as here, the property was considered to be more open in character than the adjoining built-up area and retained as Green Belt. I conclude that Crackley Barn should not be taken out of the Green Belt.

## **Recommendations**

**14.6.24 (a) That the Revised Deposit Plan be modified as follows:**

**amend the boundary of the scheduled ancient monument at St Mary's Abbey, Abbey Fields to accord with the records maintained by English Heritage.**

- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

\*\*\*\*\*