

5<sup>th</sup> July 2021

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Dear Sir/Madam

**Local Plan Scoping and Call for Sites Consultation Regarding the protection of the North Leamington Green Belt around Old Milverton and Blackdown Settlement Boundaries**

We write on behalf of our client, Old Milverton and Blackdown Joint Parish Council , in response to the South Warwickshire Local Plan Scoping and Call for Sites Consultation. First and foremost, we are grateful for the extension of time granted for us to reply to this Scoping and consultation. We would like to thank Hayley Smith and Phillip Clark for granting us this extension.

These representations are made in the context of Old Milverton and Blackdown Joint Parish Council’s interest in the North Leamington Green Belt which washes over the Parish, the boundary of which is marked by a redline on the site plan attached (ref. Promap-1442234-1542664). The Parish Council would like to reaffirm their support for the protection of the Green Belt across the Parish and to protect against the encroachment of development to the north of Leamington. If incursions into the Green Belt are going to be considered as part of development of the collaborative working between Warwick and Stratford Council’s this should be informed by a comprehensive and up-to-date Green Belt review.

This representation has been prepared by Ridge and Partners LLP on behalf of Old Milverton and Blackdown Joint Parish Council in relation to the South Warwickshire Local Plan Scoping and Call for Sites consultation. This document sets out why ‘North Leamington Green Belt around Old Milverton and Blackdown Settlement Boundaries should be protected. It has also outlined that the site should be protected from Green Belt Growth opportunities in the future South Warwickshire Local Plan.

In light of the above, it is requested that the subject site is preserved from any allocation of development in the future South Warwickshire Local Plan and remains as Green Belt land.

This Covering letter seeks to respond to some of the consultation questions set out in the South Warwickshire Local Plan, Stage 1: Scoping and Call For Sites Consultation. Specifically, this letter aims to answer Question 52. Which is

*“Notwithstanding your preferred Growth Option, do you agree that we should explore growth opportunities in Green Belt locations? If not, why not?”.*

To a lesser extent this letter also addresses two further questions identified in the South Warwickshire Local Plan, Stage 1: Scoping and Call For Sites Consultation:

Question 28. *“Is it important to ensure that the development of best agricultural land is avoided wherever possible? Please explain your answer”.*

Question 30 *“Is the protection of, and enhancement of our green areas and associated habitat / biodiversity a high priority for the Local Plan? Are there any other matters that should be considered?”*

The site has had previous development history. In preparation for the 2017 Warwick Local Plan the Council proposed removing some of the land from the Green Belt and allocate it for housing. The estimated capacity of the housing site was 250 dwellings. This proposal was never progressed and the Planning Inspector identified the importance of this Green Belt Land in his written examination statement (Chapters 200-203). The Planning Inspector did not believe that removal of this Green Belt land was needed in order to ensure that the District’s housing requirements are met or that a five-year supply of housing land was provided for.

As matters stand, it is considered that the Green Belt in question meets the 5 purposes that Green Belts serve as stipulated in Paragraph 133 of the NPPF which are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The grounds of support identified above will be addressed individually in more detail below however in the first instance, a summary of relevant planning policy will be provided along with a brief description of the site.

**Site Location and Description**

The site is the Green Belt land that washes over the settlements of Old Milverton and Blackdown. For the context of this letter, we refer the land in question as ‘the site’. The Site is particularly important, as highlighted above, as it has served its designated purpose of preventing urban sprawl, avoiding town merging into one another and safeguarding the countryside and its special character. In this regard, it has very effectively prevented Leamington, Kenilworth and Coventry merging. It also stops the communities of Old Milverton and Blackdown merging with Leamington safeguarding the countryside to the north of Leamington.

The site is in multiple ownership and is not currently part of any active promotion for development. However, when the present Warwick Local Plan was under consideration, we were aware that the area to the south of Old Milverton Lane between Kenilworth Road (A452) and the railway line was of interest for development which never materialised.

Old Milverton and Blackdown are neighbouring parishes to the north of Leamington Spa Town. The Joint Parishes form the northern gateway to the historic, Regency town of Royal Leamington Spa and the southern gateway to Kenilworth, famous for its castle with Elizabethan connections. The medieval castle of Warwick is 3 miles away.

**Designations**

The site lies within the Green Belt which, for the reasons set out above, serves its purpose.

Old Milverton is classified as ‘Infill Village’ in the WDLP. Paragraph 4.8 in the WDLP outlines that in the case of Limited Infill Villages which are included within the Green Belt, the type and scale of development will be more limited. In line with national Green Belt policy, appropriate development includes rural affordable housing, limited infill development, the re-use of buildings; the redevelopment or partial redevelopment of previously developed land and replacement dwellings.

The Northern boundary of Old Milverton runs along the meandering course of the River Avon to where the river crosses river A452. The Green Belt adjacent to Old Milverton falls under Flood zone level 2 and 3.

The site also has a rich cultural heritage and contains several listed buildings.

**Relevant Planning Policy**

***Warwick Local Plan 2011-2029***

The Warwick District Local Plan (WDLP) was adopted in September 2017. The following policies of relevance to the proposed development are summarised as follows:

**Policy DS4** sets out the spatial strategy of growth in the Warwick District. The policy aims to focus growth within and adjacent to built-up areas, with the majority of growth being focused on the main urban areas of Warwick, Leamington, Whitnash and Kenilworth, with some growth being directed to the growth villages such as Cubbington.

**Policy DS19** of the adopted Local Plan confirms the Council will apply national guidance within the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl and keep land permanently open.

***National Planning Policy Framework***

**Paragraph 133** of the NPPF outlines that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

**Paragraph 134** states that the Green Belt serves five purposes which are

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

**Paragraph 136** states that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green ~~Belt~~Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.

**Paragraph 143** of the National Planning Policy Framework (the Framework) indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In **paragraph 145** it is stated that the construction of new buildings in the Green Belt should be regarded as inappropriate subject to a number of exceptions. This includes the limited infilling or the partial or complete redevelopment of previously developed land (PDL), so long as it would not have a greater impact on the openness of the Green Belt than the existing development. However, where affordable housing is proposed which contributes to an existing need, there should not be substantial harm to the openness of the Green Belt.

**Green Belt Considerations**

In delivering sustainable development, the Framework attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Framework states that before considering releasing land from the Green Belt, Councils will be required to demonstrate that they have fully examined all other reasonable options for meeting its identified need for development. This includes:

1. Making as much use as possible of suitable brownfield sites and underutilised land;
2. Optimising the density of developments; and
3. Discussions with neighbouring authorities to ascertain whether they could accommodate the identified need.

The National Planning Policy Framework identifies at Paragraph 134 the 5 purposes for designating land as Green Belt. These are considered in brief below to understand if there is any likely justification for the land in question to be released from the Green Belt.

**Purpose A - To check the unrestricted sprawl of large built-up areas**

The site comprises agricultural land parcel which is adjacent to the existing urban area of North Leamington. The majority of the site is open green space and agricultural fields. The Green Belt abuts the edge of North Leamington SPA and stops any further development from encroaching into the countryside and prevents urban sprawl. Therefore, if any of this land is allocated for housing or employment in the emerging South Warwickshire Plan than this would extend built development beyond the urban edge of Leamington and would therefore encroach upon the openness of the Green Belt. This would lead to an unrestricted sprawl of development.

As matters stand, there is no strong defensible boundary to the Green Belt apart from the existing urban edge of Leamington. Therefore, if development were allowed to the it is difficult to see how a new defensible boundary could be introduced to prevent development sprawl. Consequently, protecting the Green Belt land is essential in this case as it clearly serves its purpose to prevent urban sprawl.

**Purpose B- To prevent neighbouring towns from merging into one another**

This site is essential in preventing neighbouring towns from merging into one another. In particular, the Green Belt helps to prevent and Old Milverton and Blackdown from merging with Leamington.

Moreover, this area of the Green Belt is particularly important because it has maintained an appropriate gap between Leamington and Kenilworth to the north ensuring the character of each retained and the settlements will not merge into one another.

If the Green Belt is altered to the north of Leamington this will fundamentally undermine the designation of the Green Belt in this location which is in place to prevent settlements merging. As such, this area of Green Belt complies with Paragraph 134 criterion b) in the NPPF.

**Purpose C - To assist in safeguarding the countryside from encroachment**

The Green Belt around Old Milverton and Blackdown is open in character and its designation safeguards the surrounding countryside from the encroachment of development. As such, this area of Green Belt complies with Paragraph 134 criterion c) in the NPPF as it serves to assist in safeguarding the countryside from encroachment.

**Purpose D - To preserve the setting and special character of historic towns**

Future development of this site would affect the setting and special characters of the historic settlements of Old Milverton and Blackdown and development would be at odds with this purpose of the Green Belt. This is supported by the findings in the *West Midlands Joint Green Belt Study 2015*. Paragraph 4.21 outlines that the green belt parcels bordering Rugby, Warwick and Royal Leamington Spa contribute to the setting and special character of these historic towns (by virtue of good intervisibility with the historic cores. In particular the green belt parcels that are situated in Old Milverton and Blackdown ( Parcel numbers; RL1, RL2 RL3, WA6) were identified as having good views into the historic cores of Royal Leamington Spa and/or Warwick and should be preserved.

In addition, the Planning Inspector noted the importance of this land in his written examination of the Warwick Local Plan. The Planning Inspector felt that the development of this site would involve a substantial expansion of the built-up area and it would have a significant adverse impact on the openness of the Green Belt and the character and appearance of the area.

Therefore, the removal of the site from the Green Belt will affect the purpose of preserving the setting and special character of a historic villages and historic buildings that lie within the land in question. As such this area of Green Belt complies with Paragraph 134 criterion d) in the NPPF which confirms that this area serves the purpose of to preserving the setting and special character of these historic settlements.

**Purpose E - To assist urban regeneration by encouraging the recycling of derelict and other urban land**

The release of the any of the land in question from the Green Belt would prevent the recycling of derelict land and other urban land within Warwick District .

In this regard a detailed understanding of previously development land that is available for development should be fully explored before considering the release of any land from the Green Belt.

In summary, the proposed allocation does fulfil a strategic Green Belt function and its loss will issues of coalescence. Removal of the land from the Green Belt, and its allocation for housing, will harm all five purposes of the Green Belt set out in Paragraph 133 of the NPPF. From the reasons outlined above we believe that the South Warwickshire Local Plan should not investigate growth opportunities in Green Belt locations like in this site. We would therefore wholeheartedly disagree with question 52 as this site still serves all 5 purposes of the Green Belt.

Other Matters

This section hopefully addresses some of the other questions found in the *South Warwickshire Local Plan, Stage 1: Scoping and Call For Sites Consultation*.

It is worth noting that this site has become an important resource since the Covid 19 Pandemic began. The site sits on the periphery of Old Milverton and Blackdown villages as well as to the north of Leamington. This green space is easily accessible for walkers and cyclist and become an invaluable green space for people to interact in during Lockdown. If anythinganything, we would prefer to promote this site as an important Green and open space because of the benefits it gives to the residents.

In terms of agricultural land quality, the allocation site around Old Milverton comprise Grade 2 and Grade 3a agricultural land (except for a minor strip of Grade 3B) and is therefore best and most versatile. The NPPF is clear that 'Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'. Therefore, the Green Belt land around Old Milverton in particular is certified to be important necessary land where development should be avoided as mentioned in question 28.

In response to question 30 the reasons outlined above have shown why the site is an important Green belt parcel which serves the 5 purposes set out in the NPPF. Notwithstanding that it is important that this site is highlighted in the Local Plan as an important green space that would benefit from further enhancement and protection. This would help support its uses as identified above.

At this moment in time the client would like to make it explicitly clear that they do not support Growth Option G (village development) for the reasons outlined above. The client will contact the council at a later date with their preferred growth option.

**Summary**

This representation has been prepared by Ridge and Partners LLP on behalf of Old Milverton and Blackdown Joint Parish Council in relation to the South Warwickshire's Call for Sites consultation. This document sets out why 'North Leamington Green Belt around Old Milverton and Blackdown Settlement Boundaries should be protected. It has also outlineoutlined the site should be protected from Green Belt Growth opportunities in the future South Warwickshire Plan.

The above has demonstrated how the site is not a suitable location for residential development, and also sets out how allocating the site for residential development would be in disagreement with NPPF's definition of sustainable development.

Government guidance and the policy position within the WDLP actively encourages protection of Green Belt development unless it satisfies a number of criteria. This covering letter shows that it there is not suitable government policy to allow for development on this site. It has shown that this area of Green belt land is still important and meets all 5 tests of the National Planning Policy Framework.

In light of the above, it is requested that the subject site is preserved from any allocation of development in the future South Warwickshire plan and remains as Green Belt land.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Giles Brockbank', is written over a vertical line on the left side of the page.

**Giles Brockbank MRTPI  
Partner  
For Ridge and Partners LLP**

# APPENDIX 2

## Site Location Plan