

13 February 2023

Mr Dan Charles - Case Officer

Development Services

Warwick District Council Riverside House

Milverton Hill

Leamington Spa

CV35 5HZ

22 Waller Close

Leek Wootton

Warwick

CV35 7QG

Dear Mr Charles,

**Re: Objection to Cala Homes Planning Application – Leek Wootton
ref W/22/1877**

I am objecting to the proposed Cala Homes development on the Woodcote Estate on the following grounds.

1. DS 22 Legal challenge -

The proposed development is contrary to Policy DS.22 of the Local Plan for the following reasons.

Firstly, there is a requirement to agree a masterplan with the Council for the entirety of the former police headquarters landholding, including other associated land parcels outside of the Growth Village Envelope boundary. That has not been done.

Secondly, all planning applications for development within the Growth Village Envelope must comply with the masterplan, and accord with other policies of this Local Plan and any adopted Neighbourhood Development Plan, taking account of viability. As no masterplan has been agreed with the Council, the planning application is contrary to the policy.

Thirdly, the planning application does not protect and enhance the historic assets and their setting contrary to criteria a. The Applicant accepts its proposals cause harm to the heritage assets, and therefore is contrary to the policy.

Fourthly, the planning application does not make provision for the future management/maintenance of the balance of the site (those areas not to be utilised for housing development) contrary to criteria g.

Finally, and most significantly, the Applicant is not offering to enter into an agreement / agree a mechanism with the Council in order to provide certainty that both the new build (greenfield) housing elements on the allocation and Woodcote House conversion (and the associated restoration of its setting) are delivered simultaneously or within a mutually acceptable timescale contrary to criteria h.

This breach of the most relevant Policy of the Development Plan to the determination of the application is significant because the Policy requires the conversion and restoration of the setting of the heritage assets as a counter-balance to the harm caused by new build (greenfield) housing elements.

In the absence of the public benefits from the restoration of the heritage assets (notably Woodcote House), the harm is not outweighed and planning permission should be refused. The proposal is akin to 'enabling development' without the benefits that the 'enabling development' was intended to deliver.

The Applicant tries to argue that its application complies with the Plan as a whole. However, the breach of Policy DS.22 is fundamental to the decision given this is the primary policy to guide the development of the site.

The Applicant then tries to argue the benefits outweigh any adverse effects. The benefits cited relate to the delivery of 50 market homes and 33 affordable homes. Hardly significant in the context of the long term harm caused to the heritage assets. They reference economic benefits, including some 50 to 60 temporary jobs during construction. Again, hardly significant in the context of the proposed harm. They also cite public open space and biodiversity enhancements. However, these are a requirement of policy and so not a significant benefit of development.

The planning application is contrary to the Development Plan. Planning permission must be refused, unless material consideration indicate otherwise. No material considerations have been put forward of any substance to outweigh the conflict with the Development Plan. The harm caused to the heritage assets is not outweighed by the public benefits, and I respectfully request planning permission be refused.

2. WDC legal notes on DS22.

How can Warwick District Council agree to a Masterplan for the entirety of the site (worded as former police headquarters in DS22) when the planning application by Cala Homes does not address the points in DS22 (items a to h) or the explanatory text 2.87 to 2.89?

Policy DS22 cannot be implemented there is no a clear master plan, as required under the current guidelines for the whole site.

2a Material consideration.

I have set out below the material considerations for and against the development.

The case for development

I have reviewed Cala's planning documents and the following considerations are stated;

The need for housing including affordable homes

Provide funding for the maintenance of Woodcote House

The case against development

1 DS 22 as stated above my primary argument is that the planning application should be refused because of the police remaining in the existing headquarters. This is such a fundamental change that it invalidates the decision that was taken in 2017 to remove the estate from the Green Belt.

2. Cala's assertion - There is a need for housing — (Note Warwick District Council have a 5.08 year Housing land supply). The Cala development is not critical for the supply of housing **therefore the WDC should seek alternative sites within the village, closer to the existing school.**

3. Cala's assertion that the sales proceeds will be reinvested for the restoration of Woodcote House is not evident. I have written numerous times to the PCC requesting a Masterplan for the House and grounds — and have received no response.

Further more it was our understanding that the proceeds from the sale of Plots 1, 2 & 3 were to be used for the restoration of Woodcote House. This is not supported by the press statements made by the police.

On the 10 December 2021 the police posted details on their website of the sale of Plots 1, 2 & 3 stating that; "the sale of land will secure the continued use of the remaining portions of the site for policing and the force headquarters for many years to come. It also stated that the funding realised will also allow renovations to Woodcote House and other parts of the estate, ensuring they are fit-for-purpose and appropriately maintain the historic fabric of the building. The boost to the force budget will also help to pay for much-needed investment in modern IT systems and other capital expenditure items".

We have been informed by the Chairman of the Parish Council on 26 May 2022 that indeed the proceeds of the sale have been used on solely on IT.

It is my understanding that for the purposes of material consideration those considerations must be relevant to the planning purpose and must fairly and reasonably relate to the development. I would point out that the funding for use of IT infrastructure and for the capital expenditure for the Police service does not fall within the envelope of material consideration. Regarding the maintenance of

Woodcote House and other parts of the estate I have requested evidence of a maintenance and refurbishment programme in the form of a Masterplan this has not been provided. Without this evidence I do not believe that the Planning authority can attach much if any weight to this consideration.

This contention is further supported by the fact that as demonstrated in the GVA Masterplan document (item 3.2) the following enhancements **have now been lost due to the Police remaining and cannot therefore be funded**

- Removal of the highly insensitive 1960s extension to Woodcote House with space provided around the building to reinstate its free-standing form.
- Removal of unsympathetic extensions to the former stable range and replacement of parking within the formal kitchen garden walls with a development that reflects the greenhouses that historically stood on the site, set within a formal garden.
- Reduction in parking and reinstatement of the lawn to the forecourt of Woodcote House improving views on the approach to, and from the east of, the House.
- Improvement of vistas, including through the removal of the telecommunications mast and reduced massing, with existing large buildings replaced by modest dwellings, thereby increasing the dominance of Woodcote House.

4 The development is contrary to the Leek Wootton & Guy's Cliffe Neighbourhood Development Plan (LWNP) with regard to layout, and density, (NPPF-134)

5. By remaining undeveloped the land Plots 1 & 2 will continue as an important wildlife corridor between the woodlands, and a retained woodland for carbon storage. (NPPF 120b)

6. The loss of using suitable brownfield land within Plot 4 for homes, landscaping , and leisure pursuits. (NPPF - 120c)

7. There is an unacceptable impact on highway safety, the residual cumulative impact on the road network will be severe.

8. The development will create light pollution onto an intrinsically dark landscape and affect the natural wildlife habitat (NPPF 185-c)

9. Cala have not engaged with the local community. (NPPF - 132) which has prejudiced the community's ability to grasp the detail of this latest application.

10. Cala have failed to protect and enhance the valued landscapes and the biodiversity of the site. There will be significant harm to the biodiversity resulting

from the development and these losses will not be made up elsewhere. — (LWFG Ecology report 13 January 2023) (NPPF - 174a & 180)

11 The development will result in the loss or deterioration of irreplaceable habitats (such as veteran trees) to date we have identified 71 trees and 10 hedgerows — no exceptional reasons have been offered.

This is supported by a statement from Heritage England - “The parkland between the house and the South Lodge (*incorrect: refers to East Lodge*) clearly forms part of the historic grounds to the Listed Building, is a component of the formal setting and contributes positively to its significance. Proposed residential development in this part of the site would remove approximately 1/3 of this historic open landscape and therefore cause harm to the significance of the Listed Building”.

2b Community engagement by Cala

The following section is provided so the committee are aware that there has been **no engagement** by Cala with the community and to appreciate the norms required as out in the (POS) - Good practice notes dated February 2020

The POS highlights this as stage 3 (POS - Page 15 items 4.34 - 4.40 & 4.51)

The community expected to be engaged at an early stage and in a meaningful manner by Cala during their pre-application submission. This is strongly supported by the National Planning Policy Framework and the POS.

A letter was sent to Cala on the 27 January 2023 asking why there has been no engagement with the community. We have yet to receive a reply

I therefore would submit that this does not accord with the National Planning Policy Framework and the Good Practice Guidance Notes: Strategic Applications dated February 2020 issued by the Planning Officers Society (POS) and the application should be rejected.

3. Environmental impact Woodland report - ref LWFG Doc C

The impact of the Cala development upon the estate will be devastating and cannot be underestimated.

Cala’s Tree survey & Arboricultural Impact assessment states;

“8.2 - The proposed development will required the removal of 16 individual trees, the full removal of 5 tree groups, partial removal of 1 tree group and 7 hedges.

Additionally, 4 trees were considered unsuitable for retention and therefore require removal”.

“8.6 - From an arboreal respected, subject to the satisfactory implementation of the recommendations contained within the report, it is considered that the proposed scheme has minimal arboricultural impacts.”

The clause 8.2 above leads you to believe at first glance that 26 trees will be removed and 7 hedges. This is reinforced by clause 8.6 where it states “the proposed scheme has minimal arboricultural impact”.

Nothing could be further from the truth.

- The LWFG volunteers have surveyed Plots 1, 2 & 3. Our findings are shocking and demand **a full investigation** into Cala’s claims. We would refer you to
- LWFG Tree & Hedgerow report dated 13 January 2023
- LWFG letter to the WDC dated 31 January 2023 attached.
- The drawings and data within Cala’s report are incorrect as they do not reflect the type/age and location of the trees on the estate - example trees G10. This is not an isolated incident, elsewhere throughout the estate Cala’s drawings and reports are incorrect and in conflict with each other. The documents relate to the previous Planning Application W/22/0465 and have not been updated to reflect the new layout.

The boundary line North of Broome House and East Lodge running parallel with Woodcote Drive in this single area is a highly sensitive location. There are 41 trees along the boundary fence, running parallel with Woodcote Lane. Cala show less than 20

Cala have stated in their application that in this location 12 trees are to be removed when the actual number is 29 trees and 2 hedgerows. The remaining mature 50 foot high trees in some instances will be 5m away from the proposed dwellings.

This location, is of particular relevance as it is identified in the following statement.

The 2016 Police Masterplan Page 2 2.1F — **“The Councils evidence base classifies the site as high/medium in terms of landscape sensitivity to housing development, which constrains rather than precludes development. This includes The Paddock, which is noted as having little relationship with its surroundings and is considered suitable for development, providing the boundary vegetation and trees are fully protected’.** In Cala’s proposal they are removed.

I have set out below a detailed survey of the location within each plot of the various trees and hedgerows being removed

| Drgn no | Tree | No | Hedgerows | No | Comments |
|-------------------|--|-----------|------------------|-----------|-------------------------------------|
| | The Paddock Plot 1 | | | | |
| Drawing 712 rev C | T46 | 1 | S15 | 1 | See page 10 of the LWFG Tree report |
| | T53 | 1 | | | |
| | T54 | 1 | S17 | 1 | |
| Drawing 710 rev C | The Paddock Plot 1 | | | | See page 9 of the LWFG Tree report |
| | T56 | 1 | 4 Hedgerows | | |
| | T35 | 1 | S11 | 1 | |
| | T34 | 1 | S4 | 1 | |
| | T12 | 1 | Hedge | 1 | West of Broome House |
| | T36 | 1 | Hedge | 1 | North of Broome House |
| | T12 | 1 | S10 | 1 | |
| | | | S9 | 1 | |
| Drawing 711 rev C | The Tennis court Plot 3 | | | | See page 8 of the LWFG Tree report |
| | G9 | 10 | | | |
| | G6 - 50% | 10 | | | |
| | T29 | 3 | | | |
| | T28 | 1 | | | |
| | T27 | 1 | | | |
| | T26 | 1 | | | |
| | T25 | 1 | | | |
| | T57 | 1 | | | |
| | T58 | 1 | | | |
| | T59 | 1 | | | |
| | T20 | 1 | | | |
| | T32 | 1 | | | |
| | G14 | 1 | | | |
| Drawing 710 rev C | To the right and to the rear of Broome House Plot 2 | | | | See page 6 of the LWFG Tree report |
| | | 28 | S13 | 1 | |
| | T2 | 1 | | 1 | East of Broome House |
| | | ? | | | Trees next to parking bays |
| Total | Trees | 71 | Hedgerows | 10 | |

I would refer you to

Cala Planning statement item 6.77c that states;

*“The Phase 1 habitat survey has established that the site includes Priority Habitat ‘wood pasture and parkland’ with grassland fields contained within, along with existing woodland and hard standing. The proposals incorporate the partial retention of the woodland, **albeit some tree losses will be necessary in order to provide the proposed development on the allocated site. Accordingly, it is proposed that the losses be compensated in part through enhancement of the retained habitats in combination with provision of offsetting measures provided within the off-site woodland area**”.*

Cala assisted by the PCC agreed as late as the 25 February 2022 to the leasing of the woodland behind Waller Close to achieve a Biodiversity net gain off-site rather than achieving a Biodiversity net gain on site, in plots 1,2 & 3.

- There is no rationale behind the removal of 71 trees and 10 hedgerows other than obtaining the maximum number of houses within each plot.
- The proposed leasing of the woodland is outside the initial plots of 1, 2 & 3 and therefore outside of DS22
- There has been **no** community engagement relating to the leasing of the woodland.

Cala assisted by the PCC agreed as late as the 25 February 2022 to the leasing of the woodland behind Waller Close to achieve a Biodiversity net gain off-site rather than achieving a Biodiversity net gain on site, in plots 1,2 & 3.

With relation to the leasing of the woodland to Cala we would ask you to consider the following;

- How will the destruction of 71 trees and 10 hedgerows be compensated.
- The habitat will not be enhanced.
- The enforcement of the management of the woodland (TPO status) has not been upheld for 70 years (see LWFG letter to the PCC 31 March 2022 and 12 May 2022). Are we to assume that under Cala's management it will be enforced?
- After 40 years of ownership, by the Warwick County Council, and a further 30 years of ownership by the Warwickshire Police there is still no woodland management plan. (Contrary to Forestry Commission guidelines). Effectively the woodland have not been managed by either party and yet we are expected to believe that the very same people will manage Cala.
- Who will supervise and regulate the actions of Cala in their management of the woodland?
- With the completion of the housing development, what penalties would be imposed if Cala breached their contract to effectively manage the woodland?
- Currently there is no draft leasing agreement tabled. Cala have only an option.
- Any leasing agreement would be totally unworkable.

Even under strict planning conditions, Cala have demonstrated on other sites that they cannot be trusted when it comes to the conservation of trees and wildlife.

- Finally, the local community have walked through these Woodlands for over 100 years, as noted by the well trodden paths and verified by the testimony of elderly villagers. It is clearly demonstrated that it is currently and always has been a facility enjoyed by the whole community
- There is no contract in place between any of the parties relating to the management of the woodland; Cala the PCC and the Parish Council. We would refer you to LWFG letter to the PCC dated 31st January 2023.
- The area has now been defined by Cala as woodland “under the control of the applicant “. This terminology has been rejected by the PCC

To summarise — the damage to the estates trees and hedgerows is significant. The Cala layout makes no account of landform. Trees and hedges have been removed to suit the design and not retained as a constraint. It is not in accordance with the Leek Wootton Neighbourhood plan and the Warwick District Local Plan and DS22 that states — ‘Development of this site for housing will be supported provided that it is carefully managed to ensure that the site's heritage and landscape assets are conserved and enhanced’.

The Planning Application should be refused immediately on the grounds of inaccurate and misleading information within the application and the wilful destruction of trees and hedgerows. (NPPF - 180c)

4. Local Ecology - ref LWFG Doc B

The LWFG have sought the expertise within the community of Professor David Morley, PhD, FRSL who has provided a report on the Ecology of the site.

His report is contained within the LWFG Ecology report dated 13 January 2023 states; “I have read the Ecology Appraisal Report by Aspect Ecology submitted November 2022. I have found its surveys to be incomplete compared to observed recordings; to be reliant on a limited number of surveys with concomitantly reduced data collection; producing distorted conclusions extrapolated from insubstantial surveying.

The results are skewed by methodology, making the conclusions suspect. The potential environmental benefits outlined in the conclusion to the Aspect Ecology Report are entirely based on supposition and wishful thinking.

The LWFG have recorded 59 species of Birds, 21 species of Mammals and Amphibians and 20 species of Butterflies.

In late July 2022 a Barn owl, a protected species, was filmed nesting in nearby trees in plot 1. This was followed up by our report dated 22 July 2022 regarding the habitat and protection of Barn Owls. Surprisingly Barn Owls are missing from Cala's report

We have witnessed and have photographic evidence of the systematic removal by Cala of all vegetation (from an existing height of 4 - 6 feet down to 2 inches) over 70% of plots 1 and 2 during w/c 7 August 2022. It appears to have been carried before obtaining the required habitat and wildlife surveys. In the process disturbing several protected species

On the 22 August 2022 we wrote to the WDC Planning Department seeking clarification we have yet to receive a reply. This was followed up by Louise Sherwell. As the Ecologist for the Warwickshire County Council she too expressed her concern on the clearance of the site in her email to you dated 18 August 2022.

As highlighted in Louise Sherwell (Ecologist for the Warwickshire County Council) report;

“The site itself is identified as Section 41 NERC Act/ Priority Habitat ‘Wood-pasture and Parkland’ and as containing small areas of Priority Habitat ‘Deciduous Woodland’ within and adjacent to the site (Defra MAGIC map). The site contains a number of hedgerows, which are also Priority Habitat.”

We have been threatened by Cala with trespass. Cala's decision to seize our webcam has removed the ability for us to continue with our investigations.

Our offer to meet and share data has been met with silence.

I fully endorse Professor David Morley report. The damage to habitat and biodiversity would be unsupportable and contrary to the Local Plan to protect, support and celebrate local biodiversity and green infrastructure.

The application should be rejected on these grounds.

5. Landscape and Visual Impact Assessment - ref LWFG Doc F

This section demonstrates the visual importance and impact the site has as a whole on the village as a whole. The site is adjacent to the village conservation area and well contained within the wider landscape it has a landscape setting of its own, with tree and shrub belts forming a visually enclosed parkland bordered by Woodcote house and out-buildings, and the formal tree-lined Woodcote drive to the Police HQ, Woodcote Lane and the Lunch woodland.

The attached Doc F highlights the seven relevant views noted in the Parish Neighbourhood Plan (page 38). The plan states that “the surviving important views

towards and from the house should be retained and left uncluttered". (Page 45)

It is important to note that numbering sequence has not been adopted by Cala. The Planning Application has different view numbers, views are missing or changed and the photographs in Cala's Doc 46 (LVIA - Landscape and visual impact assessment Part 5) have been taken from a different position.

The data within the Cala Planning application is incorrect, misleading and not conducive to assess the impact of the unwarranted removal of veteran trees within the layout and is therefore rejected.

6. Heritage site - ref LWFG Doc E

Woodcote House was rebuilt in 1861 and is a former Victorian mansion built in an Elizabethan style.

The estate was purchased from Lady Waller by the Warwickshire County Council in 1948 as the County Police Headquarters. Its legal title was transferred to the Warwickshire Police and Crime Commissioner in the 1990s.

The House and its curtilage buildings were granted Grade 2 listed building status in January 1987. The parkland is over 200 years old and as a result has many veteran trees, hedgerows provides irreplaceable habitat too many species.

It is probably the most important heritage and ecologically sensitive site in the village and one of a number of such rare sites in the county. The house and parkland are indivisible and need to be retained as a single entity to maintain their status.

It is important to note the slow and continual deterioration of the estate since the 1960s. **This is highlighted in a LWFG report "Who polices the police" issued on the 5 August 2022** copy attached.

Prior to the granting of the Grade 2 status in 1987 we have witnessed

- 1 The removal of the truncated chimneys, a notable feature of the house.
- 2 The loss of the formal gardens
- 3 The destruction of the 200 year old walled garden now a car park
- 4 The demolition of part of the house to accommodate the new Admin block
- 5 The erection of "highly inappropriate buildings", ie the Training block, garages, a residential block, a Comms building and workshops

Then after the Grade 2 listed status;

- 5 The proposed demolition of the curtilage stable block to the front of the house granted in the 2008 new Police HQ development.
- 6 The lack of effective management of the woodland and lakes since 1948
- 7 The continuing deterioration of The North Lodge
- 8 Additional tarmac parking areas.

Times have changes and we are increasingly aware of the need to conserve and protect our heritage.

The PC Neighbourhood Plan acknowledges this and is littered with references to the conservation of the estate.

“Protect the original enclosed character of the site, existing listed and historic buildings and landscape areas of high quality and historic interest” (page 44)

“The surviving stables and kitchen garden walls should be restored and incorporated into a new design to provide tangible memories of the history and architecture at Woodcote”. (Page 45)

A substantial tranche of documents relate to the conservation of the estate, ie

Historic Environment documents

Policy HE1 – Protection of Statutory Heritage Assets Policy HE2 – Protection of Conservation Area

Policy HE3 – Control of Advertisements in Conservation Areas Policy HE4 –

Protecting Historic Parks and Gardens Policy HE5 – Locally Listed Historic Assets

Policy HE6 – Archaeology

This 2016 **Heritage England statement** is relevant today;

“One needs to be assured that special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

The parkland between the house and the South Lodge (incorrect: refers to East Lodge) clearly forms part of the historic grounds to the Listed Building, is a component of the formal setting and contributes positively to its significance.

Proposed residential development in this part of the site would remove approximately 1/3 of this historic open landscape and therefore cause harm to the significance of the Listed Building”.

Finally I have listed below technical points that require your consideration.

The Local Authority will need to demonstrate that great weight has been given to the conservation of the Listed Building in accordance with NPPF paragraph 189 and 200 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

To accord with NPPF paragraph 134, a key test will be for the Local Authority to weigh the harm (as described above) against any relevant public benefit.”

Planning (Listed Buildings and Conservation Areas) Act 1990 (the Listed Buildings Act) states:

Section 66

“In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. This principle is expanded in the NPPF to cover a range of heritage assets: “Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.

Section 72 of the Act contains similar requirements with respect to buildings or land in a conservation area. In this context, “preserving”, means doing no harm.

NPPF states:

The policy guidance in Paragraph 133 of the NPPF is clear in relation to a development proposal which will lead to substantial harm to or total loss of significance of a designated heritage asset. In such cases, planning permission should be refused unless it can be demonstrated that the substantial loss or harm is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the conditions set out in paragraph 133 apply.

Paragraph 134 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use. It is not obvious at first glance that Paragraph 134 should be read in conjunction with the first part of Paragraph 132 which states that when considering the impact of a proposal on the significance of a designated heritage asset, “great weight” should be given to the asset’s conservation. This wording reflects the statutory duty in sections 66(1) and 72(1) of the Act.

Paragraph 189 of the NPPF states that: “Heritage assets range from sites and buildings of local historic value to those of the highest significance..... These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”.

Building a housing development on a site where there are already substantial harms caused by the police buildings, aerial mast and 350 car parking spaces is a harm that cannot now be justified. There can be no meaningful restoration of the heritage site as it is no longer surplus to requirements, the police are in full occupation and indeed it is likely from their press statements that that they will seek to develop the site further for their own purposes over time.

Item 200 of the NPPF state: “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) Assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, Grade I and II* listed buildings, Grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Item 201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) The harm or loss is outweighed by the benefit of bringing the site back into use.

Item 202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

The reasons why the Green Belt was removed no longer applies and to allow housing to be built on the parkland can only degrade it further and despoil it.

Again applying and weighing the above mentioned material circumstances as required by the NPPF the planning application should be refused.

7. Design and access statement - ref LWFG Doc D

The proposed high density is in direct conflict with an early WDC 2013 document (ref LWFG Doc D) in which the WDC's preferred options for Plots 1, 2 & 3 totalled 55 houses stating the preferred WDC density levels at the time.

It should be noted that this document stated that the Paddock had "a reduced capacity" of houses. This reduced density within the Paddock was followed in the Police Masterplan 2016.

The development has a high proportion of hard landscaping with little opportunity for future green landscaping in the form of future planting of trees

The density of houses between Broome house and East Lodge is of great concern. There is clearly a lack of parking places within the proposed plan with inadequate parking spaces for visitors. The only place for visitors, the park will be on this single road restricting access to East Lodge

The proposed single track road has no turning circle, 12 properties, plus East Lodge will be sharing a single width road. This is inadequate for 26 cars with only 12 planned parking places.

With the proposed parking spaces within Plot 3 the tennis courts. Combined with vehicle spaces by East Lodge and over 300 vehicles within Plot 4, the Police HQ, Woodcote Drive will have nearly 400 vehicles travelling down a road that at its narrowest point is only 3.5 m wide with no footpath. It is of concern on the grounds of safety.

Due to the density of the housing in relationship to the remaining large trees the management and maintenance of the existing trees (TPO status) within the red line area will become the responsibility of a management company, presumably paid for by the occupants of the new development. Little thought has been given to how these trees will be maintained in the future because of access issues and their proximity to houses.

This will prove both extremely expensive and hazardous.

Light pollution / privacy

There is a dense concentration of houses and only 26 Parking spaces on the road off Woodcote Drive by East Lodge and Broome House. This is badly designed and intrusive on the privacy of these residents.

The junction off the Paddock onto Woodcote Lane - Headlights from vehicles leaving the estate road will scan onto Waller Close houses.

Woodcote Lane is over 2 m lower than the site at this point further increasing the height difference. There is a privacy issue with the house overlooking East Lodge, Broome House and Woodcote Lane. This building is not acceptable in both its design and location.

Little thought has been given to the privacy of the existing properties around the development.

Open space / play area

The proposal includes a very small play area for use by local residents. This is totally inadequate for the size of the development.

The Planning Statement Document includes provision for a public open space Item 7.28 "The application proposals would deliver new on-site green infrastructure and public open space within the application site.

The area is unworkable and are purely gestures to for fill tick boxes within the Planning application. **In reality they serve no useful purpose and should be rejected**

8. Traffic flows / occupancy levels - ref LWFG Doc G & H

The LWFG have over the past 5 months issued 8 emails to the Planning Committee and to the Highways Department highlighting 26 incidents/near misses on the junction of the Warwick Road and the Anchor pub that have occurred in the past six months.

The Anchor junction carries the majority of the traffic from the West side of Leek Wootton. With the increased housing developments within and adjacent to Kenilworth and to the south of Warwick there is an increasing volume of traffic passing through the village. In particularly the new Bovis housing estate of 125 houses located to the North of Leek Wootton along the Warwick Road.

Road calming measures to reduce speeds on the Warwick Road are limited due to this being an emergency vehicle access road required for high speed police vehicles. Many villagers report finding it dangerous to exit Woodcote Lane onto Warwick Road due to limited visibility.

Access along Woodcote Lane is restrictive in width to a single lane between Waller Close and Woodcote Drive due to residents parking and an overspill for sporting and village events. Currently vans frequently park on the pavement, causing access problems to pedestrians. Residents in Woodcott Road have no alternative but to park along the roadside and often suffer damage to their vehicles, mostly smashed wing mirrors.

At the Anchor junction 20 m down Woodcote Lane by the boundary wall of Ivy cottage the road narrows to 4.8 m in width with a single 1 m wide footpath. On a weekly basis delivery and waste collection vehicles park in this location effectively blocking off the road at the T junction until they move.

This risks increased congestion, pollution and an impact on safety at the Anchor junction. There is the possibility of structural damage caused by the vibration of heavy vehicles to the listed properties that are located around this junction. There have been several incidents reported of damage to the thatched roof of Ivy cottage from high sided vehicles.

Residents within the new development will carry out far greater number of journeys in and out of their properties. With the addition of family and friends the traffic flow will be substantially increased albeit over a longer period of the day. The proposed development will inevitably lead to significantly increased traffic on Woodcote Lane and at the Anchor junction. There will be a fatality on this junction.

Site traffic - The existing historic bridge by the Lodge house on the Woodcote Road has a weight limit of 7.5 t the road construction and bridge **cannot sustain the volume of site traffic and loads being imposed on it.**

It is important to review the LWFG Doc G (LWFG Traffic flow and occupancy levels). A survey was carried out in the daytime of vehicles parked around the Police HQ. There were over 300 vehicles parked within the grounds. When added to 150 vehicles plus within the proposed estate there will be a concentration of over 450 vehicles accessing the estate on a daily basis with only three exit points.

The data provided within the Cala report is incomplete and flawed in its assumptions. Doc H provides a detailed LWFG traffic analysis.

Development should be refused on highways grounds as it will have an unacceptable impact on highway safety, and the residual cumulative impact on the road network will be severe.

The application should be rejected due to incomplete data. (NPPF - 111)

9. Management of the Woodcote Estate

There is a requirement for the production of a Masterplan for the whole estate as required by DS22 and the PC Neighbourhood Plan

It is taken that the police have a duty of care for the estate. The question is, does a masterplan exist? Has it ever existed?

Conflicting information has been issued since 2012 regarding the Warwickshire Police HQ as to whether it is fit for purpose or not.

The Government Inspector's report to the WDC in July 2017 states

423. Policy DSNEW3 sets out the need to develop the site in line with an agreed masterplan and provides a comprehensive and robust policy basis in relation to the layout and design of development including to ensure that the impacts on the significance of heritage assets and landscape character are fully taken into account. The intention is that although the site would be considered comprehensively, built development would be limited to distinct parts of it and much would be left undeveloped. The Council suggested an amendment to the wording of the policy to clarify the requirement for a comprehensive approach to the conversion of Woodcote House and restoration of its setting in association with development on greenfield parts of the site.

DS 22 states

The former Police Headquarters site will be developed for housing purposes. Built development will be limited to appropriate areas of the site that lie within the Growth Village Envelope Boundary (Policy H10) as identified on the Policies Map. *There will be a requirement to agree a masterplan with the Council for the entirety of the former police headquarters landholding, including other associated land parcels outside of the Growth Village Envelope Boundary.*

All Planning applications for development of the site within the Growth Village Envelope must comply with the Masterplan and accord with other relevant policies of this Local Plan and any adopted Neighbourhood Development Plan, taking account of viability. In determining any Planning applications on the site the local Planning authority will seek to ensure that the proposals:

- A. Protect and enhance the historic assets and their setting;
- B. Secure the sustainable long-term future of Woodcote House as a Grade 2 Listed Building;
- C. Contribute positively to the landscape character;
- D. Deliver a mix of housing, including affordable housing;
- E. Demonstrate a high quality of design and layout, including an appropriate means of access and circulation;

- F. Make provision for all reasonable infrastructure requirements, including open space;
- G. Make provision for the future management / maintenance of the balance of the site (those areas not to be utilised for housing development),
- H. The Council will require the developer to enter into an agreement / agree a mechanism in order to provide certainty that both the new build (greenfield) housing elements on the allocation and Woodcote House conversion (and the associated restoration of its setting) are delivered simultaneously or within a mutually acceptable timescale

Explanatory Text

2.87 Warwickshire Police have declared this site surplus to operational requirements. Encompassing a large area of previously developed land within the Growth Village of Leek Wootton, the site offers the potential to contribute significantly to the delivery of new housing necessary to meet the needs of the district, whilst simultaneously securing the long-term use, and therefore conservation, of the Grade II listed Woodcote House and its setting within the associated locally listed gardens / parklands.

2.88 Development of this site for housing will be supported provided that it is carefully managed to ensure that the site's heritage and landscape assets are conserved and enhanced. **Development will only be permitted where it is brought forward in accordance with the vision, development principles and framework that will be provided by an agreed masterplan.** Given the specific circumstances of the site, including the fact that significant demolition and restoration work will be required to enhance its historic value, it will be important to ensure that the combined effects of policy requirements do not render development (that can positively contribute to sustainable development at this location) unviable and thus undeliverable.

2.89 To ensure the full development of the allocation and the overall benefits to the setting of Woodcote House and its immediate environment, the Council will require assurances that the conversion and works to Woodcote House and its curtilage are delivered within an appropriate timescale. Securing the full and comprehensive delivery / development of the site is important to ensure that the full range of benefits identified in the masterplan is forthcoming.

In 2016 a Police Masterplan for the site was produced. I have been in correspondence with the PCC on numerous occasions to extract the existence of a Masterplan without success.

See the attached LWFG letter dated 31 March 2022 (Ap 3) and the PCC reply dated 28 April 2022. (Ap 4) This reply only confirms that if a Masterplan exists it is not being disclosed or it does not exist.

A request was made in my letter 21 April 2022 (Ap 5) regarding the parking facilities currently within the HQ which I believe to be 345 spaces located in 15 locations. This request was met with a partial reply by the PCC 26 May 2022 (Ap 6) confirming a total of 321 parking spaces. This I believe is incorrect and is still being acted upon.

A survey was carried out on the 17 January 2023 this has resulted in the discovery of 83 vehicles parked in and around the tennis courts. With the loss of the tennis courts to Cala for development, this will result in a shortage of parking spaces of approximately 100 vehicles within the grounds of the estate. Therefore the PCC will have to apply for additional parking spaces. With the absence of a Masterplan for the estate this is extremely concerning. This is my view that the parking of vehicles in and around the tennis court is illegal. There is no planning permission for this. I have written to the WDC on the 29 January 2023, I await a satisfactory answer.

Throughout my conversations with the PCC have been presented with ad hoc statements to suit the moment that when investigated do not stand up the examination.

Doc J a five page report demonstrates;

The estate management

Woodland - there is no management plan.

Leasing of the woodland — no lease has been signed to date. If the lease option is exercised, who with? Cala or the Parish Council?

Lakes - there is no management plan.

Parking - Insufficient spaces to meet current requirements after the sale of plot 3 (the tennis courts) to Cala

Woodcote House management

The steady erosion of a Heritage estate and its curtilage buildings;

How it gradually changes

- The removal of all truncated chimneys to the main House
- The proposed demolition of the stable block in 2008 (passed by Planning)
- The current neglect of the North Lodge

- The highly insensitive 1960s extensions to Woodcote house and surrounding buildings, now remain.
- The formal 200 year old walled kitchen garden converted into a carpark
- Formal gardens grassed over.
- The statement made by the PCC relating to a new roof to the main house. No supporting details have been provided.
- The increasing need for additional parking

There are no reports on the current state of this property or proposed work for the next 5 years.

DS22 calls for “a requirement to agree a masterplan with the Council for the entirety of the former police headquarters landholding”. This is supported by the Leek Wootton Neighbourhood plan and the Warwick District Local Plan. There appears to be by the evidence produced no masterplan for the estate both in the past or the immediate future and is therefore this contrary to DS22 and the PC Neighbourhood Plan.

Summary

Put simply, the Planning Application should be determined in accordance with the local plan unless material considerations indicate otherwise. The local plan has a specific policy for the site (DS22), recognising its special status, and that should ordinarily be pretty strong.

Outlined by the Government Inspector are corroborative material considerations, which are the reasons for the removal of the site from the Green Belt.

In other words, the site can be argued to continue performing like green belt unless these policies are met, that notwithstanding the roll-back of the Green Belt boundary, the site contributes to the function of the Green Belt and the policy, relying on the original masterplan, etc.

It is therefore totally wrong legally, morally or ethically for this site to be considered as anything other than Green Belt. This cannot be ignored. This is particularly egregious because the 200 year old Woodcote Estate is a beauty spot as well as a historic site with an irreplaceable wildlife and Woodland set in the heart of Leek Wootton, a conservation village.

What is being proposed is an act of vandalism. An ill considered development for short term profit.

Woodcote estate is our heritage and should be safeguarded and treated as Green Belt.

The Woodcote estate must be preserved not only the community but also for our children and grandchildren.

Yours Sincerely

Harry Wilson

Attachments

LWFG letter to the WDC dated 29 January 2023

LWFG letter to the WDC dated 31 January 2023

Doc B - Local Ecology report 13 January 2023

Doc C - Tree & Hedgerow report 13 January 2023

Doc D - WDC report 2013 - pages 54 & 55

Doc E - Woodcote, a Heritage Estate 29 May 2022

Doc F - Landscape and Visual Impact Assessment

Doc G - Traffic flow / occupancy levels

Doc H - Traffic assessment

LWFG report - Who polices the Police? 5 Aug 2022 v3

Cc

Leek Wootton Parish Council

Warwick District Council

Leek Wootton District Councillors