

Further Objection to Planning Application W/24/0706

Site: Land off Oakdene Crescent, Hatton Station

EXECUTIVE SUMMARY

1. Introduction

This further report is necessary because documents have been added to the planning website **AFTER** the consultation period ended.

2. This is not a brownfield site.

Evidence is supplied at Appendix 1.

3. Compliance with the Local Plan

The application does not meet the requirements of the Local Plan and no evidence has been provided as to why it should be treated as an exception. Examples of non-compliance include:

- Not in an urban area;
- Not an allocated site;
- Not in a growth village;
- Outside the village boundary;
- Not fulfilling an identified housing need;
- Disproportionately large (30% increase) in housing stock;
- Not within **safe** walking distance of basic services and public transport;
- In the Green Belt.

4.1 Housing Types

Report by the Housing Strategy and Enabling Officer, WDC, September, 2024

The concerns raised in this report have not been addressed.

- The basic, box-like nature of the design clearly identifies the properties as affordable (the “them and us” scenario outlined in my original objection);
- The lack of visitor parking has not been addressed;
- Some of the bedrooms are too small;

- It is unacceptable to fail to cater for the elderly or disabled.

4.2 Housing Need

Response on behalf of the developers to Housing Strategy and Enabling Officer's comments by Cotesbury (?), November, 2024

Note that a crucial report has NOT been made available: The Housing Strategy and Enabling Officer's response to the Housing Needs Assessment carried out by Cotesbury on behalf of the developers. However, at least some of the officer's concerns have been quoted in the response.

- The author of this report gives the housing requirements for all of Shrewley parish as, variously, 25, 26 or 28 whereas the Shrewley Parish Housing Needs Assessment, 2022, gives just three. The author fails to explain adequately the discrepancy between three and a figure in the mid-twenties.
- There are frequent references to housing need in Hatton and Shrewley parishes combined but there is no justification for putting the two together.
- The author attempts to justify the number of houses by referring to an increase in the overall housing stock across Shrewley and Hatton parishes, ignoring the fact that the impact would be wholly on Hatton Station and would be 30%.
- The author tries to mislead the reader by reference to two successful planning applications in Worcestershire. The circumstances are not comparable.
- There are many factual errors relating to local services. Some may seem trivial but this lack of basic research does not inspire confidence in the rest of their report.
- The Housing Strategy and Enabling Officer has found many discrepancies and incorrect assumptions in the statistics in the Cotesbury Housing Needs Assessment which are not adequately explained in this response.
- Overall, this response to the Housing Strategy and Enabling Officer should be regarded as unsound.

5. Biodiversity

Calculation of BNG loss produced by FCPR, October, 2024

Reptile Report, FCPR, July, 2024

Response of the Senior Ecologist, WCC, November, 2024

BNG Loss:

- The BNG loss now stands at an unacceptable -30% (previously reported by FCPR as -19%).

- The decision to buy credits in another part of the county is equally unacceptable and runs counter to WDC's Biodiversity Action Programme 2024-2050.

Reptile translocation:

- The risk to wildlife from pet predation on such a densely built site is ignored.
- The reptile receptor site is largely woodland and there are no details for how a suitable habitat would be created.
- Disturbance from extensive groundworks required on the receptor site has been ignored.
- The reptile survey period was too short and has almost certainly underestimated the population. The Senior Ecologist at WCC believes that the population may be sufficient to consider the site a Key Reptile Site.
- The size of the receptor site does not follow Natural England guidelines and is further reduced by the children's playground and trim trail.
- Offsite receptor sites have not been identified but could lead to reptiles impinging on an existing population which is not recommended.
- Most of the land surrounding Hatton Station to which reptiles could move is itself under threat from development.
- According to the Senior Ecologist, the presence of great crested newts should have been investigated.

Other surveys:

- There is no bat survey from when bats would have been active.
- There is no survey of riparian mammals.

6. Site Contamination

Report From Arena Geo, November, 2024

Response from the Senior Environmental Officer, July, 2024

As far as my original objection is concerned:

- Site contamination issues have not been addressed in any of the developers' responses.
- Potential danger from munitions has been ignored.
- There is no indication of how the large, unstable area of "made ground" would be made safe to build on.

The Senior Environmental Officer sets out the conditions which would have to be met to make this application acceptable. No response has been seen.

7. Drainage

Report by Jubb, April, 2024, updated October, 2024.

Response to this report by Flood Risk Management Officer, August, 2024 (objection pending further information)

Response to the Flood Risk Management Officer's concerns, Pegasus Group, October, 2024

There are two issues:

Surface water:

- The Flood Risk Management Officer's point about establishing ownership of the stream has not been addressed.
- The Land Registry entry for the site would suggest that the stream is on Arkwright land.
- The stream must be shown to be in a suitable condition to receive surface water from the site. It is not.

Foul drainage:

- The sewerage system at Hatton Station is at capacity, WDC knows that it is, and the granting of planning permission without a large-scale upgrade would be irresponsible.

8. Highways

Response by Development Management Engineer, July, 2024 (object)

Transport Statement, Jupp, April, 2024

- Warwickshire County Council as the Local Highway Authority has objected, largely on the grounds of pedestrian safety. The developers appear to have made no effort to respond to WCC's objections.
- The Transport Statement contains many errors but no attempt has been made to correct them, or to address the many transport and connectivity issues raised in my original objection.

9. Gas Boilers to Air Source Heat Pumps

Response by Bioregional, August, 2024 (object)

- The above report is an objection because the installation of gas boilers is not acceptable.
- The developers have finally accepted that gas boilers are not possible. They are now proposing air source heat pumps but do not elaborate on the impact of this change.

- Air Source Heat pumps can be noisy. The cumulative impact of so many devices fitted to such densely packed houses has not been considered.

10. Noise and Vibration

Report by Hepworth Acoustics, May, 2024

Response by the Senior Environmental Officer, July, 2024

Response by Hepworth Acoustics to the report by the Senior Environmental Officer, August, 2024.

- Hepworth Acoustics have failed to demonstrate that they have taken all possible sources of noise into consideration because the survey period was too short. Total exposure to noise should be considered.
- Residents would have to endure:
 - Passing trains (nighttime freight trains in particular cause significant noise and vibration);
 - Nighttime work by Network Rail (which includes light pollution);
 - The constant drone of the M40;

To which we can now add:

- The noise of 34 air source heat pumps.
- The acoustic fence would be unlikely to improve matters for the many houses sitting below the level of the railway line.

11. Air Quality

Report Rappor Consultants, February, 2024

Response by the Senior Environmental Officer, July, 2024

Objections raised in my original report have not been addressed so the conclusion remains as before:

- This report has not adequately addressed air quality at *Hatton Station*. (No on-site monitoring was conducted.)
- Data provided is out of date leading to an erroneous conclusion that air quality is improving.
- All references to dust mitigation are irrelevant because they do not acknowledge the contamination on the site.

Queries raised by the Senior Environmental Officer have not been answered.

12. Public Open Spaces

Report, July, 2024, written by the Green Spaces Development Officer (object)

The developers have not adequately addressed the points raised in this report:

- They do not propose to have the necessary mix of public open spaces.
- Too many competing demands are being made on the remaining green space.
- Vital child safety issues relating to open access to the railway line and open water have not been addressed.
- A minor adjustment to the positioning of the row of terraced houses does not make any appreciable difference to the ugliness of the street scene.
- Landscaping remains sparse.

13. Design and Access Statement

Report by UMAA Architects, May 2024, updated October, 2024.

The changes to the updated design and access statement are minimal:

- No attempt has been made to correct errors in the earlier edition of this report.
- There is a rather desperate attempt to “prove” that densely packed, virtually identical boxes are in some way in keeping with the rest of the village. They are not.

14. Landscape

Response by Catherine Laidlaw, Landscape Officer (object)

Response by the Pegasus Group, October, 2024 to the Landscape Officer

Landscape and Visual Appraisal by Zebra Landscape Architects, May 2024

The Landscape Officer’s conclusions are:

- The site is an important part of the Green Belt.
- The houses are too dense and will have a negative effect on wildlife.
- It is quite wrong to imply that the site has little local landscape character.

With reference to the Landscape and Visual Appraisal, it is noted that:

- Mistakes in the Landscapes and Visual Appraisal Report, set out in my initial objection, have not been corrected. There has been a failure to recognise that this site sits within Ancient Arden and that it has previously been recognised as unsuitable for development due to its importance as a reptile habitat.

15. Access Rights

After taking legal advice, it is apparent that some neighbours of the site have acquired prescriptive easement rights through long usage. The landowner has resorted to threats in order to ensure that these easements are not formally registered. This is not addressed in any of the documents.

MAIN REPORT

1. INTRODUCTION

Since the production of my original report, some documents, some several months old, have been added to the planning website.

This further objection covers:

- Matters of concern which remain unaddressed.
- Reports which have been added recently.

2. CLASSIFICATION OF THE SITE AS BROWNFIELD

- 2.1 Evidence has been submitted to officers demonstrating that this is not a brownfield site. This evidence is further provided at Appendix A.
- 2.2 In short, WDC recognised that it is not a brownfield site as far back as 2014, so it cannot possibly have become a brownfield site in 2017.

3. ADHERENCE TO THE LOCAL PLAN

- 3.1 No evidence has come to light justifying the use of a site which does not comply with:

Policy H1

- Not in an urban area;
- Not an allocated site;
- Not in a growth village;
- Outside the village boundary;
- Not fulfilling an identified housing need;
- Disproportionately large;
- Not within **safe** walking distance of basic services and public transport.

or

Policy H2

- Concentrates affordable housing in one area so that houses are not “tenant blind”.

or

Policy H3(a)

- No proven need at Hatton Station.

or

Policy H3(b)

- A 30% increase in the size of the settlement is wholly disproportionate;
- The densely packed houses are ugly and urban in character;
- There are no basic services with SAFE walking and cycling distance;
- The site is in the Green Belt.

4. HOUSING NEED

4.1 Report from the Housing Strategy and Enabling Officer, Will Anstey, 11th September, 2024

4.1.1 This report essentially echoes points made in my original objection.

4.1.2 Firstly, it creates a tension between the desirability of providing affordable housing and the need to create a mixed community where affordable housing is indistinguishable from privately owned houses.

4.1.3 Creating a wholly 100% affordable scheme concentrated at the margin of village of mostly detached, private houses does not make for a mixed and balanced community. As the author of this report points out, it is also extremely obvious that these are affordable properties:

“The plain and functional nature of the design is particularly apparent in the row of units along the northern (edge?) and in my view identifies homes as affordable properties. This issue is compounded by extensive frontage parking.”

4.1.4 The report further states that just two visitor parking spaces does not meet the required minimum standard. It also points out that opportunities for roadside parking are limited because of the frontage parking arrangements.

4.1.5 Issues are also raised about the size of some of the rooms in the properties of type D and E. It should be borne in mind that these properties will also now have to find room for a hot water tank (see below).

4.1.6 The report also echoes my comments about inclusion. Where are the homes which meet the needs of older people and those with disabilities? Where are the bungalows?

Conclusion to the Report by the Housing Strategy and Enabling Officer:

No response has been made to either my original objection or the points raised in this report.

- The tiny, basic, box-like nature of the design clearly identifies the properties as affordable (the “them and us” scenario outlined in my original objection);
- The lack of visitor parking has not been addressed;
- Some of the bedrooms are too small;
- It is unacceptable to fail to cater for the elderly or disabled.

NOTE: There is a report missing here. This is a response to the Cotesbury Housing Needs Assessment by the Housing Strategy and Enabling Officer.

4.2 Reply to WDC Strategic Housing Consultation Comments

4.2.1 This has presumably been prepared by Cotesbury on behalf of the developers. and responds to the missing report.

4.2.2 One of the fundamental problems with this report is that it reveals a dubious grasp of the geography of the area. Indeed, it seems unlikely that the author has ever visited the site. The author fails to understand the following:

- There is no **village** called Hatton;
- There are three small, scattered settlements with Hatton in their name: Hatton Park, Hatton Green and Hatton Station;
- Hatton Park and Hatton Green are several kilometres from Hatton Station and are in Hatton parish;
- Hatton Station is several kilometres from Shrewley and is part of Shrewley Parish.

4.2.3 **Housing Need:** Under Housing Need, the author identifies the following so-called unmet housing need:

- Hatton: 64 affordable houses
- Shrewley: 25, 26 or 28 affordable houses
- Surrounding parishes: 286 affordable houses

Hatton Station is in Shrewley parish; unmet need in neighbouring parishes is irrelevant.

In my original objection, reference was made to **the Affordable Housing Supplementary Planning Document, July, 2020**. On page 29, this document states that paragraph 77 of the NPFF:

*“...allows small groups of affordable homes to be built, subject to planning permission, in rural settlements to meet the needs of **that settlement** on sites where housing development would not normally be allowed.”*

The spirit of Local Plan Policy H3(a) Affordable Housing in Rural Exception Sites is that a tiny number of houses *could* be built to house those with a genuine connection to the settlement.

This point is reinforced in page 29 of the **Affordable Homes SPD**:

*“Although surveys should be carried out of the needs of clusters of settlements/parishes, ultimately the information should be analysed in an individual settlement/parish base because the affordable housing **must meet the needs of the settlement in which it is located.**”*

All references to housing needs beyond Shrewley and, indeed, Hatton Station, should be ignored.

4.2.4 Scale of Development:

Reference in this section is made to Local Plan Policy H3(b) Size, Design and Location.

The author considers the increase of 34 houses in relation to the housing stock across the **whole** of Shrewley parish, Hatton parish and Shrewley and Hatton combined. This is **NOT** how the impact should be calculated as the **Affordable Housing Supplementary Planning Document** makes clear.

Thus, the author concludes 34 houses would increase that housing stock by less than 10% when the actual figure is 30%.

In a clear attempt to mislead the reader, the author refers to a planning application in Fladbury, Worcestershire, where the developers wished to build 34 affordable homes. This was allowed on appeal on the grounds that a 9% increase in housing stock constituted a “small scale” site.

This does not bear close scrutiny. Firstly, Hatton Station has just **112** houses at present: Fladbury has **1,251** (Census, 2021). Both applications are for **34** houses.

The second issue relates to **WHY** the planning inspector allowed the appeal. Here are two crucial paragraphs snipped from the inspector’s judgement:

6. The appeal site lies outside the development boundary of Fladbury but has been promoted on the basis of its provision of affordable housing. In this regard Policy SWDP16 of the SWDP sets out requirements in relation to rural exception sites. Here the sole matter in dispute is whether or not the site can be regarded as 'small', and therefore consistent with the opening text of part A of Policy SWDP16, which employs the term 'small sites' in relation to exception sites.
7. Neither the SWDP nor the Council's Affordable Housing Supplementary Planning Document 2016 (the SPD) sets out a definition of the term small sites. The SPD instead indicates that consideration of this will partly depend on the size of the settlement. The issue is thus one of relative scale and proportion, albeit the Council again has no clear guidelines on how to assess this, or which seek to place any cap on settlement growth.

In short, **their** Council's Affordable Housing Supplementary Planning Document did not sufficiently define "small site", leaving the door open for the inspector to come to their own judgement.

Reference is also made to the development at Hallow, Worcestershire, where the appeal was allowed on similar grounds.

It should be further pointed out that the two villages of Fladbury and Hallow could not be more different from Hatton Station, having a variety of local services and better public transport. In addition, Hallow had already been identified as a growth village: Hatton Station was not.

Fortunately, in drawing up the **Affordable Housing SPD**, WDC makes the definition of "small site" much clearer:

"In Warwick District, rural sites tend to accommodate less than 8 dwellings because villages are small in size."

FEWER THAN EIGHT: NOT THIRTY-FOUR

4.2.5 Subject Parishes:

Reference is made by the Housing Strategy and Enabling Officer to NPPF guidance which refers to development in one village supporting services in another.

Most people would take this to mean that, for example, if a village school had an issue with falling pupil numbers, a development in a neighbouring village could help to keep the school viable.

How does this proposal qualify?

This is where the author's tenuous grasp of local geography really comes to the fore. The response is very muddled and does not really answer the point raised above. For example,

“Shrewley and Hatton are adjoining parishes...”

True but irrelevant. The NPPF guidance is about one **village** supporting another **village**.

“...and share a range of public services, facilities and infrastructure that foster connectivity and support the local communities. Here are some key shared and connecting resources:”

What does this mean? What follows in this document is either irrelevant, or inaccurate, or both. Here are some examples:

Location:

“Local Plan para 2.38 advises focusing rural housing development in the district’s most sustainable village locations.”

The irony is that this is quoted to **justify** development and yet Hatton Station is recognised as being an unsustainable location. If it were a sustainable location, it would have been classed as a growth village in the current Local Plan.

Transport and Roads:

“ The A4177...connects Shrewley and Hatton.”

No, it does not.

“Hatton Station: Located near Hatton...”

Again, the author seems to think that there is a village called Hatton. Hatton Station is at Hatton Station.

“Local bus routes connect Shrewley and Hatton to surrounding towns and villages, supporting accessibility for those without personal transport, though services are often limited and intermittent.”

If bus services are “limited and intermittent” (and they are even more limited than the author seems to realise), they are not much use to anyone, particularly for commuters, school children and anyone who needs to be in a specific location by a specific time. This is why Hatton Station is such a car dependent community.

Education:

“While each village has its own primary school within a short driving distance, children from both parishes may attend school in Hatton, particularly due to its proximity and slightly larger facilities.”

Which schools in which villages are being referred to here? Hatton Station has no school, Hatton Park has no school and Shrewley village has no school. Indeed, there are no LA schools at all in Shrewley parish. The only school locally is the Ferncumbe which is at Hatton Green in Hatton Parish.

It might be argued that a development at Hatton Station would help to secure the future of the Ferncumbe but this would be to ignore the fact that the school will have to absorb pupils from Union View which is already under construction.

In any case, the aim of good planning should be to **eliminate** car journeys so the reference to “a short driving distance” is a strange one. There is no **SAFE** walking or cycling route between any of the settlements.

“Childcare and Early Education: Various nurseries and preschools in the Warwickshire area serve both communities.”

New residents would no doubt be reassured that there are nurseries and preschools *somewhere* in Warwickshire. The Ferncumbe has no nursery classes. Whilst there are other nurseries locally, they are private and therefore expensive. They are not necessarily going to be accessible to parents in affordable housing.

Healthcare Services:

“The nearest primary healthcare services, including GP practices and health centres are located in Warwick and Hatton Park.”

Wrong. The nearest doctor’s surgeries are Claverdon and Hampton Magna. Hatton Park does not have a surgery.

“Pharmacy services are also primarily accessed in Hatton Park or Warwick.”

Wrong. Hatton Park does not have a pharmacy.

“Major hospital services are in Warwick (Warwick Hospital).”

True but the author fails to acknowledge that A&E is located over 8km from Hatton Station – another reason why Hatton Station is not a sustainable location.

Retail and Shopping Facilities:

“Hatton has a few small shops.”

Hatton Station has no shop and neither does Hatton Green. Shrewley has a small shop and Hatton Park has a small shop. Neither shop is within **SAFE** walking or cycling distance, particularly the shop at Hatton Park.

“Hatton Country World includes a farm shop and small retail outlets that serve as convenient options for fresh produce and locally made products.”

There is no farm shop at Hatton Country World (checked on a visit on 30/11/24). There is no fresh produce. Feel free to visit if you wish to buy a bicycle, a granite worktop or a wedding dress but there is no hope of buying a loaf or a pint of milk.

It could be argued that some of these errors are minor but they serve to undermine the credibility of the report.

4.2.6 Population growth:

The Housing Strategy and Enabling Officer refers to inconsistencies in the population statistics quoted by the author but, crucially, also makes the point that it is inappropriate to predict population growth using county-wide predictions. This is because WDC is required to encourage growth in sustainable locations which Hatton Station is not.

This point has not been answered. This is yet another attempt to mislead the reader about the extent of housing need.

4.2.7 Council waiting list:

The Housing Strategy and Enabling Officer makes an important point that the housing waiting list is essentially aspirational; it does not relate directly to housing need in a particular parish. Applicants may well express a preference for multiple parishes to improve their chances of securing accommodation, leading to an element of double counting.

The author does not concede that this may mean that their estimate of housing need in Shrewley is almost certainly too great.

4.2.8 New Supply:

Again, the author does not have an adequate answer as to why they have stated that in 2022/23, WDC only provided 10 new social and affordable houses, when the actual number was 435.

4.2.9 Parish Housing Needs Surveys:

The author cannot explain why a parish housing needs survey which covers everyone in the parish **AND** those living outside with a strong link to the parish should understate housing need. The Housing Strategy and Enabling Officer comments that this is the usual methodology for justifying rural exception sites.

The Shrewley survey of 2022 contains just 3 requests for housing.

Two of those requests are for bungalows – which this development would not provide! That is hardly being responsive to housing need.

Those 3 requests are across the whole parish; more work would be needed to establish whether that need was at Hatton Station.

Conclusion:

- The author of this report gives the housing requirements for all of Shrewley parish as, variously 25, 26 or 28 whereas the Shrewley Parish Housing Needs Assessment, 2022, gives just three. The author fails to explain the discrepancy between three and a figure in the mid-twenties.
- There are frequent references to housing need in Hatton and Shrewley parish combined but there is no justification for putting the two together.
- The author attempts to justify the number of houses by referring to an increase in the overall housing stock across Shrewley and Hatton parishes, ignoring the fact that the impact would be wholly on Hatton Station and would be 30%.
- The author tries to mislead the reader by reference to two successful planning applications in Worcestershire. The circumstances are not comparable.
- There are many factual errors relating to local services. Some may seem trivial but this lack of basic research does not inspire confidence in the rest of their report.
- The Housing Strategy and Enabling Officer has found many discrepancies and incorrect assumptions in the statistics in the Cotesbury Housing Needs Assessment which are not adequately explained in this response.
- Overall, this response to the Housing Strategy and Enabling Officer should be regarded as unsound.

5. BIODIVERSITY

5.1 Compensating for the loss of biodiversity

5.1.1 In their earlier report, FCPR put the biodiversity net “gain” at -19.4%. This was recalculated in October, 2024 as shown below:

FINAL RESULTS			
Total net unit change <small>(Including all on-site & off-site habitat retention, creation & enhancement)</small>	Habitat units	-1.98	
	Hedgerow units	1.12	
	Watercourse units	0.00	
Total net % change <small>(Including all on-site & off-site habitat retention, creation & enhancement)</small>	Habitat units	-30.67%	Total net gain achieved is less than target set A
	Hedgerow units	N/A	0 baseline units - % cannot be calculated
	Watercourse units	0.00%	

A loss of nearly 20% was already disastrous but the calculation now stands at enormous **-30.7%**.

5.1.2 The documents were examined to ascertain how this loss was to be compensated for. The answer is not wholly clear. The developers have indicated that they would be prepared to buy off-site credits but no details have been supplied except for a leaflet for Dragonfly Habitat Bank in Atherstone, North Warwickshire.

5.1.3 In Warwickshire County Council's information on off-setting, compensation should follow the following hierarchy:

- On site
- Within the Local Planning Authority where the impacts occur
- With a neighbouring authority
- Within Warwickshire, Coventry, Solihull
- Elsewhere in England.

5.1.4 It is difficult to see how choosing a solution from the fourth tier in this hierarchy is compatible with Warwick District Council's Biodiversity Action Programme.

The biodiversity of Warwick District is a tremendous asset. It gives the district its special character, supports farming, tourism and other economic opportunities and provides a wonderful environment for peoples' mental and physical wellbeing. Therefore, it is vitally important that we protect, conserve and enhance biodiversity in the district.

Source: Introduction, Biodiversity Action Programme, 2024-2050, WDC

A site in North Warwickshire Borough Council benefits to the detriment of Warwick District Council? This is illogical.

5.1.5 It has also been noticed that the BNG units at Dragonfly Habitat Bank are designed and monitored by FCPR Ecology Consultants who are also working as consultants for the developers. This is a conflict of interest.

Conclusion:

- **The BNG loss now stands at a completely unacceptable -30%**
- **The decision to buy credits in another part of the county is equally unacceptable.**

5.2 Reptile Report, July, 2024 FCPR

5.2.1 Reference is made to the Reptile Report, July, 2024, produced by FCPR, and added to the planning website **AFTER** the date by which objections could be submitted

5.2.2 Firstly a serious error at 4.7 in FCPR's reptile report:

“Housing backed onto the site and residents adjacent to the site were also using the site to keep chickens. Therefore domestic animals could pose a threat to reptiles.”

This is simply wrong. No residents were keeping chickens on the site. This is a bizarre attempt to deflect attention from the fact that the pets belonging to the residents of 34 houses **are** a significant threat to wildlife.

5.2.3 Habitat:

At 5.5, it states that there will be:

“a need to displace and/translocate reptiles inhabiting the site into a suitable area of retained habitat.”

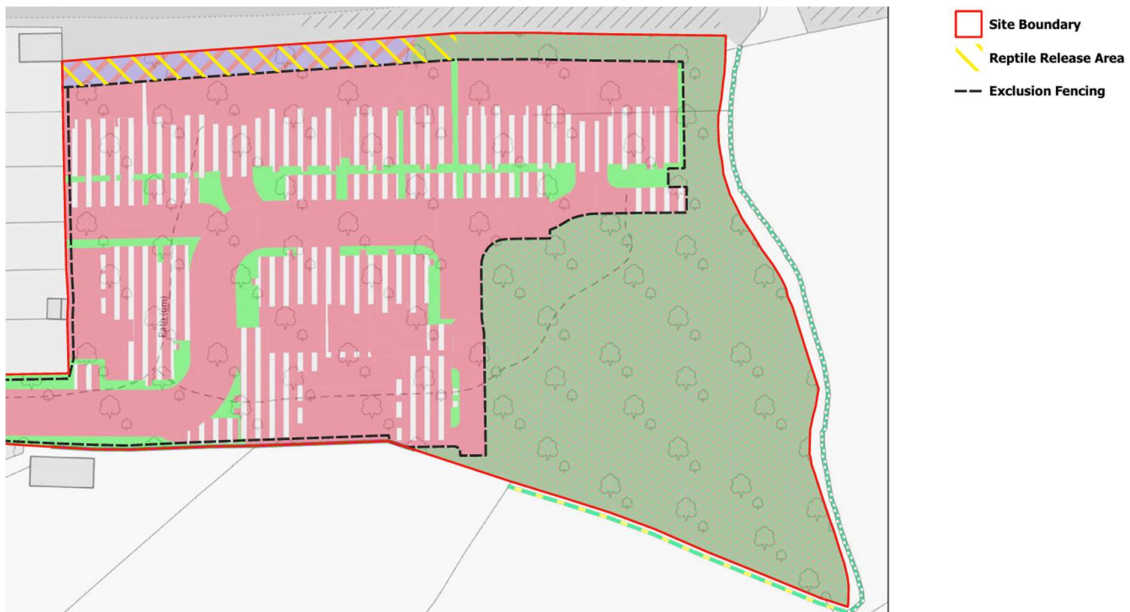
As the intention is to use most of the site for densely packed housing, the only retained habitat is woodland. This is not a suitable habitat. The report sets out the acceptable habitats at 5.10: tussocky grassland, basking areas and hibernacula. However, there are no detailed plans about how a suitable environment would be created and to what timescale.

5.2.4 Disturbance to the Receptor Site:

At 5.10, the report states that:

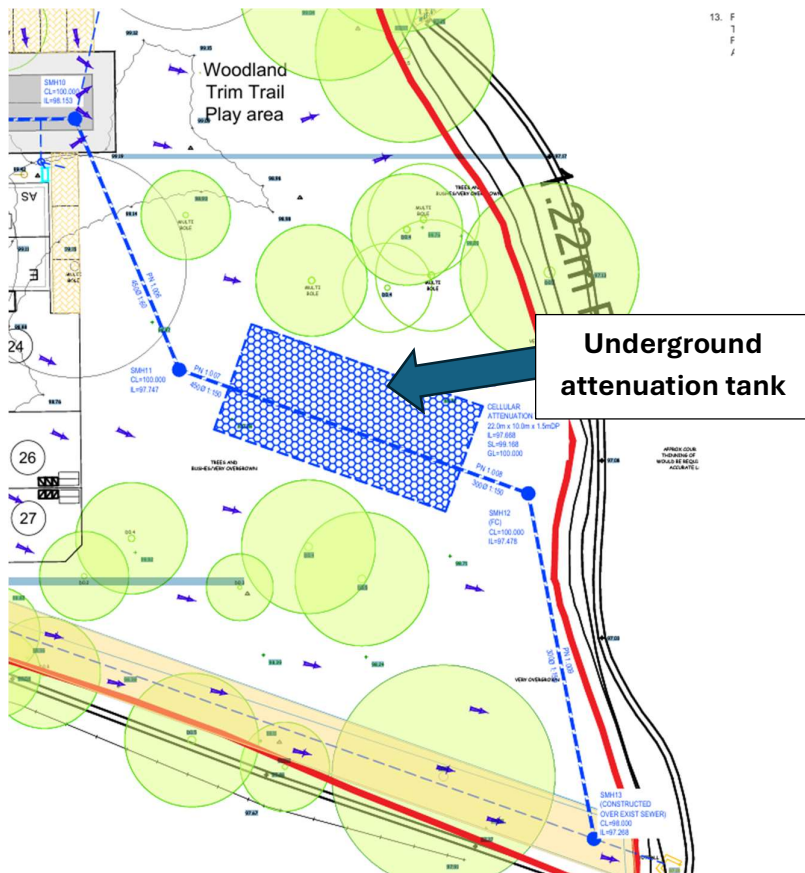
“The receptor area will consist of retained habitat with sufficient carrying capacity to accommodate the translocated reptiles. This may need to include offsite land to which they can naturally disperse.”

The exclusion fence gives reptiles access to the area of retained woodland. The impression is given that this area would be undisturbed with the work area being within the exclusion fence.



This, however, is simply not the case as another plan of the site makes clear.

Extensive groundworks are needed within the retained habitat including the installation of a 22m x 10m underground attenuation tank plus all the related drainage works.



This is not the only work required. The same plan shows part of the retained habitat contains a trim trail and children's playground. Reference should be made to report by Arena Geo, November, 2023, indicating that arsenic and asbestos were found on the site.

Extensive investigations would be needed to ensure that the children's play area is free from contamination. A significant quantity of soil and vegetation would have to be removed to make these areas safe to play in.

The other problem, which is clear from the first plan, is that the exclusion fence is against the garden fences of 9-15 Antrobus Close. Slow worms are known to visit our gardens and newts were photographed in the garden of no. 11 earlier this year. The fence would trap reptiles and amphibians in our gardens.



Newts in the garden of no. 11 Antrobus Close, May, 2024. Note that *all* amphibians, including common ones, are target species according to WDC's Biodiversity Action Programme 2024 – 2050.

5.2.5 The Size of the Receptor Site:

At Table 3 in the report, the results of the reptile surveys are given.

A glance at this table reinforces the point made in my original objection: the survey period was too short.

There are serious consequences to underestimating the population, as borne out by the translocation of reptiles from the site in Oakdene Crescent now occupied by the six Orbit properties

In 2005, a survey was carried out on this site and only 11 slow worms and 2 grass snakes were found. This was a gross underestimate; in the event 84 slow worms and 17 grass snakes were translocated which meant that the receptor site was far too small, as acknowledged by the Senior Ecologist at the time, David Lowe.

Where did those 101 slow worms and snakes go? Into a tiny receptor site from where they spread out across the site for which the application is being made, and neighbouring gardens.

Not only does this illustrate the risk of underestimating the population through inadequate surveying but the large number translocated suggests that there is every reason to believe that a significant population is still present on the site.

There are guidelines relating to the translocation of reptiles:

If translocating reptiles, the proposal needs a receptor site:

- close to the development site, and within the same LPA if possible
- that is at least the same size as the habitat that will be lost, and larger if the lost habitat is of high quality
- that will serve the same function as the habitat to be lost, for example it has hibernation features
- with similar habitat to the area that will be lost, including water bodies
- that does not currently support the same species, but can be improved to make it suitable
- that will be safe from future development and managed in the long term

Source: Advice from Natural England on the Gov.uk website.

Thus, the receptor site fails by virtue of being:

- Only a small proportion of the overall habitat which they currently occupy;
- Further reduced by the need to accommodate the children's play area and the trim trail;
- Unlike the lost habitat as it is primarily woodland.

5.2.6 Dispersing Off-Site:

Returning to the statement at 5.10:

*“The receptor area will consist of retained habitat with sufficient carrying capacity to accommodate the translocated reptiles. **This may need to include offsite land to which they can naturally disperse.**”*

The retained area is not a suitable receptor site in either size or habitat type. What about offsite?

There are several issues:

- The location of this offsite land and its ownership are not identified.
- Reptiles are present beyond the site and the Natural England guidelines above state that translocation should not be to areas with an existing population.
- The guidelines above state that the area should be safe from future development. The site is almost exclusively surrounded by the Hatton Estate owned by the Arkwrights. The whole of the estate has been put forward under the Call for Sites for the erection of 4,500 houses plus associated infrastructure and facilities. Why force reptiles to relocate to sites which are themselves under threat?
- Who would manage the offsite location?

5.3 Response to the Reptile Report, 22nd November, 2024, Christopher Hill, Senior Ecologist, WCC

5.3.1 The Senior Ecologist concurs that the survey period was too short and that there is a likelihood that the population has been underestimated. He states:

“I would not be surprised if more than 20 slow worms are present, and if this was the case, the number of slow worms would be approaching an “exceptional population”, which is enough for a site to be considered a Key Reptile Site.”

5.3.2 His response endorses the point made above that the receptor site is too small and further comments that it is unclear whether habitat to which they might disperse is of the necessary quantity and quality.

5.3.3 He further agrees that there are too many other pressures on the receptor site to make it a suitable habitat, including pet predation and habitat degradation.

5.3.4 Local Plan Policies NE2 and NE3 are not being met.

5.3.5 Mr. Hill considers whether the presence of great crested newts has been accounted for. He comments that the on-site pond was dry when FCPR visited the site on 24th April, 2024. Mr. Hill would have no way of knowing this but this is actually untrue; those sent out to carry out the survey could not find the pond as reported to my husband. Here is a photograph of it taken the very next day:



**Pond
photographed
on 25th April,
2024.**

There is actually another pond much closer than Mr. Hill realises. It clearly should have been included in the survey.



Photo of the pond on a neighbouring site. The two are separated only by a post and wire fence. The pond is a couple of metres from the boundary.

Conclusion relating to reptile translocation:

- **The risk to wildlife from pet predation on such a densely built site is ignored.**
- **The reptile receptor site is largely woodland and there are no details for how a suitable habitat would be created.**
- **Disturbance from extensive groundworks required on the receptor site has been ignored.**
- **The reptile survey period was too short and has almost certainly underestimated the population. The population is likely to be significant enough for this to be classed as a Key Reptile Habitat, especially bearing in mind the size of the population translocated here in 2006.**
- **The size of the receptor site does not follow Natural England guidelines and is further reduced by the children's playground and trim trail.**
- **Offsite receptor sites have not been identified but could lead to reptiles impinging on existing populations.**
- **Most of the land surrounding Hatton Station is in Arkwright hands and is under threat from development.**
- **According to the Senior Ecologist, the possible presence of great crested newts should have been investigated.**

5.4 Other surveys

- 5.4.1 There are other surveys which appear not to have been conducted. The only reference to bats is from a survey from too early in the year for them to have emerged from hibernation.
- 5.4.2 The bird survey does not mention owls and yet they undoubtedly use the site. Cuckoos can sometimes be heard.
- 5.4.3 There is no survey of riparian mammals.

Conclusion:

- **Survey work is incomplete.**

6. LAND CONTAMINATION AND THE PRESENCE OF MADE GROUND

Report by Arena Geo, November, 2023

Response by the Senior Environmental Officer, July, 2024

- 6.1 This Arena Geo report draws attention to three crucial issues, **none** of which is addressed in any of the documents which have been published since my original objection report:

1. The contamination of the site by arsenic and particularly asbestos;
2. The possible presence of munitions (in addition to those found already by local residents over the years);
3. The presence of unstable “made” ground on a large part of the site. For the avoidance of any doubt, the photograph showing the abrupt change in levels is reproduced below, followed by a map showing how this relates to the site plan.



This is the track (marked in orange on the site plan below) which leads from the entrance to the site. To the left, the bank is the edge of the “made ground”. Whereas the track slopes downwards towards the stream, the “made ground” is relatively level, meaning that the height of the bank increases significantly the further east you travel.

The photograph does not adequately convey just how high the bank becomes. It is certainly above head height where the track can be seen curving around to the left.



The orange line corresponds to the track in the photograph above. It can be seen how the houses relate to the abrupt change in level.

- 6.2 The Senior Environmental Officer, in his response, notes that Arena Geo have made a range of recommendations for additional chemical testing, and gas monitoring, owing to elevated levels of carbon dioxide. He sets out detailed conditions which would need to be met for the proposal to have any chance of success.
- 6.3 Remediation work would need to be extensive and include areas of the site which are supposed to be preserved for wildlife but are also public open spaces. Which is it to be? Destroy habitat in the decontamination process? Or preserve habitat by not decontaminating that part of the site and expose the public, notably children, to the risk of contaminated soil?
- 6.4 The developers have not responded to **any** part of the Senior Environmental Officer's report where it refers to site contamination.
- 6.5 The dangers posed by leftover munitions have been ignored.

Conclusion:

- **Site contamination issues have not been addressed.**
- **There is no indication of how the large area of "made ground" will be dealt with.**
- **The possible presence of munitions has been ignored.**

7. DRAINAGE

Drainage Report by Jubb, April, 2024, updated October, 2024

Report by Flood Risk Management Officer, August, 2024

Response by Pegasus Group, October, 2024

There are two issues:

- Surface Water
- Sewerage

7.1 Surface Water

7.1.1 The fact that surface water would be discharged along a pipe on the southern boundary and into the stream running alongside the eastern border of the site is of concern to residents. This is because the point where the stream flows under Station Road is a known flood zone.

7.1.2 The Flood Risk Management Officer, Sophie Lynes, wrote to the case officer for this development on 8th August, 2024. Some points raised in the report have not been addressed. At point 2., Ms. Lynes comments:

“Correspondence is also required from Severn Trent Water as the asset owner where proposals include connecting into the surface water sewer.”

In the response to this by Pegasus Group, an admission is made that no permission has been sought to discharge water into the surface water sewer. Astonishingly, the reason given for this is “time constraints”.

7.1.3 Also at point 2, Ms. Lynes continues:

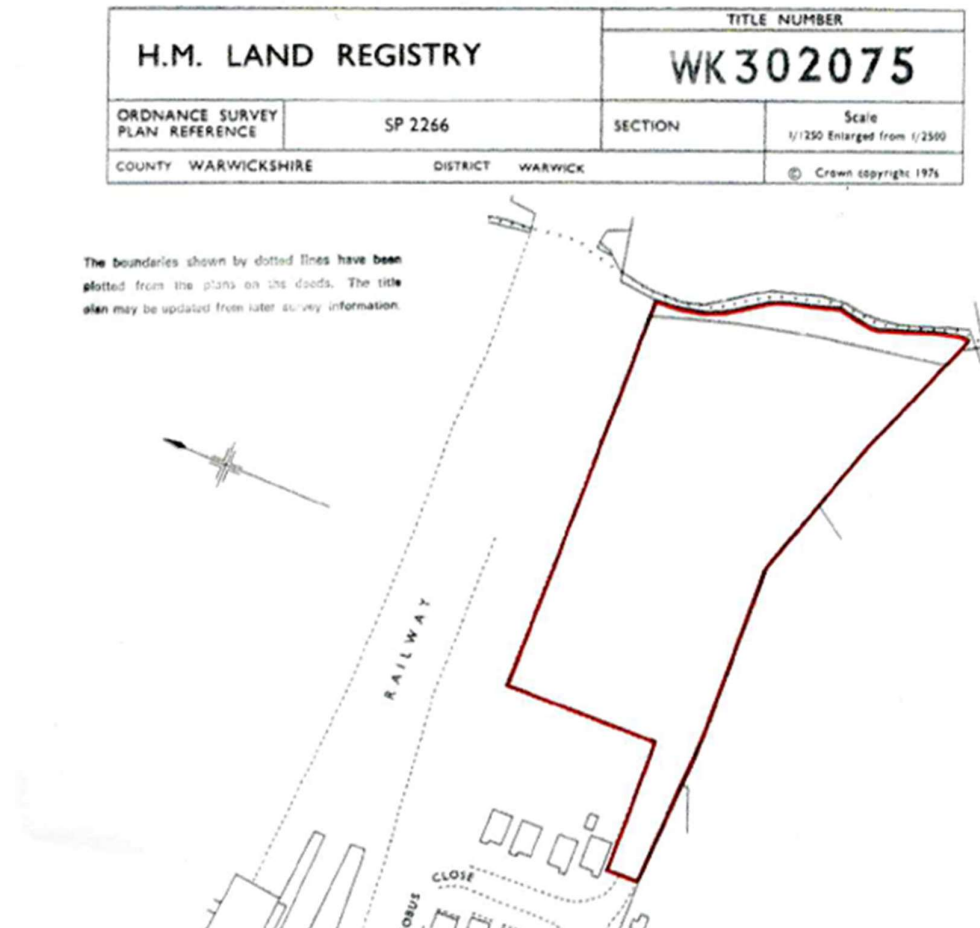
“Where it is proposed to discharge directly into the ordinary watercourse, suitable proof of land ownership showing riparian ownership must be provided, in addition to evidence that the watercourse is in sufficient condition to receive flows.”

In the response from Pegasus, these important points are simply ignored.

Reference was therefore made to the Land Registry. This site plan seems to indicate that the site boundary is on the western side of the stream and **DOES NOT** cover the stream itself. The stream would appear to be on Arkwright land. This would make sense as it crosses Arkwright land before it reaches the site at the northeastern corner and, where the stream departs from the site at the southeastern corner, it flows wholly across Arkwright land until it passes under Station Road. In addition, there are the remnants of a post and wire fence along

the water's edge, on the developers' side of the stream, presumably marking a boundary.

What evidence has Warwick District Council seen to indicate that the developers have the right to discharge further surface water into this stream?



7.1.4 On the second point, the stream is not in “sufficient condition” to receive flows. Having flooded badly last winter (to the extent it washed away the bridge across it), it is now full of vegetation and partly blocked by fallen trees.

If the stream **is** in the ownership of the Arkwrights of the Hatton Estate, how will it be ensured that the stream is managed properly?



Photograph of the stream taken from a permissive footpath on the Arkwright side on 20th November, 2024. Note that this was before Storm Bert. It is impossible to see beyond this point because of the amount of vegetation.

There are further photographs showing the condition of the stream in section 13 below.

- 7.1.5 Ms. Lynes further points out that a geocellular tank is not an ideal solution and there is no guarantee that Severn Trent would adopt it. The developers are clearly placing reliance on this:

“It is intended that the main drainage network, including flow control chamber, attenuation tank and outfall will be offered to Severn Trent Water. The responsibility for maintenance will then sit with them as a competent drainage authority.”

Source: Drainage Report produced by Jubb, October, 2024. Paragraph 3.9.3

Underground Storage	Underground storage including tanks and large diameter pipes are generally adoptable. However, certain types of underground storage are not approved for adoption by Severn Trent Connect, please contact us for further guidance. We will adopt geocellular storage products that allow for regular maintenance such as jetting.
----------------------------	---

Source: Addendum to Sewers for Adoption 7th Edition, Severn Trent Connect

7.1.6 The maintenance issue is an important one. It is further noted from the drainage plan provided by Jubb in their updated drainage report that there is no vehicular access to the tank as it sits within woodland. Maintenance could therefore be a serious issue.

7.2 Sewerage

7.2.1 Issues with the sewerage system at Hatton Station are well-known, were reported in my original objection, and yet are not addressed by the developers.

7.2.2 Warwick District Council is aware that the sewerage system is inadequate as this quote shows:

Appropriate green corridor required for the brook, which may reduce some of the site development capacity. It is recognised that the sewage and drainage systems in Hatton Station are at capacity and any new scheme will have to manage its impact and avoid adding to local problems.

Source: Village Sites Appraisal, 2014, WDC.

7.2.3 In failing to address this issue, the developers are clearly relying on Section 94 of the Water Industry Act, 1991 (WIA 1991) which gives developers the right to connect to a public sewer *regardless of capacity issues*.

7.2.4 The map in the report by Jubb of the sewerage system is incomplete. Do they have a complete understanding of all the elements of this system? It does not show the arrangements for the six houses on the southern side of Oakdene Crescent (Orbit houses). These sit below the level of the sewer and have their sewage pumped uphill to meet the sewer. The system fails periodically with predictably unpleasant consequences.

The map shows sewage travelling downhill to a pumping station on the edge of the village. What is only partly shown is that it is then pumped back up Station

Road where the pipework passes on the underside of both the canal and railway bridges to a second pumping station. It is then flow across the fields north of the station to another pumping station and then onward to a sewage treatment works in Warwick, **NOT** Claverdon as stated in this report.

- 7.2.5 In essence, it appears that Severn Trent cannot prevent the granting of planning permission. However, since WDC **knows** that the system is at capacity as demonstrated above, it would be highly irresponsible to grant planning permission and risk increased blockages and possible sewage overflows.
- 7.2.6 It seems that the usual method of addressing a situation such as this it that a condition such as a Grampian condition is imposed. For example, there might be an agreement to upgrade the sewerage system across Hatton Station before occupation of the houses.
- 7.2.7 No documents have been seen which indicate that the capacity of the sewerage system has been investigated. No documents have been seen which indicate any conditions are likely to be placed on the developers.

Conclusions:

Surface water:

- **The developers should have checked with Severn Trent that it is acceptable to join their surface water drainage to the existing surface water sewer but have failed to do so because of “time constraints”.**
- **The Flood Management Risk Officer’s point about land ownership has not been addressed. (The Land Registry entry for the site would suggest that the stream is on Arkwright land.)**
- **The stream must be shown to be in a suitable condition to receive surface water from the site. It is not.**

Foul drainage:

- **The sewerage system is at capacity, WDC knows that it is, and the granting of planning permission without a large-scale upgrade would be irresponsible.**

8. HIGHWAYS ISSUES

8.1 Response from Dave Pilcher, Development Management Engineer, Warwickshire County Council, July, 2024

- 8.1.1 There appears to have been no response by the developers to vital points made in this response:

Mr. Pilcher comments:

“This application does not adequately consider safe pedestrian connections to local destinations. Towpaths and public footpaths are not suitable as all year-round utility routes. Facilities may be within walking distance but safety of routes, due to mixing with vehicular traffic on unlit roads without footways, is an issue.”

He draws attention to two specific dangers for pedestrians: children travelling to school and residents walking to and from the station and bus pick up points.

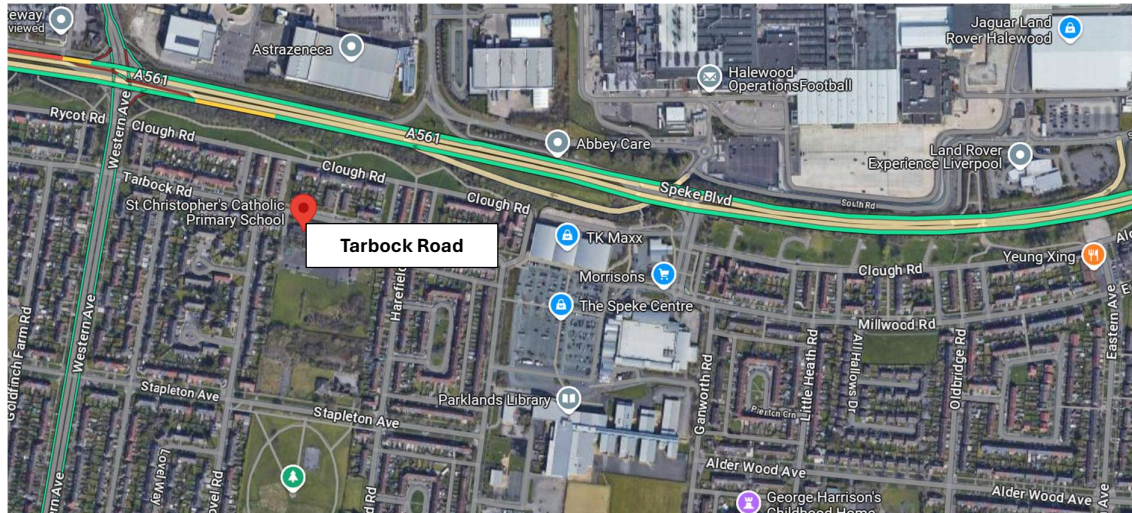
8.2 The Transport Statement

Transport Statement, Jubb, April, 2024

8.2.1 Many issues were raised with the developers’ Transport Statement. Despite having had an opportunity to respond, none of the inaccuracies has been addressed. Problems with the report include:

- A statement that a range of facilities and services are reachable from the site by sustainable means. (Untrue)
- Footways provide pedestrian access to facilities including retail opportunities, primary schools and pubs. (Untrue)
- Bus frequencies are misquoted.
- Train frequencies stated are incorrect.
- Likely car ownership has been extrapolated from a tiny sample.
- Trip generation figures are extrapolated from data relating to edge of town locations which have good access to public transport and services within walking distance. They are not remotely comparable to our tiny rural settlement. Are we really to believe that only 14 vehicles will enter or exit the site during peak hours and 12 during evening peak hours?

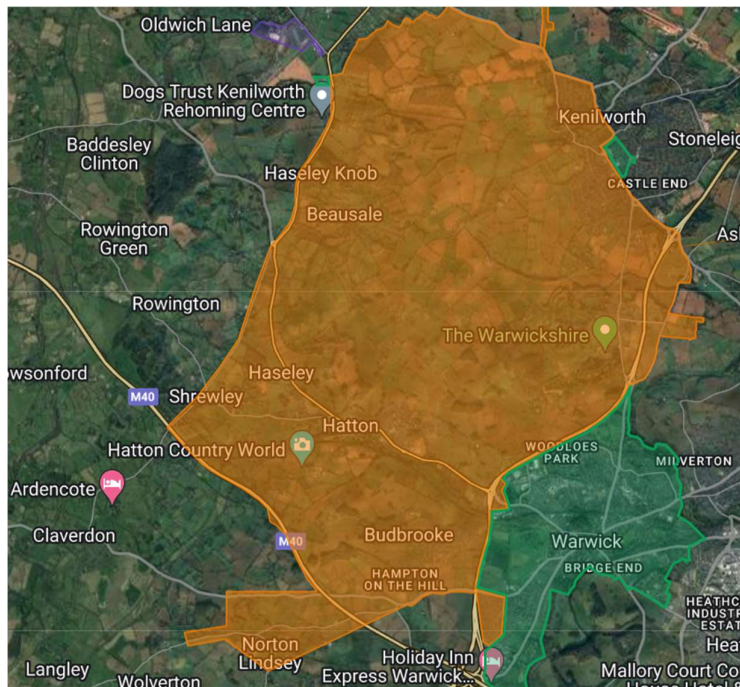
Note 1: Here is an example of how absurd their trip generation statistics are. I recently visited one of the locations supposedly comparable to Hatton Station – Tarbock Road in Speke, a suburb of Liverpool. This location could not be more urban. Tarbock Road runs parallel to the main dual carriageway leading directly to Liverpool City Centre. There are bus stops and a retail park containing a large supermarket within walking distance. There is easy access to a range of employers, schools and Hunts Cross station.



Note 2: Further investigation has been carried out on the IndieGo on-demand bus service to establish whether this could replace a car.

The orange portion of the map below is the area covered by the service. There are several important places which it is impossible to reach:

- The nearest doctor's surgery in Claverdon;
- The primary school in Claverdon;
- The leisure centre at St. Nicholas Park in Warwick;
- Solihull town centre;
- Leamington town centre.



The IndieGo on-demand bus service (in orange) showing how limited the service is.

Conclusion:

- **Warwickshire County Council as the Local Highway Authority has objected, largely on the grounds of pedestrian safety.**
- **The developers appear to have made no effort to respond to WCC's objections, or to correct the many errors in the Transport Statement, or to address the many transport and connectivity issues raised in my original objection.**

9. GAS BOILERS TO AIR SOURCE HEAT PUMPS

Response to report by Bioregional – gas boilers

- 9.1 The Bioregional report points to the unacceptability of installing gas boilers into the new homes.
- 9.2 Firstly, it does not reflect well on the developers that they should have proposed gas boilers in the first place. This is not just from an environmental perspective; Hatton Station does not have a mains gas supply and that they are unaware of this is astonishing.
- 9.3 At the eleventh hour, the proposal has changed to the installation of air source heat pumps. However, no further details have been supplied. Reference should be made to the site plan and the high density of the houses, especially plot numbers 6-23.
- 9.4 It is estimated that an air source heat pump produces noise at the rate of 40-60 decibels. The Institute of Acoustics state:

“...the technology generates noise, and it can operate during the night and day. As a result, it has the potential to cause significant adverse effects to people living nearby.”

“The potential implications of noise and vibration should not be ignored.”

“Do locate the unit as far away as possible from neighbouring premises and especially away from openable windows to noise sensitive rooms such as living rooms and bedrooms.”

Source: Institute of Acoustics Briefing Note

- 9.5 It should be borne in mind that these guidelines are referring to the installation of a single unit, not heat pumps installed in tiny, densely packed terraced houses. The cumulative noise also needs to be considered. The Briefing Note continues:

“Cumulative impacts that may result from multiple installations over time should be taken into consideration.”

- 9.6 The developers also do not explain how they would install air source heat pumps into the upper maisonettes. It is understood that the units would normally be positioned on a balcony.
- 9.7 A space of around 80cm x 80cm is required within each property to house a hot water tank. This does not appear to have been allowed for in the internal design of these already tiny houses. Reference should be made to the concerns expressed by the Housing Strategy and Enabling Officer about the limited sizes of some of the rooms.
- 9.8 The Design and Access Statement, despite having been updated in October, 2024, does not refer to how these heat pumps would affect the design of the houses, particularly how they can achieve the one metre gap required from each boundary.

Conclusion:

- **Having finally accepted that gas boilers are neither desirable, nor indeed, possible, the developers do not elaborate on the impact of this change.**
- **The cumulative impact of so many air source heat pumps within such a small area needs to be addressed.**

10. NOISE

Report by Hepworth Acoustics, May, 2024

Response by the Senior Environmental Officer, July, 2024

Response by Hepworth Acoustics, August, 2024 to the Senior Environmental Health Officer

- 10.1 When Hepworth Acoustics produced their original report in May, 2024, the decision to install air source heat pumps had not been taken so no assessment has been made of their impact.
- 10.2 The Senior Environmental Health Officer has raised concerns which this follow-up report by Hepworth Acoustics does not adequately address.
- 10.3 Hepworth Acoustics claim that noise monitoring was conducted over an “extended period”. How can a period of 2 days and 3 nights be considered “extended”. This is nonsense. This period was so short that it did not include any maintenance work or nights when the storage yard was in use. Houses 6-23 on the site plan stand are at foot of the railway embankment and directly opposite the Network Rail storage yard. There is frequent nighttime working causing both noise and extensive light pollution. This storage yard is used

during the night even when the maintenance work is not actually being carried out at Hatton Station. This is because there is a level access to the railway line at this point whereas the line from where it leaves Leamington mainly runs along an embankment.



Storage Yard at Hatton Station. This is immediately alongside the railway line and directly opposite plots 6-23.

10.4 The Senior Environmental Officer comments:

“Could the applicant please clarify what steps have been taken to ensure that noise measurement data is representative of the proposed development site? Has any timetable/pass-by date been obtained...”

Hepworth Acoustic reply:

“Conversations were had with numerous residents of Oakdene Crescent and nothing was mentioned to suggest that train movements were abnormal.”

Oakdene Crescent only has nine houses; who are these “numerous” residents? The houses in Oakdene Crescent are shielded from the worst of the noise by the houses in Ash Close and Antrobus Close. Why not question residents who live closer to the railway line?

Where is the evidence that they looked at timetables and pass-by data?

- 10.5 The crucial point, however, is that they **should** have investigated noise both whilst trains were running normally and also whilst the storage yard was in use, or maintenance work was being carried out.



These two diggers were observed at work at 3:45am on Friday, 8th November and photographed later that morning. It would have been impossible to sleep through this in a house located directly opposite the storage yard.

Further work was observed at 1.00am on Thursday, 28th November.

- 10.6 The Senior Environmental Officer comments that houses facing north, i.e. towards the railway line, will need to keep their windows closed. The response is that bedroom windows within 50m will indeed have to be kept closed and will need “*an alternative provision to avoid overheating.*” This provision is not specified.
- 10.7 The Senior Environmental Officer asks for clarification on the provision of roof insulation and an acoustic fence. In the response, the first point is ignored and although an acoustic fence has been added to the site plan, it is difficult to see how this would provide sufficient protection. Houses close to the western boundary are roughly at the same elevation as the railway line but the site slopes sharply towards the eastern boundary so that a number of houses sit below the level of the railway line.

Conclusion:

- **Hepworth Acoustics have completely failed to demonstrate that they have taken all possible sources of noise into consideration because the survey was too short. Total exposure to noise should be considered.**
- **Residents would have to endure:**
 - **Passing trains (nighttime freight trains in particular cause significant noise and vibration);**
 - **Nighttime work by Network Rail;**
 - **The constant drone of the M40;**

To which we can now add:

- **The noise of 34 air source heat pumps.**
- **The acoustic fence would be unlikely to improve matters for the houses sitting below the level of the railway line.**
- **Other matters such as roof insulation, raised by the Senior Environmental Officer, have not been answered.**

11. AIR QUALITY

Air Quality Assessment, Rappor Consultants Ltd. February, 2024

Response by the Senior Environmental Officer, July, 2024

- 11.1 The Senior Environmental Officer raises a number of issues. No response appears to have been received. For example, only data relating to passing trains has allegedly been considered. There is no data for air pollution from stationary diesel locomotives. This point is not answered.
- 11.2 A number of issues were raised in my original objection. Not one has been addressed.

The conclusion remains as before:

- **This report has not adequately addressed air quality at *Hatton Station*. (No on-site monitoring was conducted.)**
- **Data provided is out of date leading to an erroneous conclusion that air quality is improving.**
- **All references to dust mitigation are irrelevant because they do not acknowledge the contamination on the site.**

12. PUBLIC OPEN SPACE COMMENTS

Report by the Green Space Development Officer, July 2024.

Response by Pegasus Group, October, 2024

- 12.1 The report produced by the Green Space Development Officer contains one factual error but otherwise the author makes some excellent points which have only partly been answered.

Firstly, the factual error:

“The site is a former MOD storage depot and I understand that it has some existing hardstanding remnant of the this former use.”

This is incorrect. There is no existing hardstanding and the storage part of the depot (the Nissen huts) did not form part of this site.

12.2 Public Open Spaces

- 12.2.1 The report sets out the requirements for Public Open Spaces. Quite simply, the proposed open space typologies do not meet the requirements as set out in the response from Pegasus, page 3. The fundamental problem is that so little green space is left, there is not enough to fulfil all the requirements.

- 12.2.2 In essence, too many demands are being made of the remaining green space. It is supposed to be the receptor site for translocated reptiles, a habitat for birds and bats, a habitat for amphibians, a children’s play area and a trim trail.

12.3 Child Safety

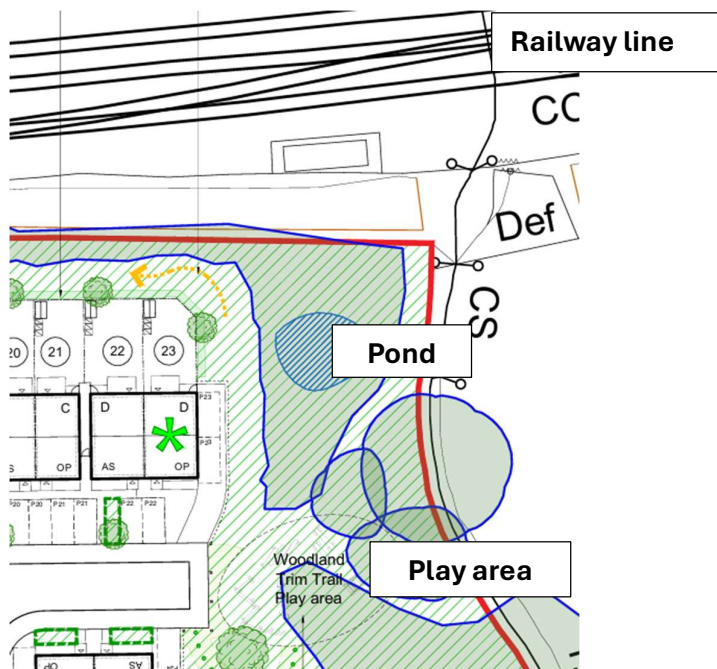
- 12.3.1 The report points out that there is no hard boundary to the site and particularly draws attention to the proximity of the railway line. Looking at the plan, it is perfectly feasible for children to stray onto the railway line. There is currently no effective boundary fence between the site and the railway and the Pegasus Group response of 21st October states:

“The proposal does not propose any changes to the existing fencing to the railway, which is North of the green buffer.”



This photograph is taken on the northern edge of the site at the bottom of the railway embankment and shows that the boundary is marked by a post and wire fence which is in generally poor condition.

12.3.2 The stream and pond will also be unfenced. These are alongside the children's play area.



12.3.3 Water levels in the stream can rise significantly in the winter.



At a low level in spring, 2024, but note the collapsed bridge which was washed away by flooding.



The same crossing point but from the opposite bank. Taken Monday, 25th November after Storm Bert.



Looking towards the eastern boundary of the site taken 25th November.

12.3.4 It is pointed out that the children's play area, in addition to being near an inadequately fenced railway line, stream and pond, also sits at the end of the main access road. This poses a danger to children and encourages encroachment by cars. None of these points is addressed.

12.4 Landscaping

12.4.1 The author of this report also comments on the ugly nature of one of the lines of housing (plots 6-23). The response? Some of the houses have been moved by a tiny amount. How is this improving the appearance of this long row of tiny boxes?

12.4.2 The report further comments that the Illustrative Street Scene has few landscaping features to soften the urban form:

“When entering the estate, one's perception is that it will be dominated by cars and the built form with little obvious “greening”.

12.4.3 The updated plan does not make any significant adjustment to the landscaping so this comment has not been addressed. For example, there are the same number of trees at the roadside on each plan.

12.4.4 Also, on the revised plan, trees are shown on the northern verge of the access road. However, the access road is narrower than shown here by at least a metre; the site boundary has been shown immediately adjacent to the house wall of 15

Antrobus Close but this property has a gate and side passage. It is unlikely that there would be space for trees on this verge.

Conclusion:

The developers have not adequately addressed the points raised in this report.

- **They do not propose to have the necessary mix of public open spaces.**
- **Too many competing demands are being made on the remaining green space.**
- **Vital child safety issues relating to open access to the railway line and open water have not been addressed.**
- **A minor adjustment to the positioning of the row of terraced houses does not make any appreciable difference to the ugliness of this street scene.**
- **Landscaping remains sparse.**

13. DESIGN AND ACCESS STATEMENT

Design and Access Statement by UMAA Architects, May 2024 and updated October, 2024

- 13.1 Very little has changed within this document. Not even the factual errors have been corrected:

“...is within 10 minutes’ drive of leisure facilities at Hatton Shopping Village and the larger local settlement at Hatton Park.”

Which facilities would those be?

“...all new dwellings have been treated as detached or semi-detached houses, or arranged into small terraces.”

There are NO detached houses and terraced houses are in the majority.

- 13.2 Page 11 shows barely perceptible changes to the positioning of a small number of the houses. Plots 6-11 have been moved back by 450mm and plots 12-17 have been moved forward by 450mm.
- 13.3 On page 12, there is a somewhat desperate attempt to demonstrate that the layout of the houses mirrors housing in the rest of the village. There is simply no comparison between the larger, detached houses which predominate in Ash Close, Oakdene Crescent and Antrobus Close. Although many of these houses are link detached, they are nevertheless well-spaced and built at nothing approaching the density proposed.

A photo of some houses in Station Road has been provided in their updated report but it is deliberately designed to mislead. In reality, these houses are not

at all typical of Station Road which is dominated by large, detached houses and bungalows. The houses in the photo are not even part of the overall street scene but are tucked away in a cul de sac.

Conclusion:

- **NO meaningful changes have been made to the design of this proposal.**

14. LANDSCAPE

Response by Catherine Laidlaw, Landscape Officer – Objection

Response by the Pegasus Group, October, 2024

Landscape and Visual Appraisal by Zebra Landscape Architects, May 2024

- 14.1 There is an error in Ms. Laidlaw's report where she states that the former MOD storage was dismantled. The dismantling did not take place on this site as it was never built on. However, Ms. Laidlaw is correct in her assertion that:

"...and the site has since regenerated. It can therefore be viewed as now forming part of the function and character of the green belt that surrounds the village edge."

- 14.2 Ms. Laidlaw echoes comments made by others that the houses are urban in character and too densely built. The high density would have a negative impact on the ecological corridors proposed.

- 14.3 Inaccuracies were found in the Landscape and Visual Appraisal Report which were reported in my original objection. These have not been addressed.

- 14.4 Turning to the response from Pegasus Group, it is obvious that the author of this report has never visited the site.

On page 4, she states:

"The site has a far stronger relationship to the village and a spatial equivalent to these surrounding land uses. The site shows little of the local landscape character as the previous use had changed the character of the site."

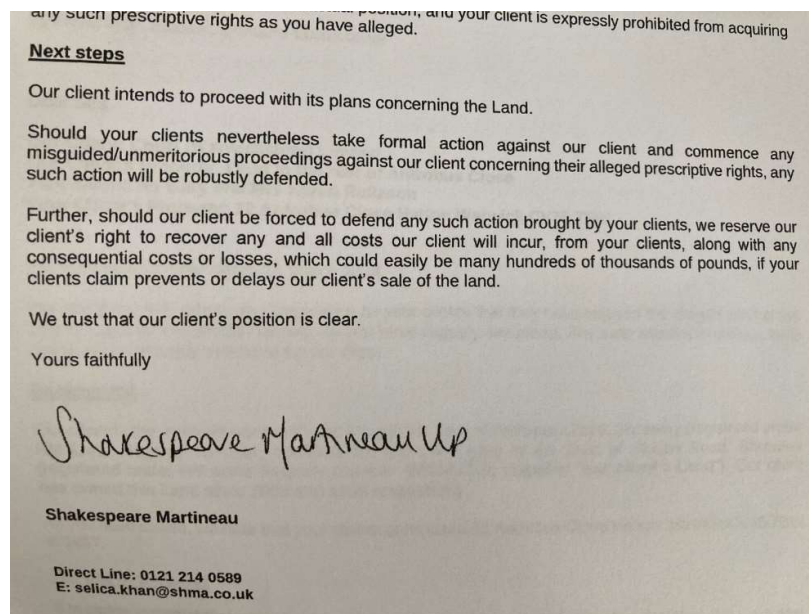
- 14.5 This is nonsense. Antrobus Close forms the natural eastern boundary to the village. It should be remembered that these houses would not form part of the village but would be tucked away down a narrow access road. Previous use has NOT changed the character of the site. Whilst no longer under cultivation, it has effectively turned itself into a nature reserve, albeit one which would benefit from some sensitive management. It should be remembered that this site sits within Ancient Arden, as discussed in my earlier objection, for which the strategy is to conserve and restore, not destroy.

Conclusion

- The site is an important part of the Green Belt;
- The houses are too dense and will have a negative effect on wildlife;
- It is quite wrong to imply that the site has little local landscape character;
- Inaccuracies in the Landscapes and Visual Appraisal Report have not been corrected.

15. RIGHTS OF ACCESS

15.1 Some of the residents of Antrobus Close have acquired prescriptive easement rights over the land through walking across it for more than the necessary 20 years. A solicitor with particular expertise in this area was consulted, who having reviewed all the necessary paperwork, including deeds, has confirmed that this claim is a legitimate one. The landowner's response has been to resort to threats. This is an extract from the landowner's solicitors.



Overall Conclusion

The developers think that they have a winning combination: a brownfield site and affordable housing. How could anyone object to that?

However:

- It has been demonstrated that the site should not be classed as brownfield.
- It is in the Green Belt.

- It does not conform to the Local Plan.
- Some thought should be to the welfare of the people who would live in these houses. It is more expensive to live in a rural area and, if they do not drive, they will find basic services very difficult to access. Our non-driving near neighbour regrets moving here; winters are very lonely for her. There is nothing to occupy children and teenagers without them being driven away from the settlement.
- The houses are tiny, ugly and will suffer noise and air pollution. The site is dangerous for children. An added worry is that there seems to be no plan to address the site contamination.
- This is a far from inclusive scheme, regardless of what the Design and Access Statement might say. What type of housing do the elderly frequently request? Bungalows. Where are the houses specifically designed for the disabled?

This proposal should be rejected.

Evidence to Support the Removal of site R77 from the Brownfield Register

Appendix 1

Introduction

According to the glossary of the current Local Plan, the term brownfield is equivalent to the term previous developed land and the definition of the latter is:

Previously developed land: Land that is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage can be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Note that the list of exclusions makes it clear that once a site is deemed to have returned to nature, it is no longer brownfield.

Evidence

1. WDC has previously acknowledged that the site is not a brownfield site.

In the Village Sites Appraisal, WDC, 2014, it is noted in the final column that:

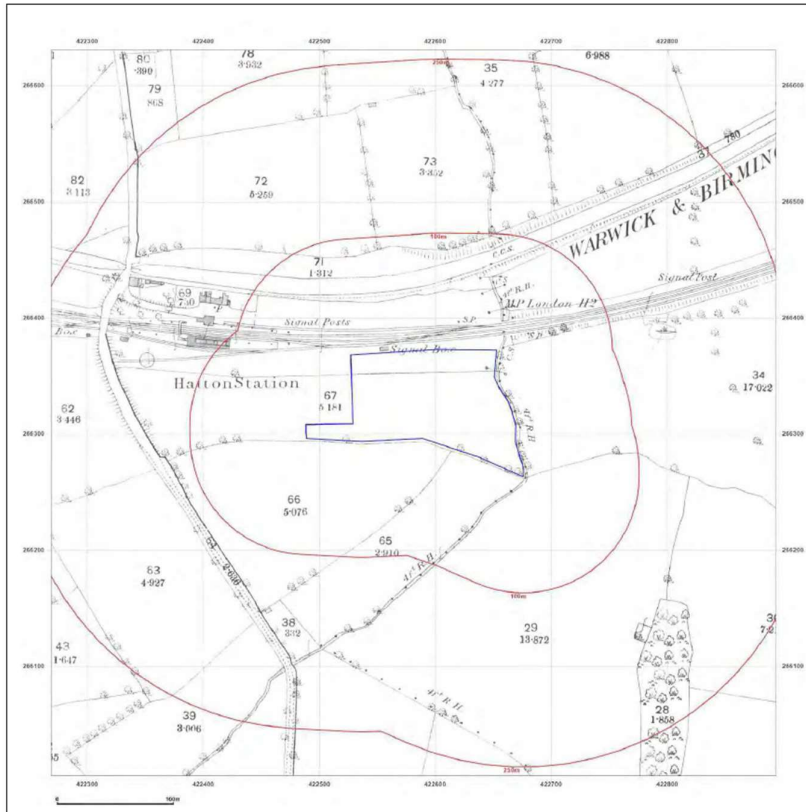
Not a suitable location for an allocated housing site. Village allocated for limited infill only, due to the lack of services / facilities. Site falls outside the village envelope. This once brownfield site has become naturalised and there is concerns over the landscape and ecology value of the site.

Having noted that the site is no longer a brownfield site in 2014, why include it on the brownfield site register in 2017?

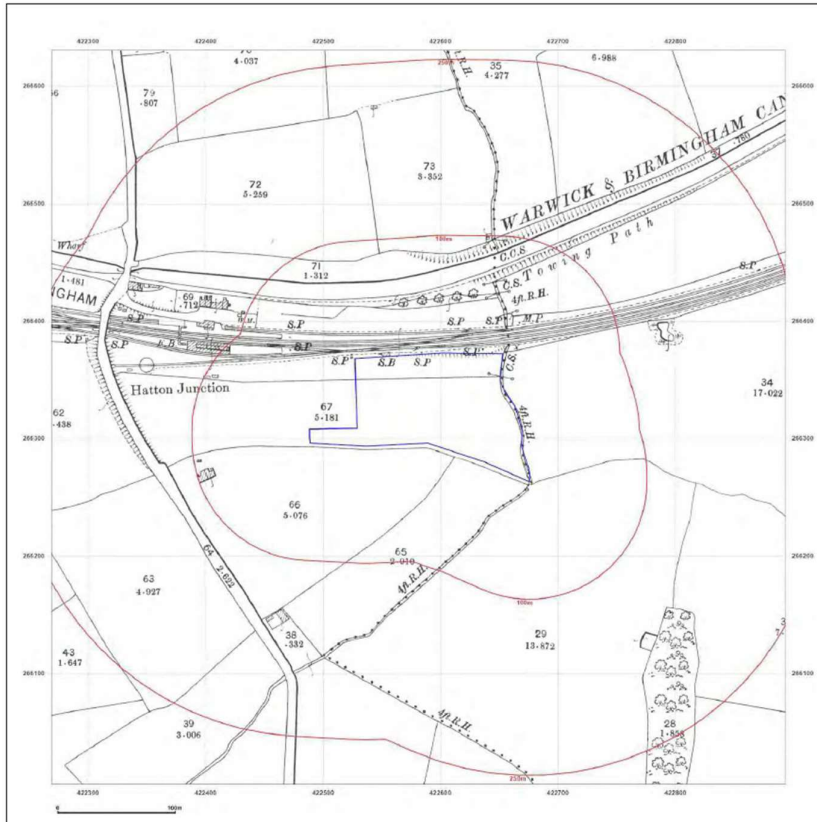
2. Evidence of there ever being a significant structure on the site is lacking.

There seems to be a lack of understanding that the **actual** storage depot was demolished and built upon in the 1970s. The Nissan huts visible in some old photographs were replaced with Antrobus Close, Ash Close and Oakdene Crescent.

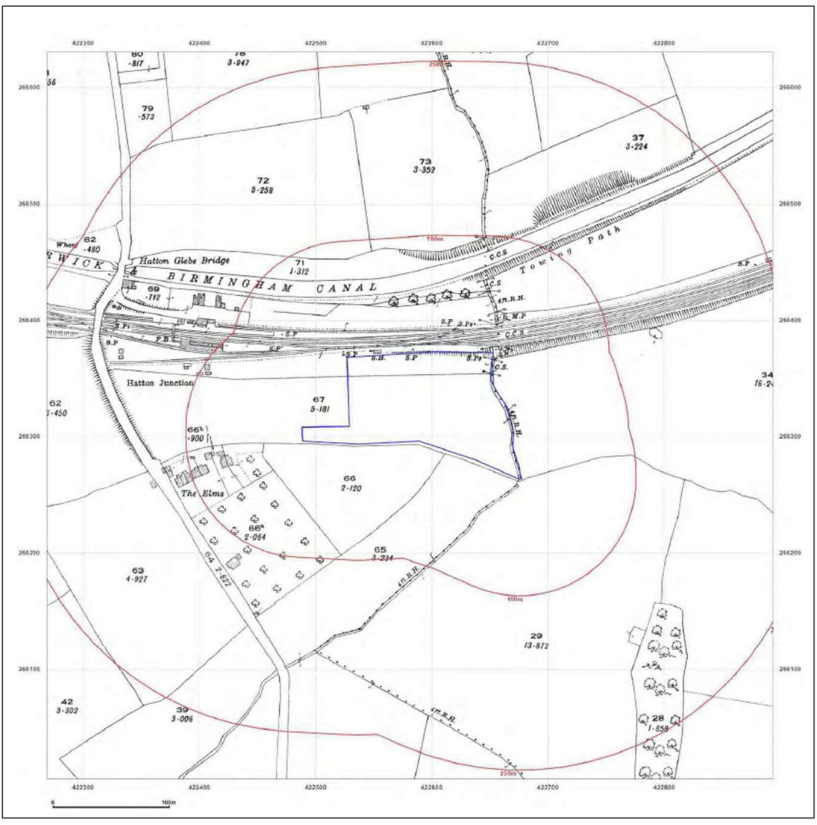
The developers' own consultants, Arena Geo, have helpfully provided a series of old maps, showing that the only manmade feature which has ever existed on site R77 is a narrow track, presumably designed to facilitate the movement of munitions from the railway siding to the now-demolished Nissan huts. **There are no buildings on any of these maps.**



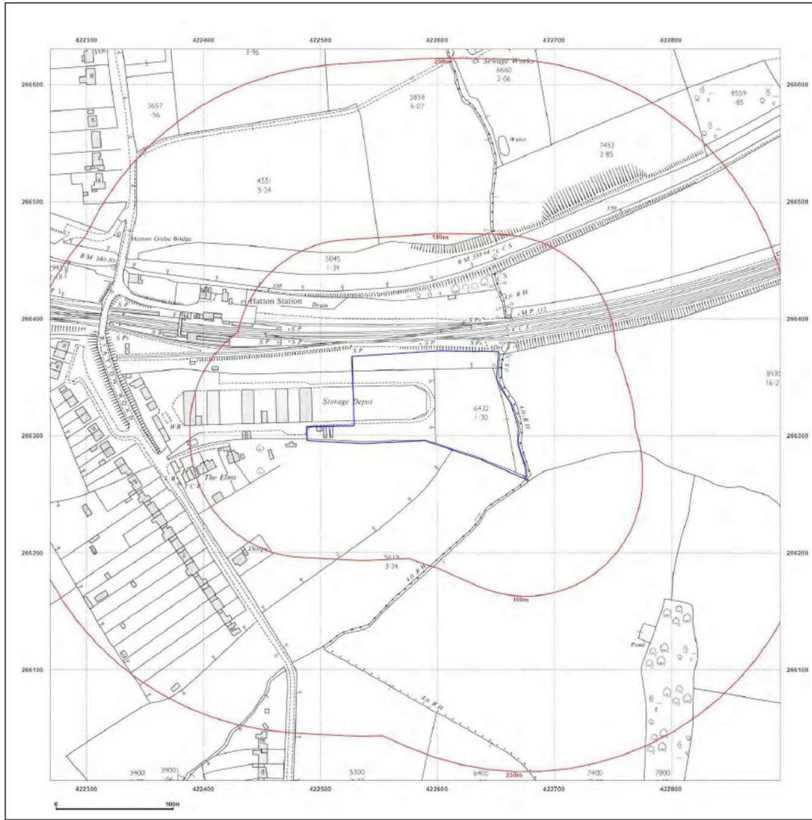
1887



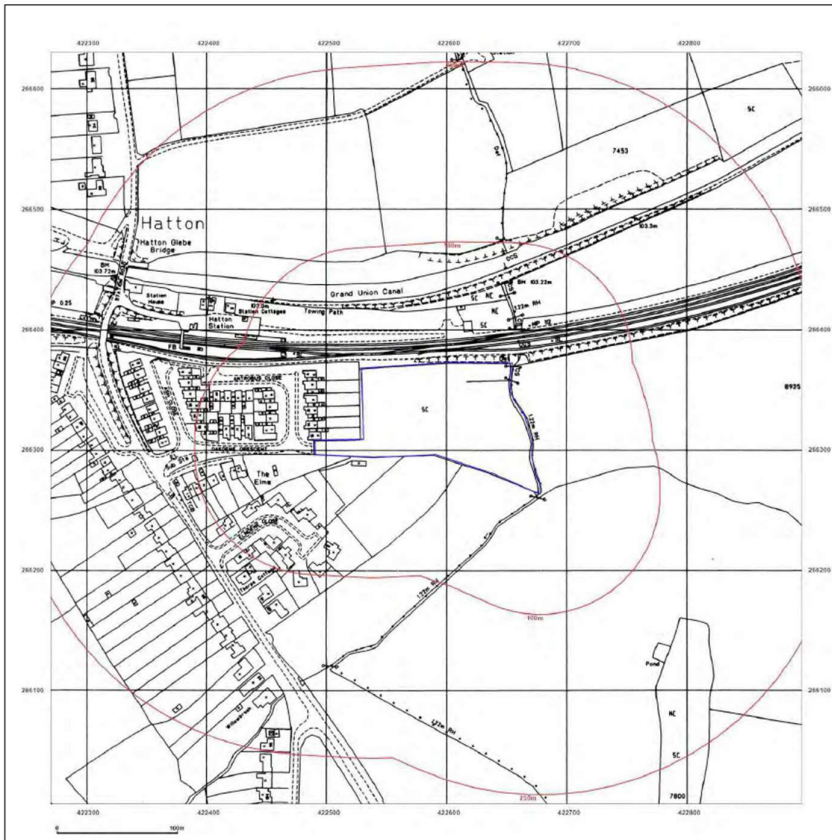
1905



1925



1968



1978



1993

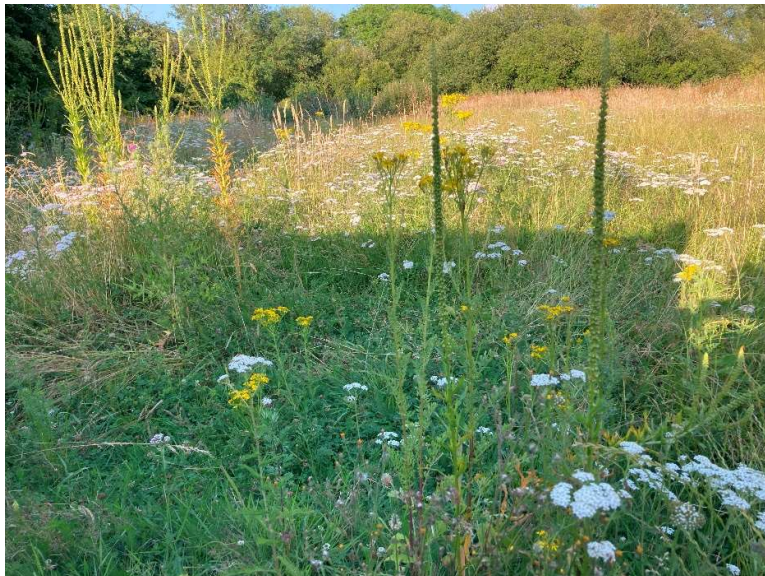
This is an aerial photograph from 2016 which clearly demonstrates that the track has completely disappeared and that the site has reverted to nature.



Arena Geo dug test pits in the area shown as grassland in the photograph above. They did not find any evidence that the track still exists under the surface.

3. The site today

Recent photographs taken in spring and early summer:





Referring back to the definition of a brownfield site:

The definition excludes land where..

“...the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”

Conclusion:

- **It does not fit the definition in the Local Plan of a brownfield site.**
- **WDC recognised in 2014 that it is not a brownfield site.**
- **There is no evidence of any building having existed on this site.**
- **The only manmade feature that has ever existed was a narrow track. This does not appear on any maps or aerial photographs after about 1970.**
- **There is no evidence at or below the surface of this track today.**
- **The site has completely reverted to nature and is a recognised reptile habitat.**
- **The decision to include the site on the brownfield register seems to stem from its historical association with the neighbouring Ministry of Defence storage depot.**

THIS IS NOT A BROWNFIELD SITE AND SHOULD BE REMOVED FROM THE REGISTER.