

Mr M Hayden BSc (Hons) DipTP MRTPI
Inspector
c/o Rugby Borough Council
Town Hall
Evreux Way
Rugby
CV21 2RR

22nd March 2018

Dear Mr Hayden,

RE: Submission as part of Rugby Borough Council Local Plan Examination / Stage 2 Hearings

1. I wish to register my support for the numerous requests for the Rainsbrook Valley to be recognised as a key local landscape within the new Local Plan and as such afforded far greater protection from development.

2. I believe that the Council's Green Infrastructure Proposals (LP 02.19) are flawed given that they do not add further much needed protection to the Rainsbrook Valley. This is a significant concern given a number of recent large development applications that have been submitted for sites on the cusp of the Rainsbrook Valley on the edge of the Dunsmore Plateau.

3. Given the guidance within the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG)¹ in respect of recognising the intrinsic character and beauty of the countryside it is clear that policies NE3 and NE4 are not suitably robust and should be significantly strengthened with the Rainsbrook Valley being recognised as a key local landscape. The guidance in respect of the preparation of landscape character assessments is also clear and I do not believe that the Rainsbrook Valley Landscape Sensitivity Study of January 2017² has been given due consideration in the Local Plan document.

4. In this document the Rainsbrook Valley is broken down into separate parcels/zones but it is clear on page 10 that the area around Hillmorton is of high sensitivity to development. As such I am greatly concerned that this has not been recognised in the Local Plan and the area afforded significant and defined protected. It is clear from the document that the area is visually sensitive (page 11), has a high sensitivity to housing development (page 11) and that the area should be conserved and the landscape improved (page 11). It should also be noted that Rainsbrook Valley Landscape Sensitivity Study of January 2017 builds upon the findings of The 2006 Landscape Assessment of the Borough of Rugby³ where the Rainsbrook Valley and the areas within the Dunsmore Plateau were considered to be of medium or high sensitivity to any form of development. In this document Map 2 Visibility clearly demonstrates that the Dunsmore Plateau Fringe is of high sensitivity and this area stretches from Hillmorton to Dunchurch.

5. Although Rugby Borough Council has argued that landscape is protected within Policy NE4 it is clear that the policy will not prevent future speculative development applications from being submitted and as such the area will remain under threat should it not be afforded specific protection in this Local Plan. Indeed the policy is more concerned with integrating landscape concerns into developments rather than ensuring that irreversible detrimental damage is not done to sensitive landscapes such as those found within the Rainsbrook Valley.

¹ HM Government, Planning Practice Guidance, Natural Environment, Landscape, Paragraph 001 Reference ID: 8-001-20140306

² Rainsbrook Valley Landscape Sensitivity Study, January 2017, Final amendments March 2017, Produced by Warwickshire County Council Landscape Architects on behalf of Rugby Borough Council

³ Landscape Assessment of the Borough of Rugby, Sensitivity and Condition Study, Warwickshire County Council, April 2006

6. Rugby Borough Council's justification for not affording specific protection for the Rainsbrook Valley is based upon the area presently not having "any nationally or locally significant designated areas which could soundly inform a specific local plan designation or inclusion within the Green Infrastructure Network"⁴ but makes no reference to either of the studies referenced above.

7. Sir I would like to draw your attention to the Appeal Decision by Inspector Mark Dakeyne in respect of Appeal Ref: APP/E3715/W/16/3158785, Land at Barby Lane, Hillmorton, Warwickshire. This application proposed to build up to 107 residential dwellings within the countryside on the cusp of the Rainsbrook Valley and the Dunsmore Plateau. The Inspector dismissed this Appeal and concluded that "the development would have a significantly harmful effect on the character and appearance of the area"⁵. Indeed it was noted that Rugby Borough Council based their justification for the refusal of the initial application on the grounds that the site "lies within a valued landscape which paragraph 109 of the Framework says should be protected and enhanced"⁶. The Inspector recognised that the area around this site "has high sensitivity to change and demonstrable physical attributes".

8. At paragraph 45 in his Appeal Decision the Inspector noted "the adverse impacts of granting planning permission arising from the substantial environmental harm to the landscape" and significantly also noted the potential for setting precedent for further development within the area given the further application received for land to the East of Barby Lane by a separate speculative developer. The Inspector noted that this was "more than a generalised fear of precedent but a realistic and specific concern" (para 46). Indeed it should be noted that this parcel of land was subject to a planning application for three dwellings in 2006 and again after being refused by the Council an appeal was dismissed by the Inspector.⁷ Again the Inspector cited the harm any development would cause to the appearance of the area and landscape.

9. It is clear that without further specific protection within the Local Plan that further applications will come forward in the coming years for parcels of land within the Rainsbrook Valley and the Dunsmore Plateau. Given that Rugby Borough Council clearly based its defence of its decision to refuse planning permission for the application cited above based on the Rainsbrook Valley being valued landscape I am at a loss to understand why they do not intend to fully protect that landscape within the Local Plan. It would seem to me a logical next step to ensure that the area is preserved for future generations.

10. Sir I would ask that you consider extending the present Green Infrastructure Proposals within the Local Plan to specifically include the Rainsbrook Valley and in particular parcels of land 14a, 14b, 14c, 14d, 14e, 14f, 14g and 14j to create a fluid corridor. This sensible and justifiable adjustment to the Local Plan will ensure that the Rainsbrook Valley is afforded the protection it demonstrably demands and will protect it from the threat of speculative development in the future, preserving it for future generations.

Yours sincerely,

Councillor Yousef Dahmash
Warwickshire County councillor for Hillmorton

[Redacted signature block]

⁴ Local Plan Publication Draft, Consultation Responses Summary, Rugby Borough Council, April 2017, page 34

⁵ Appeal Decision, The Planning Inspectorate, Appeal Ref: APP/E3715/W/16/3158785, Land at Barby Lane, Hillmorton, Warwickshire, page 4

⁶ Appeal Decision, The Planning Inspectorate, Appeal Ref: APP/E3715/W/16/3158785, Land at Barby Lane, Hillmorton, Warwickshire, page 4

⁷ Appeal Decision, The Planning Inspectorate, Appeal Ref: APP/E3715/A/05/1181699, Waldins Farm, Barby Lane, Hillmorton, Rugby, Warwickshire, CV22 5QJ