

Of NIMBYs, BANANAs and AGAs: Local Planning under the Localism Bill

Members of the Leamington Society were joined by fellow members of the Warwick, Stratford-on-Avon and Kenilworth Societies to hear Professor Patrick McAuslan give a most entertaining, if slightly scary talk about local planning under the new Localism Bill, currently making its passage through Parliament.

In my introduction, I suggested that many people, including local authorities and professional planners, are finding it hard to know what the implications of this new legislation will be. In evidence of this, I quoted a former Chief Planning Inspector, no less, who said recently: “After a decade of constant change, we have now entered a period of genuine chaos”. Patrick then proceeded to explain in great detail the contents and ramifications of the Localism Bill, only to confirm my worst fears for the future of town planning in this country.

- To start with, Patrick brought us up to date with some of the latest jargon. We all know what NIMBYs are, but did you know that BANANAs are ‘Build Absolutely Nothing Anywhere Near Anything’ and AGAs are ‘Anything Goes Anywhere’?

Patrick had a daunting task in talking about a Bill that is 300 pages long, covering a very large number of subjects – general local government powers and duties, local taxation, planning, housing and urban regeneration. On town planning, although the new neighbourhood planning functions are probably the centrepiece of Part 5 of the Bill, they only take up 6 out of 31 clauses and only 3 out of 6 schedules on planning in Vol. 2 of the Bill.

Patrick’s task was not made any easier by the fact that although the Bill was introduced to Parliament last December 2010, there are still no regulations of any kind published to date, which makes it impossible for anyone to know how the new system will work.

A central plank of the Bill is the introduction of neighbourhood development plans and neighbourhood development orders. Local communities will be in the driving seat in determining how and at what pace their communities will develop – or not as the case may be. These concepts can be summarised as follows:

- The Bill proposes a new type of neighbourhood initiative known as a ‘Neighbourhood Development Plan’ (NDP). These plans will set out policies in relation to the development and use of land in a defined neighbourhood area. Once such a plan is made, and adopted, it will become part of the statutory development plan for the District.
- The Bill also proposes that planning permission can be granted through ‘Neighbourhood Development Orders’. (NDO) Such orders will be able to grant planning permission (with or without conditions) for specific sites within, or for the whole or part of a neighbourhood area. In addition, the Bill proposes a sub-category of Neighbourhood Development Order, called a ‘Community Right to Build Order’ (CRBO), which will provide for community-led site specific development.

Patrick had a lot of fun trying to explain how the Neighbourhood Plans would work, for example: who can start the ball rolling on these orders and plans? Answer a ‘qualifying body’, which is a parish council (or town council) or a neighbourhood forum. A neighbourhood forum is a body which is established for the express purpose of furthering the social, economic and environmental well-being of individuals living or wanting to live in an area that consists of or includes the neighbourhood area concerned. The membership of the body is open to individuals living or wanting to live in the neighbourhood area concerned, at least 21 members of the forum must live in the area concerned.

How the ‘wanting to live’ is to be determined is left entirely unclear. Does it mean that a community of travellers could become or insist on joining a neighbourhood forum?

After examining many other aspects of the Bill, all with similar areas of vagueness and lack of any clear

It was built in the early 1860s for the Company Secretary of the Warwick and Leamington Bank, Hubert Lloyd, whose initials are still engraved in the pilasters flanking the main entrance. It was designed in the elaborate Late Classical Style with Egyptian decorative motifs, by G T “Metz” Robinson, drawing teacher and notable Midlands architect, who lived nearby in Milverton Crescent.

A ground floor plan dated 1878 shows reception rooms of elegant proportions, generous domestic offices, stables and a coach house. As most of the earlier properties along this side of Warwick New Road were red brick-built, it may be that the house was ‘encased’, i.e. aggrandised by the addition of limestone ashlar blocks which cover the brick skeleton. Certainly rumours circulated that Hubert Lloyd hoped to entertain Queen Victoria there, should she ever make a return visit to Leamington.

Hubert Lloyd died in the summer of 1883. The house had been let for the previous five years, but it had become run-down, a sad story which was to be repeated several times in its history. Letters from the surveyor for Margetts & Co, local Estate Agents and Valuers, to Pines & Co, Hubert Lloyd’s executors, make painful reading. There was damp, cracks in the glass tiles in the roof, the cornices, and the lead flashing above the windows, damaged guttering and missing downspouts: “although the House itself is thoroughly & most expensively built, many of the details are very indifferently finished, ... The heating apparatus is quite unfit for use, ... The Stabling is very meagre & poor for a House of this rental,” – and so on, for three or four closely-written pages.

The tenant was extremely dissatisfied, as one might imagine. He anticipated “an outlay of at least £300 [on the necessary repairs] before he [would] renew his lease”, but was nonetheless willing to offer to buy the house for £6000, an offer which the surveyor urged Pines & Co to accept on the grounds that local properties recently put up for auction were attracting no bids, and the [unnamed] tenant, “an impulsive man”, was likely to withdraw his bid and give notice to leave.

The tenant was Joseph Hinks, J.P, a retired oil lamp manufacturer and inventor from Birmingham, who twice became Mayor of Leamington in the 1890s. In spite of the problems, he bought the house and lived there for over twenty years. The house was sold to William Lord Bollin Hinde, who lived there until 1908. He in turn sold the house to William Walter Westwood J.P, of Southam, who promptly leased it to Mr & Mrs Austin Edwards of Warwick for a five year term.

Mr. Edwards was born about 1865 in North Wales. He became a photographer’s assistant, and a film manufacturer of note. In 1912, at the expiry of the lease, Austin Edwards moved to Warwick, where he continued his business as ‘Austin Edwards Photographic Films Ltd’. He became an Alderman of Warwick, and a public benefactor, funding the paddling pool in St Nicholas Park, and leaving the residue of his estate to found a Charity which still supports young students of Warwick.

Westwood lived in the house for three years, before moving nearer the centre of Leamington. He failed to find a new tenant and as he had taken out a number of mortgages on the property, by the end of WW1 he was in financial difficulties. The empty house had been vandalised and was in danger of becoming derelict. Mr Westwood was

obliged to carry out extensive repairs before leasing it, this time to Gilbert Sydney Farnfield, M.A, a schoolmaster from Oswestry School. By 1921, Gilbert Farnfield had turned Milverton Lawn into a boys’ preparatory school, so successfully that within three years, the school had outgrown the building and he



The present house

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EVENTS to December 2011

Rear Admiral Sir Home Riggs Popham

Wednesday, September 14th, 7.30, Pump Room Annexe

John Lowry

A contemporary of Nelson, a brilliant man and a “Damned Cunning Fellow”, all his life Popham was short of money. As one of 44 children, he joined the Royal Navy to make his fortune and employed his buccaneering talents to good purpose. The most outrageous escapade was his audacious and foolhardy invasion of South America in 1806 with a naval squadron of six ships. He faced a Court Martial, pulled strings to escape imprisonment and died of old age.

John has studied this interesting Admiral; we await the Hollywood film.

Experiences recording wildlife sound

Thursday, October 13th, 7.30, Pump Room Annexe

Roger Charters

For the past 50 years, Roger has been recording the sound of wildlife all over the world. He will illustrate his talk with sounds and pictures collected on his travels to Australia, Ecuador, the Scandinavian Arctic, Ukraine and other remote places. Closer to home, Roger will show how there are still unrecorded sounds in our back yards.

HS2

Thursday, October 27th, 6.30, Conference Centre, Dormer Place

Adrian Shooter

Adrian has been spent 40+ years in the railway industry and led Chiltern Railways for 17 years; he is a firm supporter of HS2. He feels that it is in the national interest due to the ever-increasing rail traffic in England. He also believes that it will not have any negative impact on Chiltern and its current “Evergreen” improvements. Come and hear what he has to say.

£5 to include a glass of wine or soft drink; proceeds to the work of the Friends of Leamington Station.

Enquires to Marianne Pitts (01926 885532), Marianne.Pitts@gmail.com

State Ceremonial

Wednesday, November 9th, 7.30, Pump Room Annexe

Lieutenant-Colonel Gerald Lesinski

Gerald Lesinski, the Master of Lord Leycester’s Hospital, will talk about state ceremonial, such as the State Opening of Parliament; the Queen’s Birthday parade and Trooping the Colour. He is an excellent and entertaining speaker.

13 years as MP for Warwick and Leamington

Thursday, December 8th, 7.30, Pump Room Annexe

James Plaskitt

Details in November Newsletter

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Advance notice: It is hoped blue plaques to Sidney Flavel and Henry Tandey will be unveiled in November. Details are not yet fixed.