

27 JUN 2014

Leamington

LOCAL PLAN

helpingshapethedistrict



Publication Draft Representation Form 2014

For Official Use Only

Person ID:

11409

Rep ID:

This consultation stage is a formal process and represents the last opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) before it is submitted to the Secretary of State. All comments made at this stage of the process are required to follow certain guidelines as set out in the **Representation Form Guidance Notes** available separately. In particular the notes explain what is meant by legal compliance and the 'tests of soundness'.

This form has two parts:

- Part A – Personal Details
- Part B – Your Representations

If you are commenting on multiple sections of the document, you will need to complete a separate Part B of this form for each representation on each policy.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the plan has been made available (see the table below). You can also respond online using the Council's e-Consultation System, visit: www.warwickdc.gov.uk/newlocalplan

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be received by **4.45pm on Friday 27 June 2014**

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH**
or email: newlocalplan@warwickdc.gov.uk

Where to see copies of the Plan

Copies of the Plan are available for inspection on the Council's web site at www.warwickdc.gov.uk/newlocalplan and at the following locations:

Warwick District Council Offices, Riverside House, Milverton Hill, Royal Leamington Spa

Leamington Town Hall, Parade, Royal Leamington Spa

Warwickshire Direct Whitnash, Whitnash Library, Franklin Road, Whitnash

Leamington Spa Library, The Pump Rooms, Parade, Royal Leamington Spa

Warwickshire Direct Warwick, Shire Hall, Market Square, Warwick

Warwickshire Direct Kenilworth, Kenilworth Library, Smalley Place, Kenilworth

Warwickshire Direct Lillington, Lillington Library, Valley Road, Royal Leamington Spa

Brunswick Healthy Living Centre, 98-100 Shrubland Street, Royal Leamington Spa

Finham Community Library, Finham Green Rd, Finham, Coventry

Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410.

Part A - Personal Details

1. Personal Details*

2. Agent's Details (if applicable)

* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in section 2.

Title

First Name

Last Name

Job Title (where relevant)

Organisation (where relevant)

Address Line 1

Address Line 2

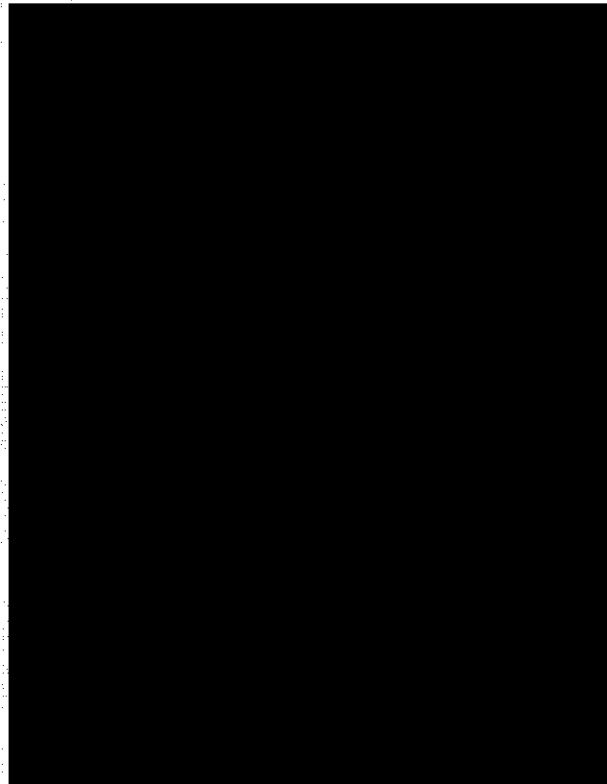
Address Line 3

Address Line 4

Postcode

Telephone number

Email address



3. Notification of subsequent stages of the Local Plan

Please specify whether you wish to be notified of any of the following:

The submission of the Local Plan for independent examination

Yes No

Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan

Yes No

The adoption of the Local Plan.

Yes No

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Part B - Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA: LOCAL PLAN
Paragraph Number: 2.41
Policy Number: DS 11
Policies Map Number: 18 SITE H20

5. Do you consider the Local Plan is :

5.1 Legally Compliant?	Yes	No	NOT KNOWN
5.2 Complies with the Duty to Co-operate?	Yes	No	NOT KNOWN
5.3 Sound?	Yes	No	✓

6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not (please tick that apply):

Positively Prepared: ✓
Justified: ✓
Effective:
Consistent with National Policy: ✓

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7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

(SEE ATTACHED)

Continue on a separate sheet if necessary

8. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

SIMPLY REMOVE H2O FROM THE PLAN. THERE WILL BE OVER
80 HOUSES REMOVED IN THE PLAN DUE TO WITHOUT IT.

Continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination ✓

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

I FEEL THERE WILL BE CONSIDERABLE PRESSURE FROM DEVELOPERS TO KEEP THIS SITE IN THE PLAN AND I WOULD WELCOME THE OPPORTUNITY TO CHALLENGE THIS.

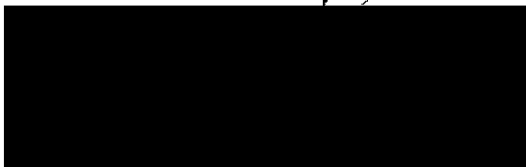
Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

Signed:



Date :

27.6.14

Copies of all the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.

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BOX 7

(representation from [REDACTED], Barford)

The plan is not justified and not consistent with national policy.

1. Site H20 is not necessary to meet the requirements of this growth village. 80 units have been considered appropriate, planning permission for 72 is pending, none of which are considered contentious. Site H22 will deliver over 10, and if sensibly considered for elderly persons flats (an objectively assessed requirement) potentially over 20.
2. The site is within the Barford Conservation Area. A development of modern housing in this location would not preserve or enhance the Conservation Area.
3. The site has been recently listed by the LPA as a locally important historic park and garden.
4. The SHLAA dated May 2014 describes the site (R09) as:

Not suitable due to impact on historic parkland / garden and setting of important listed building. Impact on area of high landscape sensitivity assessment (2013).

5. The 2013 Landscape Sensitivity Assessment for BF_04 describes the sensitivity to housing development as, **HIGH**.

This zone is highly sensitive to development because of its historic significance as former estate parkland with its belt of trees. Care should also be taken not to develop the field adjacent to the allotments, in zone BF_02, as this would completely sever the parkland landscape of BF_04 from the wider farmland setting.

6. The April 2014 Landscape Assessment Update amended the 2013 assessment following representations from developers. There is no change in the written advice and the sensitivity to housing development for BF_04 remains **HIGH**.

This zone is highly sensitive to development because of its historic significance as former estate parkland with its belt of trees. Care should also be taken not to develop the field adjacent to the allotments, in zone BF_02, as this would completely sever the parkland landscape of BF_04 from the wider farmland setting.

7. The only change in this 'update' is that the trees on H20 have been described as "overgrown" and "damaging the former estate boundary wall".
8. As a result of the deliberate neglect* of this site it would seem that the sensitivity has been reduced to **high/medium** which has, presumably, caused the LPA, without adequate consultation, to allocate this site.
9. The site is overgrown and a modern housing development in a Conservation Area, in a highly sensitive landscape within the setting of an important Heritage Asset, is not an appropriate way of achieving simple landscape management.

10. The proposal is contrary to the following paragraphs of the NPPF:

47. Bullet 1 - LPA should use evidence base to ensure local plan meets objective needs.

47. Bullet 3 - Sites should be in a suitable location for housing development.

50. Bullet 2 and 54 - LPA should identify housing reflecting local demand / needs.

110. Plans should allocate land with the least environmental or amenity value.

126. LPAs should set out a positive strategy for conservation should recognise that Heritage Assets are an irreplaceable resource. Use should be consistent with their conservation.

130. Where there is evidence of deliberate neglect* of or damage to a Heritage Asset the deteriorated state should not be taken into account.

132. Significance can be harmed or lost through alteration or destruction of the Heritage Asset or development within its setting. As Heritage Assets are irreplaceable, any harm or loss should require clear and convincing justification.

133. There should be substantial public benefits to outweigh the harm / loss.

137. LPAs should look for opportunities for new development within Conservation Areas and within settings of Heritage Assets to enhance or better reveal their significance.

152. Significant adverse impacts should be avoided.

156. Bullet 5 - Plans should seek to conserve and enhance the natural and historic environment.

157. Bullet 7 - Plans should identify land where development would be inappropriate because of its environmental or historic significance (using evidence base - paras 169 & 170)

159. Plans should take note of objectively assessed needs for housing.

* Evidence has been provided to prove that this site has been deliberately neglected.