

Publication Draft Representation Form 2014

For Official Use Only
Person ID:
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	Mr	Mr
First Name	Richard	Michael
Last Name	Edwards	Davies
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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The adoption of the Local Plan.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

For Official Use Only
Person ID: _____ Rep ID: _____

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:

Policy Number:

DS11

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

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 all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

Rep ID:

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 to 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.

Barratt Homes considers that the approach chosen by Warwick District Council (WDC) to allocating development by disbursing the housing growth across Warwick District, as set out in the Local Plan Publication Draft policy DS11, including to greenfield sites on the edge of villages in accordance with the sustainability of the village, **is justified**.

However Barratt Homes does not consider that the process of apportioning housing allocations to the villages in the Green Belt is supported by a robust evidence base and is therefore **not justified**. These two points are considered in more detail below.

Approach to Allocating Development Via Dispersal

NPPF paragraph 55 acknowledges that housing can have a role in promoting sustainable development in rural areas through locating housing where it will enhance or maintain the vitality of rural communities.

The Warwick District Council (WDC) Settlement Hierarchy Report (Draft), which forms part of the evidence base for the Local Plan Publication Draft, identifies five primary service villages in the District, which are deemed to be the most sustainable villages, based on an analysis of the accessibility of the settlement to services and facilities. Table 4.4 of the Settlement Hierarchy Report (Draft) identifies that the primary service villages are: Hampton Magna, Cubbington, Radford Semele, Kingswood (Lapworth) and Bishop's Tachbrook, out of which Cubbington, Hampton Magna and Kingswood are in the Green Belt. Four out of the five Secondary Villages are also located in the Green Belt: Baginton, Burton Green, Hatton Park and Leek Wootton.

The identification of Hampton Magna as the highest scoring village in the District in the Settlement Hierarchy Report (Draft) is considered to be justified on account of the range of services and facilities within the village, the proximity of the village to Warwick and the connectivity of the village to good local, regional and national public transport links.

As acknowledged at paragraph 3.11 of the Village Housing Options and Settlement Boundaries Consultation (November 2013), new housing, new investment, new residents and new customers are part of the solution to help sustain and support local villages. However the growth of some of the District's villages, such as Hampton Magna, is currently constrained by the location of these villages in the Green Belt.

NPPF paragraph 84 states that "*when drawing or reviewing Green Belt boundaries, Local Authorities should take account of the need to promote sustainable patterns of development*". NPPF paragraph 85 states that "*when defining boundaries, local planning authorities should: ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development*" and "*define boundaries clearly, using physical features that are readily recognisable and likely to be permanent*".

Therefore the approach taken to proposing housing development in the Green Belt adjacent to villages in the District, and in particular adjacent to the most sustainable villages in the District, set out through in the Local Plan Publication Draft policy DS11 is considered to be justified.

Apportionment of Housing Allocations to the Green Belt Villages

The apportionment of housing between the villages, as listed in the Local Plan Publication Draft consultation document at Policy DS11, is not considered to either represent the most appropriate strategy or be justified by a robust evidence base or achieve the spirit of NPPF paragraph 109 with respect to the protection and enhancement of the most valued landscapes.

Continued on the next page...

For Official Use Only

Person ID:

Rep ID:

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 to 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.

...Continued from previous page

Barratt Homes is promoting land to the west of Stanks Farm, Hampton Magna, bordered by a mature hedgerow and existing Stanks Farm buildings to the east, Warwick Parkway Station to the north, Old Budbrooke Road to the west and the northeastern boundary of Hampton Magna to the south. The western part of this site has been considered previously through the Strategic Housing Land Availability Assessment (SHLAA) under site reference R94 and through the Village Housing Options and Settlement Boundaries Consultation (November 2013) under Hampton Magna site option 4. However the Local Plan needs to properly assess the wider site area to the west of Stanks Farm, to ensure that the reasonable alternatives to the proposed housing options have been properly considered.

With specific reference to Hampton Magna, the Local Plan Publication Draft consultation document carries forward the Village Housing Options and Settlement Boundaries Consultation preferred option site, which was one of six options identified. The rationale given behind the selection of the preferred option site, given at page 44 of the Village Housing Options and Settlement Boundaries Consultation document was to “*minimise environmental impact in a village surrounded by sensitive landscape and Green Belt issues*”. Three of the option sites were rejected on landscape grounds, one on access grounds and one (land west of Stanks Farm) based on connectivity with the settlement. The rejection of land west of Stanks Farm, purely based on the connectivity of the site with the settlement is not considered to justify the rejection of the land to the west of Stanks Farm. The reasons for this view are set out in the remainder of this representation through reviewing the derivation of housing numbers, reviewing sustainability in more detail and assessing landscape value and the impact of development on the Green Belt.

Housing Numbers

With respect to housing numbers, there does not appear to be a consistent and transparent approach taken to deriving the apportionment of housing numbers to the villages. It is certainly not clear whether the 100 dwelling housing allocation for Hampton Magna shown in policy DS11 has been robustly derived.

The Settlement Hierarchy Report (Draft) states, at paragraph 5.9, that the application of baseline growth to Primary Service Villages is for a 20% increase in current household levels, which is then adjusted to take account of the sustainability (and capacity) of village services and the environmental impact of development.

Firstly Barratt Homes queries why the evidence base and background documents for the Local Plan Publication Draft consultation identify different existing household numbers for Hampton Magna. Appendix 7 of the Settlement Hierarchy Report (Draft) identifies the population to be 602. The Village Housing Options and Settlement Boundaries Consultation (November 2013) identifies that Hampton Magna has about 632 dwellings. The evidence base needs to be consistent and any differences need to be explained.

Secondly, even if the lower of the two household figures for Hampton Magna set out above is applied, then, as set out in Appendix 7 of the Settlement Hierarchy Report (Draft), this generates an initial baseline apportionment of c.120 dwellings, which increases to a total potential dwelling score of 155 dwellings when weighting is applied through the assessment of village service tipping points, settlement role and character, suitable sites, environmental impact and settlement vision. Barratt Homes therefore queries why WDC has chosen to restrict the housing apportionment for Hampton Magna to 100 dwellings. The evidence base calculations do not appear to justify this restriction.

Continued on the next page...

For Official Use Only

Person ID:

Rep ID:

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 to 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.

Continued from previous page...

In addition, Barratt Homes notes that the Village Housing Options and Settlement Boundaries Consultation document states that the capacity of the preferred options site for Hampton Magna (Local Plan Publication Draft site H27) is only 100 dwellings once provision has been made for sufficient site screening. Barratt Homes therefore questions whether the 100 dwelling growth of Hampton Magna, as set out in the Local Plan Publication Draft, is being dictated by the potential capacity of a single site rather than the capacity of the most sustainable village in the District to accommodate growth. There is not a clear audit trail to explain this matter.

Thirdly Barratt Homes does not consider the evidence base being relied upon by WDC to reject the potential housing option to the west of Stanks Farm (Hampton Magna location 4 in the Village Housing Options and Settlement Boundaries Consultation document) to be robust on the basis that WDC has not assessed the full potential and capacity of the wider site to the west of Stanks Farm.

Sustainability

The 2013 WDC SHLAA assessed land west of Stanks Farm (R94) as having some potential for development, available and achievable, subject to overcoming potential noise issues and minimising landscape impact. The WDC Local Plan Publication Draft Sustainability Appraisal Report (table 4.16) reiterates the view of WDC that the site is disconnected from the main village settlement, but does acknowledge that the site has some sustainability benefits due to proximity to Warwick Parkway railway station.

One high-level measure of connectivity is to review the approximate accessibility of the land west of Stanks Farm and the proposed Hampton Magna allocation site (H27) to the key services (based on the use of existing pavements and footpaths, from the midpoint of each site to each key facility). This is set out below.

Service	Distance from Site to Service (m)	
	Preferred Site (HS7)	Land West of Stanks Farm
Bus Stop	530	290
Warwick Parkway Railway Station	835	190
Post Office	530	615
Convenience Store	530	615
Budbrooke Community Centre	470	535
Styles Close Play area	295	395
Montgomery of Alamein Public House	540	565
Budbrooke Medical Centre	520	585
Hampton Magna Pre-School	470	535
Budbrooke Primary School	400	535

Whilst the land west of Stanks Farm is not as directly accessible to the majority of key facilities as the proposed site, there is not a significant difference in accessibility and indeed the land west of Stanks Farm achieves better accessibility to public transport than is achieved by the proposed allocation site (H27). Nevertheless, the land west of Stanks Farm is still easily accessible to these facilities and to the local road network and can therefore still be deemed to be in a sustainable and accessible location. On this basis, the comments within the Local Plan Publication Draft Sustainability Appraisal (Page 76, site HM4*O) and Village Housing Options and Settlement Boundaries Consultation document (Chapter 7, village assessment 6) that the site is disconnected from the urban area are not considered to be justified.

Continued on the next page...

For Official Use Only

Person ID:

Rep ID:

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 to 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.

...Continued from previous page...

Furthermore Barratt Homes questions why development at the north eastern end of Hampton Magna would be any less 'detached' from the settlement than existing dwellings on Chichester Lane or Montgomery Avenue at the south western end of the settlement. This needs to be properly taken into consideration within the Local Plan and the evidence base needs to reflect this.

Landscape

NPPF paragraph 14 identifies that sustainable development in the context of plan-making requires local planning authorities to positively seek opportunities to meet the development needs of their areas and that objectively assessed needs should be met, unless adverse impact of doing so would significantly and demonstrably outweigh the benefits. In the case of development at Hampton Magna, careful consideration therefore needs to be given to the impact of housing development on the landscape.

Accordingly Barratt Homes commissioned CSa to undertake a critical appraisal of the WDC landscape and Green Belt evidence base and provide an independent assessment of the landscape considerations and contribution to Green Belt for the land west of Stanks Farm in the context of Hampton Magna and in relation to other Green Belt preferred option village sites. The area assessed is slightly larger than that considered within the SHLAA or Villages consultation document and extends up to the buildings at Stanks Farm. The CSa 'Landscape and Visual Overview and Green Belt Appraisal' (June 2014) has been submitted alongside this representation. However the findings of this Study can be summarised as follows:

- Land west of Stanks Farm is only of medium landscape quality (in contrast with the medium-high classification for the site stated within WDC's evidence base).
- The majority of the area around Hampton Magna is of high landscape quality.
- In landscape terms the land west of Stanks Farm is well related to the existing housing area and is able to accommodate development within robust landscape boundaries. A constraints and opportunities plan has been drawn up to demonstrate this.
- The land west of Stanks Farm offers the potential to create a number of landscape opportunities, including: provision of an appropriate landscape frontage to the approach to the settlement along the Old Budbrooke Road, provision of a landscape buffer alongside the northern and eastern site boundaries to screen views and provide a robust edge to the settlement, retention of the higher ground as new public open space which, if planted with trees; could assimilate the site into the surroundings; creation of framed views towards the tower at St Mary's Collegiate Church in Warwick and St Michael's Church in Budbrooke and retention of existing footpath connections.
- The land west of Stanks Farm provides the opportunity to 'round off' the village at its northern end with a robust northern edge to the settlement, forming a logical expansion to the settlement.
- In terms of the NPPF Green Belt 'tests', development on the land west of Stanks Farm: would benefit from well-defined boundaries and would have little impact on the openness of the adjoining Green Belt nor would it represent an encroachment into the wider countryside; could not be construed as urban sprawl; would not result in coalescence or the merging of Hampton Magna and Warwick; would not impact on any local heritage assets; and would not prejudice urban regeneration within the settlement.
- Development could therefore be delivered in this location with no over-riding impacts on the adjoining landscape, nor on the objectives of the Green Belt.
- In comparison with the Local Plan Publication Draft proposed housing allocations in the Green Belt in the main growth villages, the land west of Stanks Farm has: a lower landscape sensitivity and less of an encroachment on the open countryside than WDC's proposed Hampton Magna housing allocation (H27); a lower overall landscape value than the proposed site at Hatton (H28); would have less of an encroachment into the wider countryside than proposed site H26 at Cubbington; and lower landscape sensitivity and impact on the Green Belt than proposed site H24 at Burton Green.

Continued on the next page...

For Official Use Only

Person ID:

Rep ID:

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 to 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.

...Continued from previous page

- There are issues with the WDC landscape and Green Belt evidence base. The WDC Green Belt and Green Field Review lacks detail on how a judgement has been reached on the overall effectiveness of each function of the Green Belt or how value has been derived. Furthermore the WDC Landscape Sensitivity and Ecology and Geological Study does not consider any of the alternative (non preferred option) land parcels.

WDC's landscape and Green Belt evidence base therefore does not appear to be robust and clear and does not provide a reasonable assessment of the potential alternative village housing sites. There appears to be no justifiable reasons why the land west of Stanks Farm, Hampton Magna, has been rejected as an option for a housing allocation because CSa have shown that it has no over-riding impact on the objectives of the Green Belt and has the lowest landscape value out of the potential options around Hampton Magna, which in itself is the most sustainable village in the District. This also raises questions over the accuracy of WDC's evidence base and the selection process behind the other proposed Green Belt village housing sites.

Taking the layout presented on the constraints and opportunities plan included within Appendix E of the CSa Landscape and Visual Overview and Green Belt Appraisal accompanying this representation as a guide, the net developable area of this circa 7ha site would be circa 3.5ha, taking account of the generous green infrastructure and landscaping provision indicated, equating to a potential capacity of at least 105-120 dwellings (based on a net density of 30-35dph). In reality we would expect the ultimate yield of this site to be higher. This site therefore has potential to deliver the majority or even all of the weighted apportionment of development for Hampton Magna, based on the calculation described earlier.

Notwithstanding this, the evidence base does not even test the potential for the land west of Stanks Farm to be developed in addition to another site at Hampton Magna (eg H27) in order for the full development potential of the very sustainable Hampton Magna to be optimised, realised and expanded beyond the dwelling capacity constraint of 100 dwellings imposed on Hampton Magna by the single proposed allocation H27. As set out above, there is no justification for the restriction to 100 dwellings and we therefore consider this level of housing to be arbitrary.

Furthermore the evidence base also does not test whether some of the development apportioned to proposed sites in villages with higher landscape value or with more of an impact on the Green Belt than is experienced by land west of Stanks Farm, can be apportioned to Hampton Magna to ensure that development is apportioned to the least sensitive landscape (in accordance with the spirit of NPPF paragraph 109) and to optimise the potential development capacity of Hampton Magna.

Therefore it is contended that WDC's approach is not the most appropriate given the reasonable alternatives, because the reasonable alternatives have not been properly considered or based on a robust evidence base. The Green Belt allocations, particularly around Hampton Magna should accordingly be reviewed, for the Local Plan to be found 'sound'.

For Official Use Only

Person ID:

Rep ID:

8. Please set out what modifications(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.

WDC needs to review the robustness of its landscape and Green Belt evidence base and the basis for apportionment of development to the highly sustainable Hampton Magna and include land west of Stanks Farm, Hampton Magna, as a proposed housing allocation in the Local Plan, based on landscape value and Green Belt considerations.

Please note that 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 the 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.**

For Official Use Only

Person ID:

Rep ID:

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:

Barratt Homes is promoting a site to the west of Stanks Farm, Hampton Magna for residential development and therefore it is important for Barratt Homes to participate at the oral part of the examination, to ensure that the approach to housing distribution and allocation to the villages is properly reviewed.

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

[Redacted Signature]

Date

27 June 2014

Copies of all of 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 t consideration of planning applications in accordance with the Data Protection Act 1998.

For Official Use Only

Person ID:

Rep ID: