

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

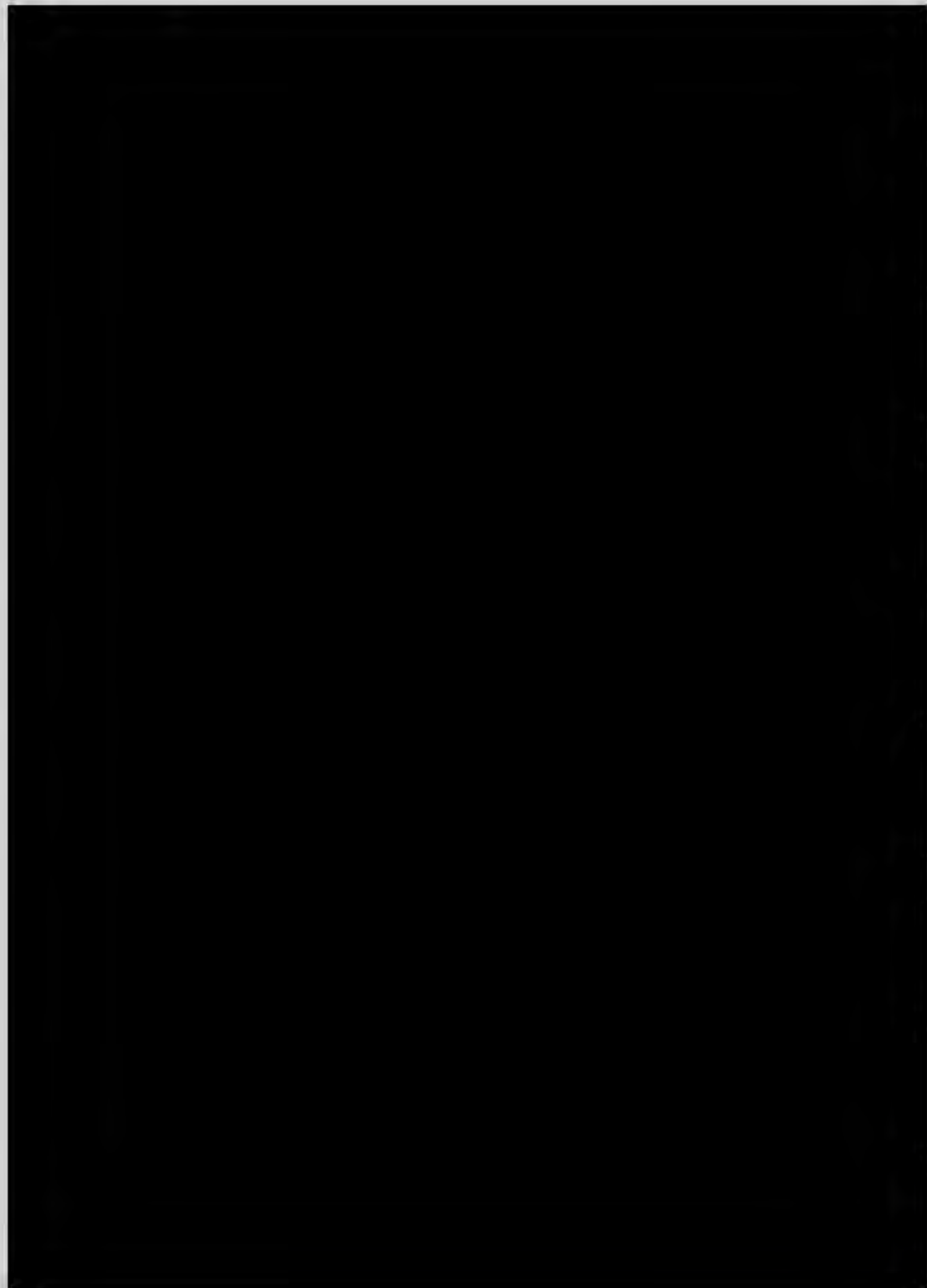
Where to see copies of the Plan

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)
	<small>* 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.</small>	
Title		Mr
First Name		Gary
Last Name		Stephens
Job Title (where relevant)		
Organisation (where relevant)	J S Bloor (Tamworth) Ltd	
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"/>

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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:

Paragraph Number:

Policy Number:

Policies Map Number:

5. Do you consider the Local Plan is :

5.1 Legally Compliant? Yes No

5.2 Complies with the Duty to Co-operate? 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 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.

Bloor Homes Limited has an interest in the land adjoining the village of Hatton Park, between the village's south western boundary and the canal (referred to as land south of Birmingham Road). The attached plan shows the relationship between the proposed village boundary for Hatton Park, the canal and the land in question. The land is not currently proposed to be allocated by Policy DS11.

Policy DS11 allocates one site (H28 - North of Birmingham Road) for new housing on the edge of the village. This site adjoins the south eastern boundary of the village. Its boundary is formed by Birmingham Road to the south, properties on Tidmington Close to the west, and a field boundary to the north. The boundary to the east with open countryside is currently undefined.

Paragraph 85 of the National Planning Policy Framework (the Framework) requires local planning authorities when defining boundaries for the Green Belt to *'define boundaries clearly, using physical features that are readily recognisable and likely to be permanent'*. The draft Local Plan is therefore not consistent with the Framework in failing to define a readily recognisable or permanent boundary to the Green Belt at Hatton Park. Accordingly, the Plan is unsound on this basis.

cont'd on separate sheet

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.

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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Response to Q7 continued

In addition, it is considered that the evidence base does not support the allocation of this site when assessed against the reasonable alternative option (land south of Birmingham Road as shown on the attached plan).

The Green Belt Review (November 2013) considers the site as part of a larger parcel of land (HP4). The Review notes this parcel is a *'reasonably open landscape with a strong visual presence'* and a *'highly visible area which provides an open outlook to the east of Hatton Park'*. The Review also notes that development *'would be seen as either ribbon development or significant village extension'*, with an absence of strong barriers to restrict urban sprawl to the east also noted. Overall, the value of the parcel is recorded as medium-high. The Landscape Sensitivity and Ecological & Geological Study similarly identifies a very strong functional and visual relationship between the site with the agricultural landscape beyond. Again, this site is recorded as high-medium landscape sensitivity.

In summary, therefore, the visual prominence of this site within the Green Belt, its strong relationship with the wider agricultural landscape, and the absence of any definable or permanent boundaries within the wider landscape, is a clear indication that this is not a suitable site to be released from the Green Belt. The essential characteristics of Green Belts are their openness and permanence as defined by the Framework. There is no 'permanence' associated with the boundaries proposed to the Green Belt in this location.

In comparison, the alternative option of land to the south of Birmingham Road is not visually prominent, does not have a strong relationship with the wider agricultural landscape, and has definable and permanent boundaries (namely a road, canal, housing and water treatment works). Having regard to the evidence base, the re-drawing of the Green Belt boundary to remove this site would be far more consistent with national policy in relation to amending boundaries of the Green Belt.

Furthermore, the reasons for discounting land south of Birmingham Road are not supported by the evidence base for the draft Local Plan.

The Landscape Sensitivity and Ecological & Geological Study confirms the land is free from environmental constraints and designations. However, the site has been dismissed on the grounds it forms the setting to the canal, and is an important green corridor. In relation to the land forming part of the setting to the canal, the Landscape Sensitivity and Ecological & Geological Study is not conclusive on this point as it rightly notes that only glimpsed views through the vegetation are possible from the canal. There is no requirement for development of this land to increase views from the canal.

The setting of the Grand Union Canal is not defined by the Council and there would appear to be a lack of consistency in how it is being interpreted between the villages along the canal. Open land alongside the canal at Kingswood (H29 & H30) is proposed to be allocated for housing development within the draft Local Plan. In considering these sites, the Landscape Sensitivity and Ecological & Geological Study requires development on these sites to *'respect the canal setting'* and *'ensure adequate screening from the canal'*. This suggests the setting of the canal has not been consistently interpreted within the evidence base.

In relation to the site forming an important green corridor, the land is not designated or proposed to be designated for its biodiversity value, and the Landscape Sensitivity and Ecological & Geological Study notes the condition of the ecological corridors are *'declining'*. The field itself is not a corridor, as these are confined to the field boundaries and hedgerows

which would in any event be protected, enhanced and managed as part of any development. The development of this land would therefore provide an opportunity to improve the ecological corridor through the site, such as the western boundary as suggested within the Landscape Sensitivity and Ecological & Geological Study.

Notwithstanding this evidence, the Council have concluded within the Village Sites Appraisal Matrix that the site is *'highly sensitive to development and will have a significant impact on the character of this area and the nearby canal'*. Reference is also made to potential impact on local wildlife sites. Having regard to the landscape and ecological evidence base and the comments referred to above, it is not possible to draw this conclusion.

The Village Sites Appraisal Matrix also concludes that the land *'is located away from the main built up area of Hatton Park, potentially leading to an isolated ribbon development along Hatton Hill'*. As noted in the Landscape Sensitivity and Ecological & Geological Study, there is a strong visual link between the land and the former hospital building within the existing Hatton Park development. Furthermore, the creation of a new roundabout and access to serve the land and Brownley Green Lane to the north, will change the character of this part of Birmingham Road and integrate the existing built up area of Hatton Park with the canal and village facilities to the east.

The Framework requires Plans to allocate land with the least environmental or amenity value, and the evidence base would suggest that the selection of the proposed allocation at Hatton Park has not adhered this principle. Furthermore, its selection has failed to have regard to the significant economic and social benefits for the village that the development can deliver. These are highlighted on the attached concept plan and vignette, and demonstrate the ability of this development to:

- Provide a new safe access and car parking at Hatton Locks which is an important tourism and recreational resource within the District;
- Remove vehicle movements and parking associated with Hatton Locks from Canal Road to the east, improving the environment for residents;
- Remove vehicle movements associated with Hatton Locks from the junction of Canal Road with Birmingham Road, improving highway safety and addressing a locally acknowledged highway issue; and,
- Provide a new roundabout junction on the Birmingham Road slowing traffic as it enters the village, and improving access for vehicles entering and exiting Brownley Green Lane.

Paragraph 28 of the Framework requires planning policies to support economic growth in rural areas, including sustainable rural tourism and leisure developments.

Accordingly, it is concluded that the Plan does not contain the most appropriate strategy for Hatton Park when considered against the reasonable alternatives (i.e. the land south of Birmingham Road).

The Council should therefore review its evidence base and strategy for housing growth within Hatton Park, and reconsider its proposed allocation within the more sensitive part of the Green Belt. At present, the draft Local Plan cannot be considered sound and consistent with national policy in its approach to the Green Belt.

This conclusion must also be seen in the context of the representation made by Bloor Homes Limited in relation to the draft Local Plan Strategy and Strategic Policies DS1, DS2, DS6, DS7, DS8 and DS10. In summary, this representation identifies that the draft Local Plan has not been positively prepared and is not consistent with national policy as it fails to

make provision for sufficient housing growth to meet the economic needs and aspirations of the area. Furthermore, it fails to identify sufficient specific developable sites or broad locations to meet the housing requirement.

Any adverse impacts of the development of the land to the south of Birmingham Road in terms of landscape or ecology cannot be regarded as significantly and demonstrably outweighing the benefits in terms of increasing housing supply. Given the failure to make sufficient specific provision for housing growth, the draft Local Plan has not been positively prepared in that it fails to identify 'developable' land at Hatton Park as shown on the plan attached.

In the context of its review of housing growth, and when assessing the effects of increasing housing delivery within the draft Local Plan, the Council should also therefore have regard to the potential of allocating further land at Hatton Park as shown on the plan attached for around 80 dwellings within Policy DS11.

In the absence of these exercises being undertaken, Bloor Homes Limited would invite the Inspector to find this Plan 'unsound'.

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:

It is considered that the concerns expressed in these and related representations in respect of the soundness of the Plan and the need for additional allocations necessitate participation at the oral part of the Examination in order to elaborate on them and the requisite changes to the Plan as well as to answer any questions which the Inspector may have.

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 :

27th June 2014

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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A4177 Birmingham Road

Brownley Green Lane Junction

A4177 Birmingham Road

Homes

Homes

Homes

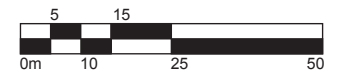
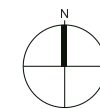
Grand Union Canal

Locks Car Park

Leaflet consultation plan

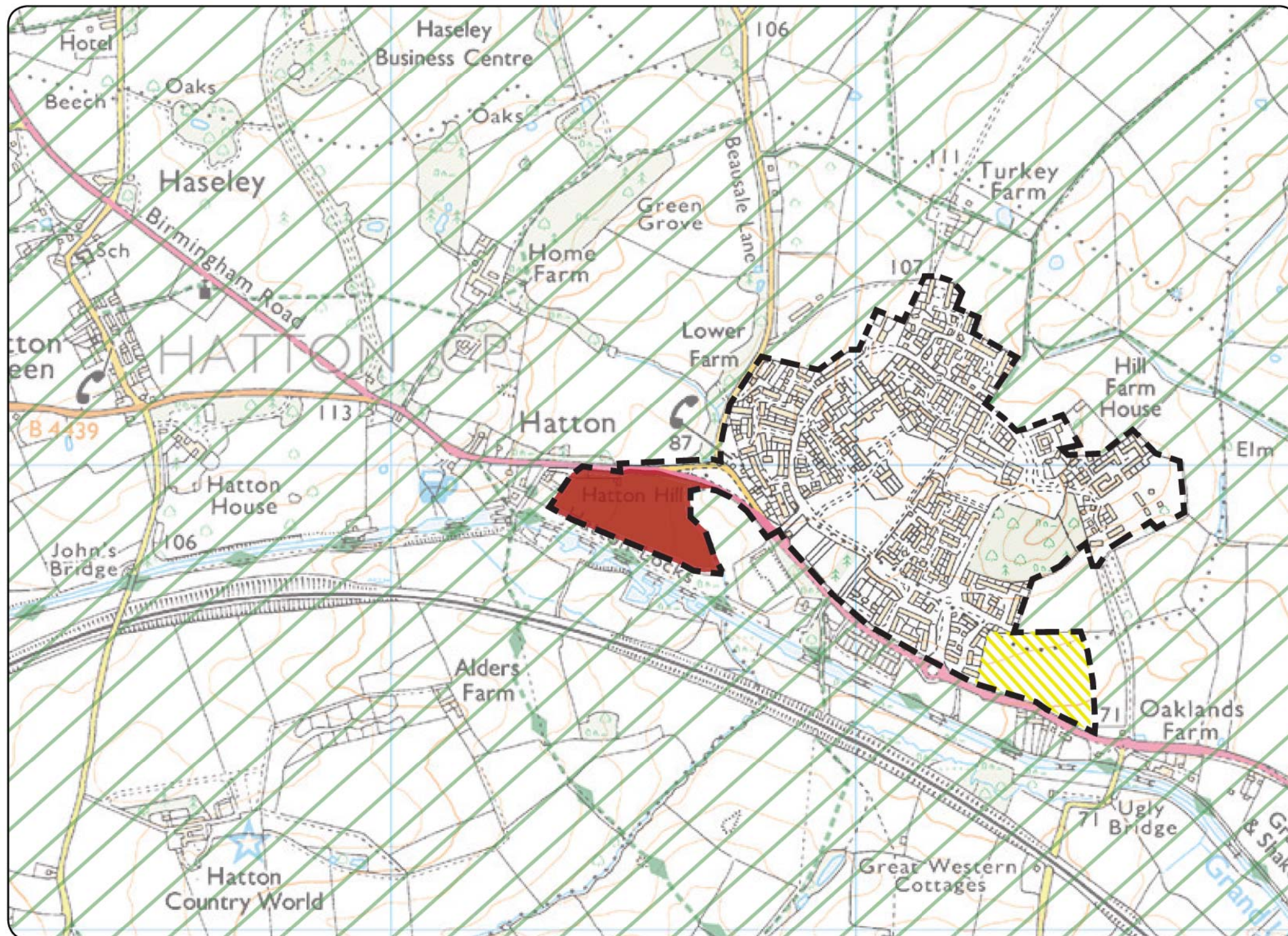


1. Traffic management at the end of existing road providing the opportunity to reduce or remove vehicle movements along Canal Road
2. Reduced vehicle movements turning in and out of Canal Road improving highway safety along Birmingham Road
3. New dedicated entrance into Hatton Locks with minimal impact on existing parking areas
4. Retain view across to the clock tower at the former hospital and frame with tree planting
5. Combined footpath and cycle link
6. Tree planting and buffer to rear of existing properties maintaining privacy and amenity
7. Discrete overflow parking area (approximately 25 new spaces) for Hatton Locks set within tree planting
8. Proposed housing arranged to provide informal overlooking of car parking area
9. Potential access to rear of properties on Canal Road



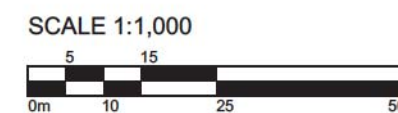
A	Rev
103_SK01	Drg No
Bloor Homes	Client
Hatton	Project
Hatton Locks Access Sketch	Title
1:1,250 @ A4	Scale

Illustrative sketch showing the western end of a proposed development of around 80 units



Legend

-  Potential Development Site
-  Warwick District Local Plan Growth Village Envelope
-  Draft WDLP- Green Belt
-  Draft WDLP- Housing Allocation



	Rev
	Drg No
Bloor Homes	Client
Hatton	Project
Representation by Bloors Homes Ltd to Draft Local Plan	Title
1:1000	Scale