

27 JUN 2014

New Local Plan

Publication Draft Representation Form 2014

For Official Use Only

Person ID:

Rep ID:

7457

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) **N/A**

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**

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

The adoption of the Local Plan. **Yes**

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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:	See pages 6 to 8
Policy Number:	See pages 6 to 8
Policies Map Number:	See pages 6 to 8

5. Do you consider the Local Plan is :

5.1	Legally Compliant?	No
5.2	Complies with the Duty to Co-operate?	No
5.3	Sound?	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:	(not positively prepared)
Justified:	(not justified)
Effective:	(not effective)
Consistent with National Policy:	(not consistent with the NPPF)

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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.

Legal Compliance: The plan has not engaged with community involvement in all stages of the evolution of this Local Plan. A number of issues have been altered since the previous public consultation and the Local Plan is not yet ready for submission to an Inspector.

The use of this response format and the very short time for consultation makes it extremely difficult for the general public to make a contribution on outstanding issues.

Some unpublished policies on sub-regional strategies are used to make major decisions in the Local Plan which circumvents public consultation.

Soundness: Statistics used for the housing numbers and area of employment land are not a credible evidence base to justify the proposals.

Some proposals in the Local Plan are not effective as they rely on action by third parties which is uncertain. The new Kenilworth station is a major infrastructure change and no traffic study is included.

The evidence for the claimed cross boundary duty to co-operate with Coventry Council should be published and objectively examined as the WDC proposals are not in accord with their Plan.

National Policy; The National Planning Policy Framework core requirement for sustainable development is not complied with for some proposals. The Sustainability Appraisal examining the Local Plan is an incomplete study and is not thorough or consistent in examining Local Plan proposals.

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.

- a) Carry out a public consultation exercise on all aspects of the Local Plan to include elements added to this version as the current exercise is too legalistic and excludes the general public.
- b) Publish the sub-regional plan; if it exists, and carry out a public consultation on the contents because this is a key policy underlying the Warwick District Local Plan that the community has been denied access and the right to comment upon.
- c) Delete all references to a sub-regional strategy in the current Local Plan if b) is not carried out.
- d) Carry out a new objective Sustainability Assessment that complies with the 3 core principles in the NPPF for all major proposals in the Local Plan.
- e) To justify the claimed duty to co-operate; provide evidence that the adjoining Local Authorities have a genuine need for land in Warwick District that they are unable to meet in their own area and submit the evidence for public comment..
- f) Revise housing numbers and employment land requirement downwards to comply with current statistical evidence to justify the proposals.
- g) Omit the vague and undefined proposals from the Local Plan or provide revised information proving that they are justified and effective.
- h) Delay submission of the Local Plan until the defects are remedied and put before the local community for a new consultation.

END

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?

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:

a) The NPPF Core Planning Principles state the need for: *"empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future area."*

b) Experience in attending the Gateway Inquiry demonstrated that the Planning Development Officers are not representing the community interests in Warwick District and independent points of view need to be expressed.

c) Policies are being proposed that support vested financial interests against the residents and communities' interests.

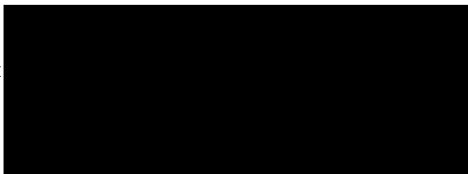
Continue on a separate sheet if necessary

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.

Sig



Date : 26 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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Local Plan or SA: **LOCAL PLAN**
Paragraph Number: **2.80**
Policy Number: **DS16**
Policies Map Number: **8**

The above proposal to remove the area from the Green Belt is based on a claimed sub-regional employment need and is in compliance with a sub-regional strategy. This sub-regional strategy has not been published and no public consultation has been undertaken for it. Use of unpublished strategies to circumvent scrutiny by the local communities is undemocratic and is an attempt to trick the general public in Warwick District into believing this proposal is outside their control.

The justification claimed is that it complies with the evidence base underlying the Regional Spatial Strategy. This is a false claim as the evidence underlying the RSS policies directed the employment sites to the adjoining MUA and the Regeneration Zone of Nuneaton and north Coventry where the City data base says unemployment is 9.5 % compared with Warwick District of 3.5%.

The provision of a major warehouse development at Baginton is also against the recommendations of the RSS evidence base that required Logistics sites to be served by a Rail link. The policies of the Warwickshire County Council and Warwick District Council at the start of the Local Plan process sought to transfer freight from road to rail which is impossible at this location.

The health of the Baginton residents has been ignored in proposing this location and the exceptionally heavy diesel lorry movements will cause health problems to residents which are against the health policies in the Local Plan.

The development of this magnitude in a rural village with less than 2000 residents does not constitute Sustainable Development as required by the National Planning Policy Framework. The failure of the Sustainability Appraisal Report to consider this issue is an example of the inadequacy of this document.

The Local Plan does not provide any evidence of exceptional circumstances to remove this area from the Green Belt. Stating that it complies with an unpublished sub-regional strategy is not a justified reason.

While this development is actively promoted by the Local Enterprise Partnership they are an unelected, undemocratic, unaccountable group and many have financial vested interests which act against community values.

The NPPF imposes a duty to co-operate across boundaries but does not sanction an undemocratic policy agreed by paid officials. (See L.P. item 1.21 CSWAPO Group)
The minister in his foreword to the NPPF specifically condemns this approach:

"Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives.

This should be a collective enterprise. Yet, in recent years, planning has tended to exclude, rather than to include, people and communities. In part, this has been a result of targets being imposed, and decisions taken, by bodies remote from them."

Warwick District Council has not embraced the principals of Localism but is still pursuing undemocratic imposed policies by disguising them as sub-regional requirements.

Local Plan or SA: **LOCAL PLAN**

Paragraph Number: **1.18**

Policy Number: **DS6**

Policies Map Number: **1**

a) The level of housing growth is based on arbitrary selection of growth predictions which have now been shown to be not justified by the latest ONS figures. The Local Plan needs to be revised downward to be sound.

b) The inclusion of statement in clause 1.22 and 1.23 that the Council may wish to revise the figures upwards to accommodate in our district the overspill from other areas undermines the Local Plan process. The duty to co-operate across the districts does not stipulate that this area with limited house land available must sacrifice its environment to please its neighbours.

c) The omission of the Green Belt at Thickthorn must be justified by demonstrating exceptional circumstances. The insensitive zoning approach to this intrusion into the Green Belt should be revised to a more environmentally sensitive approach recognising the value of the landscape with screening and less intense development.

Local Plan or SA: **LOCAL PLAN**

Paragraph Number: **2.5 & 2.6**

Policy Number: **DS2**

Policies Map Number: **1**

a) Item 2.6 claims the basis for the new housing requirement is the 'District's Objectively Assessed Needs' which is based on the needs of the 'Coventry and Warwickshire sub-region'. No sub-regional plan has been published and the validity of these claims cannot be assessed.

b) As this is stated to be the basis of the housing need in Warwick District's Local Plan the evidence should be presented to allow community consultation on the Officers' recommendations for the JSHMA. Use of this procedure is circumventing public consultation and involvement in the Local Plan which is a core principle of the National Planning Policy Framework.

c) If areas of Warwickshire are to be given to Coventry to fulfil its building requirements the residents of Warwick District need to be presented with the proof that Coventry has done everything possible inside its own boundaries before adding to their urban sprawl.

d) The policy of safeguarding the areas of green space around Coventry needs to be critically addresses as the purpose of the 2009 Joint Green Belt review was to find extra land for Coventry and not to consider the needs of Warwickshire or the adjoining communities.

e) The basis of the calculation for housing development in the District has been undermined by the very recently stated aim of Coventry City Council to build a housing development on Kings Hill in Warwick District. This opportunistic development is not included in the Local Plan and it is against the stated purpose of the Green Belt in the NPPF to prevent urban sprawl.