

Consultation on Proposed Modifications (2016) Response Form

For Official Only	
Person ID	
Rep ID	

Please use this form if you wish to support or object to the Proposed Modifications

This form has two parts:

Part A – Personal Details
Part B – Your Representations

If your comments relate to more than one proposed Modification you will need to complete a separate Part B of this form for each representation.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the Modifications have 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 returned by **4.45pm on Friday 22 April 2016**

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 documents:

Copies of the proposed Modifications, updated Sustainability Appraisal and all supporting documents are available for inspection on the Council's web site at www.warwickdc.gov.uk/newlocalplan and also 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, CV3 6EP

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
First Name		Alban
Last Name		Henderson
Job Title (where relevant)		Associate Director
Organisation (where relevant)	Severn Trent	GL Hearn Ltd
Address Line 1		Queen Square House
Address Line 2		18-21 Queen Square
Address Line 3		
Address Line 4		Bristol
Postcode		BS1 4NH
Telephone number		0117 203 3313
Email address		alban.henderson@glhearn.com

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 Modifications to the appointed Inspector

Yes Y No

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

Yes Y No

The adoption of the Local Plan.

Yes Y No

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Part B - Your Representations

Please note: this section will need to be completed for each representation you make

4. To which proposed Modification to the Submission Plan or the updated Sustainability Appraisal (SA) does this representation relate?

Modification or SA:	Modifications 10 and 20 of the Local Plan
Mod. Number:	Modifications 10 and 20 of the Local Plan
Paragraph Number	Page(Para): 24/25/26 (Policy DS11) & New (DS New1)
Mod. Policies Map Number:	36 – King’s Hill (Proposed Mod. 2016)

5. Do you consider the Local Plan is :

5.1 Legally Compliant?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N
5.2 Sound?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N

6. If you answered no to question 5.2, do you consider the Proposed Modification is unsound because it is not:

(Please tick)

Positively Prepared:	<input type="checkbox"/>	Y
Justified:	<input type="checkbox"/>	Y
Effective:	<input type="checkbox"/>	
Consistent with National Policy:	<input type="checkbox"/>	Y

7. Please give details of why you consider the Proposed Modifications to the Submission Warwick District Local Plan are not legally compliant or are unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Proposed Modifications, please also use this box to set out your comments.

Please see attached Representations dated 22nd April 2016.

Continue on a separate sheet if necessary

8. Please set out what change(s) you consider necessary to make the Proposed Modifications to the Submission Warwick District Local Plan legally compliant or sound, having regard to the test you have identified at Question 5 above where this relates to soundness. You will need to say why this change will make the Local Plan/Sustainability Appraisal 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.

Please see attached Representations dated 22nd April 2016.

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 changes, as there will not normally be a subsequent opportunity to make further representations. 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 change, 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:

GL Hearn Ltd act on behalf of Severn Trent who control land adjacent to the proposed King's Hill allocation (H43) Policy Map 36. King's Hill (Proposed Mod. 2016). It is necessary for GL Hearn to attend and participate at the hearing sessions on our client's behalf.

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:

Alban Henderson

Date:

22/04/2016

Copies of all the comments 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.

For Official Use Only

Person ID:

Rep ID:

Our ref: 160422 J035136 Representations FSTW

Your ref:

Mr David Barber,
Development Policy Manager,
Development Services,
Warwick District Council,
Riverside House,
Milverton Hill,
Leamington Spa,
CV32 5QH

22nd April 2016

Dear Mr Barber,

Warwick District Council Local Plan - Consultation on Proposed Modifications (2016)

GL Hearn acts on behalf of Severn Trent in relation to their land interests within Warwick District. Severn Trent own the land identified as the Finham Sewage Treatment Works, located to the immediate south of Coventry city and to the west of Coventry Airport and the Coventry Golf Club. The Finham Sewage Treatment Works site area extends to approximately 47 hectares. The majority of the site comprises operational land with associated sewage treatment apparatus. However, the northern part of the site (circa 2.8 hectares in size) comprises a disused office building and laboratory. This northern part of the site benefits from separate access onto St Martins Road and is no longer required for operational use associated with the Sewage Treatment Works. This land is identified on the attached Location plan. GL Hearn advocate that this land should be included as an employment land allocation within the Warwick District Local Plan in association with the strategic housing allocation at King's Hill (H43) currently proposed as a modification to the Local Plan.

The proposed allocation of King's Hill is expected to provide employment development that could more suitably be provided at the Finham Sewage Treatment Works site. By allocating employment development at the northern part of the Sewage Treatment Site, this would maximise the redevelopment opportunity of both the greenfield King's Hill site and the brownfield Finham site. Therefore, GL Hearn consider that the proposed modification to the local plan in its current form is not the most appropriate strategy and, as such, cannot be considered 'sound' having regard to Sections 20(5) of the Planning and Compulsory Purchase Act 2004 and paragraphs 178 – 182 of the National Planning Policy Framework (NPPF).

The National Planning Policy Framework - Building a strong, competitive economy

With respect to economic development, the NPPF is unequivocal; planning should proactively drive and support sustainable economic development to deliver the business and industrial units, infrastructure and thriving local places that the country needs (paragraph 17). The NPPF sets out that "*significant weight should be placed on the need to support economic growth through the planning system*" (paragraph 19) and is clear that LPAs should "*should plan proactively to meet the development needs of business and support an economy fit for the 21st century*" (paragraph 20). Paragraph 21 of the NPPF further states that LPAs should "*identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period*".

The NPPF makes clear that Local Plans should allocate sites to promote development and flexible use of land, bringing forward new land which is necessary to deliver against growth ambitions. Paragraph 161 further states that local planning authorities should use their evidence base to assess the needs for land or

floorspace for economic development and the existing and future supply of land available for economic development and its sufficiency and suitability to meet the identified needs.

Section 33A of the Planning and Compulsory Purchase Act 2004 sets out obligations placed upon local authorities under the 'duty to co-operate', which requires Councils to engage constructively, actively and on an on-going basis with other local authorities in relation to strategic matters when preparing their local plans. This will include considerations relating notably to the supply of employment land and housing in line with meeting joint ambitions relating to economic growth.

The NPPF also provides policy guidance regarding the need to plan strategically across local boundaries (strategic policies include those seeking to deliver the jobs needed in an area). With specific regard to business, the NPPF states: "*Local planning authorities should have a clear understanding of business needs within the economic markets operating in and across their area*" (paragraph 160). There is a clear, proactive message running through national policy and guidance, which seeks to ensure that economic development needs are actively planned for and met through Local Plans.

The Midlands Engine for Growth

An ambitious masterplan for the Midlands region was recently unveiled within the '**The Midlands Engine for Growth**' prospectus. The 11 local enterprise partnerships (LEPs) covering the region, including the Coventry and Warwick Local Enterprise Partnership (CWLEP), were instrumental in devising the strategy, which makes clear the central objective of developing and driving the Midlands economy. The Midlands Engine for Growth Group aims to develop a pitch book of investible sites across the Midlands Region working with the UK Trade and Investment Regeneration Investment Organisation.

The Coventry and Warwickshire Enterprise Partnership's Strategic Economic Plan (SEP) reflects this strategy and sets out ambitious plans for economic growth. The SEP states:

"The availability of employment sites is fundamental to improving the competitive edge of Coventry and Warwickshire, to attract new investors and retain local businesses in support of economic sectors and wider business growth. CWLEP through its Major Sites Group will work with site developers and local stakeholders to identify investment priorities and key freedoms and flexibilities to support future development" (page 29, Coventry and Warwickshire SEP).

The Coventry and Warwickshire Strategic Employment Land Study (October 2014)

With respect to future employment land requirements, the Coventry and Warwickshire Employment Land Study (ELS) concluded that the Local Economic Partnership and the local authorities should:

*"plan for a **minimum** requirement of 129ha of employment land across the sub-region but aspire to deliver potentially more good quality employment land in order to offer the local and inward investment market sufficient choice and flexibility. Overall delivery should be carefully monitored and planned for across a variety of sites and locations that helps combat deprivation and provides jobs at a local and sub-regional level. Furthermore, **local authorities should carefully plan and monitor levels of employment and housing growth to ensure a balance is maintained between the delivery of major employment sites and the delivery of their housing strategies**"* (paragraph 7.7, page 43, GLH own emphasis).

Proposed Modifications 10 and 20 – King's Hill (Allocation H43) – Policy DS NEW 1 'Directions for Growth South of Coventry'

Within the proposed modifications to the Publication Draft Local Plan, new strategic housing allocations under Policy DS NEW 1 '*Directions for Growth South of Coventry*' have been identified. These housing allocations are intended to help meet both local and sub-regional housing needs and are located to the immediate south of Coventry. The sites in this area are expected to provide residential-led, mixed use development of around 2,225 dwellings over the plan period to 2029, with the potential for additional growth

post-2029. The principal strategic allocation King's Hill (Allocation H43) lies in close proximity to the Finham Sewage Treatment Works on the opposite side of A46 and St Martins Road, to the south east. The King's Hill allocation is identified to accommodate 1,800 dwellings over the plan period. The proposed modifications state the total capacity of the site could be up to 4,000 dwellings with the balance to come forward beyond the end of the plan period. The modifications also state the site has the potential to accommodate some employment land, land for secondary school provision, new primary schools, a local centre and community facilities, a health centre and a new rail station.

The King's Hill allocation lies within the West Midlands Green Belt. The Council has sought to make a case through the allocation of the site that there are exceptional circumstances for the release of this land from the Green Belt. This is on the basis of the essential need for housing, the lack of alternative, appropriate sustainable sites outside the Green Belt and having regard to the assessment of the contribution of the allocated land to fulfilling the purposes of the Green Belt as set out in the published Green Belt Study (2015).

Reviewing Green Belt boundaries

As per the proposed King's Hill strategic allocation, the land identified within the attached Location plan falls within the West Midlands Green Belt. The NPPF states that:

"Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the local plan period" (paragraph 83).

The NPPF is further clear that, when defining Green Belt boundaries, local planning authorities should:

- *not include land which it is unnecessary to keep permanently open;*
- *where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period; and*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period* (paragraph 85, NPPF) (GLH emphasis).

In this regard it is important to have regard to the 'Coventry City Council, Nuneaton and Bedworth Borough Council, Rugby Borough Council and Warwick District Council Joint Green Belt Study Stage 1 Final Report' (June 2015) [hereafter Green Belt Study]. The Green Belt Study considered the relative performance of different parts of the West Midlands Green Belt when considered against the five purposes of the Green Belt. The land associated with the Finham Sewage Treatment Works is considered within this study as part of land Parcel C13. Parcel C13 is identified as a low-performing parcel in that it does not make a significant contribution to the purposes of including land within the Green Belt. It is assessed as being retained by significant boundaries that help to protect the wider countryside from encroachment and check sprawl. Parcel C13 is not considered to contribute to the setting and special character of historic towns (albeit C13 has some intervisibility with the historic core of Coventry). In addition, Parcel C13 is observed to contain built development which to varying degrees compromises the openness and/or urbanises the countryside in the parcel.

It is also pertinent to note in terms of the current policy context that whilst the site is located within the open Green Belt, where there is a general presumption against most development, the NPPF outlines exceptions to this presumption. Such exceptions include the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness and purposes of the Green Belt than the existing buildings. Given the existing built form on site (a vacant office building and laboratory), the redevelopment of this previously developed site would not be inappropriate having regard to paragraph 89 of the NPPF.

Notwithstanding this, given the site's location in close proximity to the proposed strategic allocation (H43), it is considered that the site should be allocated within the Local Plan as part of or in association with the

strategic allocation H43 so that the area can be holistically planned and the most effective use of available land can be secured. The site lies in a highly accessible, sustainable location; Coventry Road runs along the western boundary of the Sewage Treatment Works and the A46 dual carriageway runs adjacent to the northernmost tip of the site. This northern parcel of land identified on the attached Location plan benefits from direct separate access onto St Martin's Road. The northern part of the Sewage Treatment Works provides an obvious location for employment development, appropriate for redevelopment for business, general industry or storage and distribution purposes (Use Classes B1, B2 and B8). This is particularly the case as the proposed allocation H43 has been identified as having the potential to accommodate some employment land. The dual allocation of land for both housing and employment purposes in this location will help ensure there is a balance between the delivery of significant housing development and the attendant employment requirements of future inhabitants in this area. The site represents a logical extension of the emerging strategic allocation.

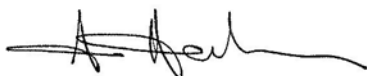
Paragraph 28 of the 'Distribution of Development' paper produced by Warwick District Council to support the proposed modifications sets out the exceptional circumstances for the allocation of the King's Hill site (H43). GL Hearn considers the assessment of the comparative sustainability in location terms of the development at the edge of Coventry also applies to the northern part of the Sewage Treatment Works. The clear need to identify employment sites to support the economic growth of Coventry city and the region as a whole, together with the 2015 assessment of the site in terms of its low-performing role in contributing to the functions of the Green Belt, both contribute to the exceptional circumstances supporting a case that the northern part of the Sewage Treatment Works should be removed from the open Green Belt. The Green Belt boundary should be revised accordingly. The 2015 Green Belt Study considered the land parcel C13 was contained by significant boundaries which prevent encroachment within and directly beyond the parcel. Having regard to the NPPF and the findings of the Green Belt Study 2015, the northern part of the Sewage Treatment Works should be included within the proposed strategic allocation at King's Hill to help meet identified employment land requirements over the Local Plan period and to help ensure that the Green Belt boundary is sufficiently robust, such that it would not need to be altered at the end of the development plan period.

Conclusion

Mindful of the significant future employment land requirements identified for Coventry and the wider Midlands region as a whole, it is considered that the potential for the strategic allocation at King's Hill (H43) currently proposed as a Modification to the Local Plan to help meet such significant employment land needs has not been maximised. This is particularly the case having regard to the published Green Belt Study 2015 which forms part of the evidence base for the Local Plan preparation and identifies the low-performing role the Sewage Treatment Works site plays in contributing to the functions of the Green Belt. In its current form, the proposed Modification relating to the King's Hill allocation (H43) is not consistent with paragraphs 19, 20, 21, 85, 160 and 161 of the NPPF and is not considered sound having regard to Section 20(5) of the Planning and Compulsory Purchase Act 2004 and paragraphs 178 – 182 of the NPPF. Severn Trent confirm the additional land to the south east of the proposed strategic housing allocation (H43) identified within the attached Location plan is suitable and available for employment development (Use Classes B1, B2 and B8) to complement and expand the proposed strategic development site (H43). As such, this land should be allocated for employment use as part, of or in association with, the proposed King's Hill allocation.

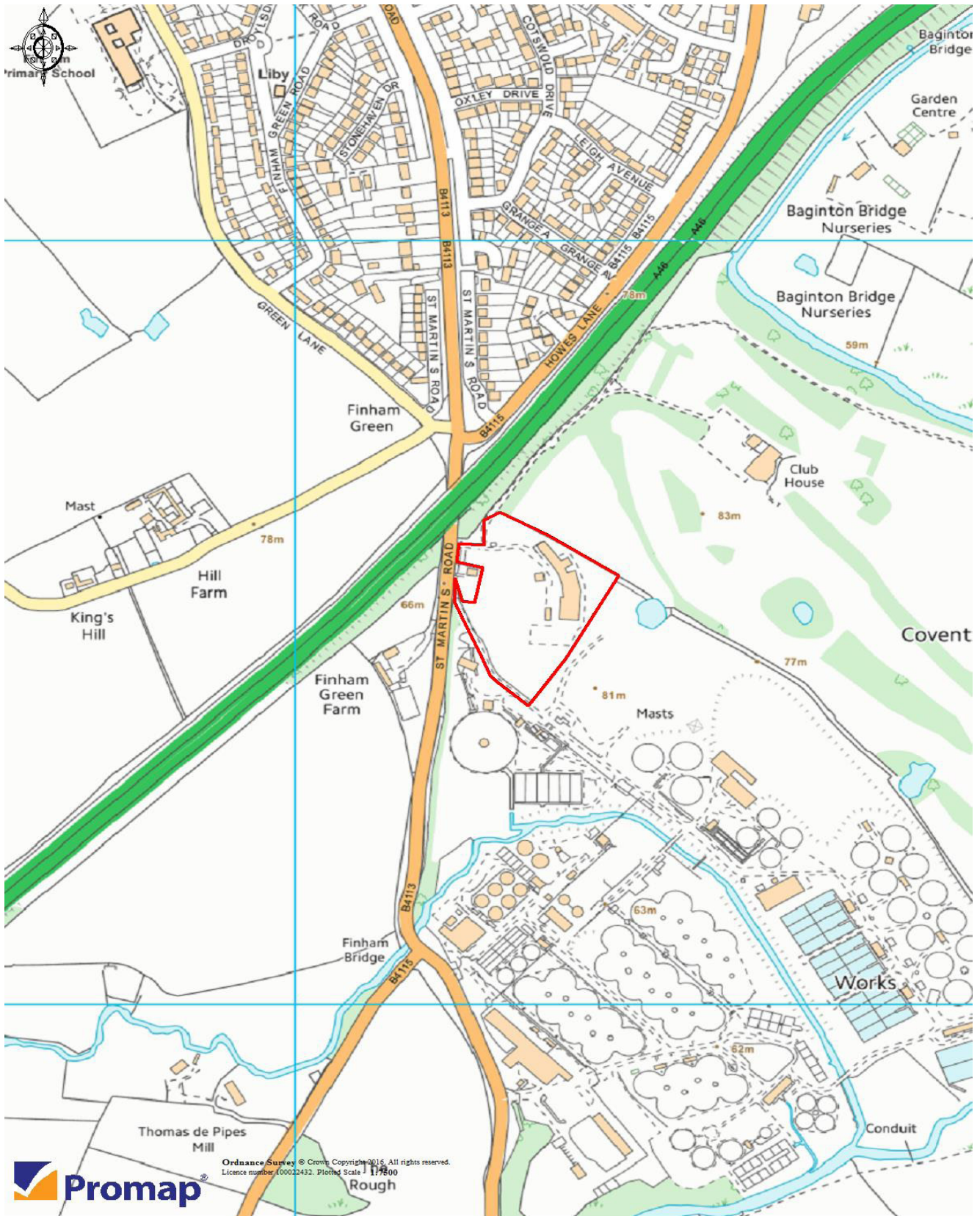
If you require any further information, please contact me without hesitation.

Yours sincerely,



Alban Henderson
Planning Associate Director

alban_henderson@glhearn.com



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DRAWING TITLE

Finham Sewage Treatment Works

ADDRESS

Finham, Coventry

SCALE:

1:7500

DATE

April 2016

DRAWING NO: J035136_1

Queen Square House
18-21 Queen Square
Bristol BS1 4NH
Tel 0117 203 3311

