

## Consultation on Proposed Modifications (2016) Response Form

For Official Only	
<u>Person ID</u>	
<u>Rep ID</u>	

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](http://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](mailto: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](http://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)
Title	Mr	
First Name	Roger	
Last Name	Mills	
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 Modifications to the appointed Inspector

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

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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:	Both
Mod. Number:	Please see attached document
Paragraph Number	Please see attached document
Mod. Policies Map Number:	Specifically Policy Map 20 – but please see attached document

### 5. Do you consider the Local Plan is :

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

### 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 checked="" type="checkbox"/>
Justified:	<input checked="" type="checkbox"/>
Effective:	<input checked="" type="checkbox"/>
Consistent with National Policy:	<input type="checkbox"/>

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 the attached document.

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 the attached document.

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.

**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:**

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:

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.

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## **WARWICK DISTRICT COUNCIL LOCAL PLAN OBJECTION TO PROPOSED MODIFICATIONS**

I am responding to the Consultation on the Proposed Main Modifications to the WDC Local Plan and associated Sustainability Appraisal, and am objecting to the adoption of both.

I fully endorse the responses being submitted by the Hampton Magna Action Group (HMAG) and by the Hampton Magna Residents Association (HMRA) – both of which oppose the proposed increase in the number of houses to be built on Site H27, and the inclusion in the Plan of Site H51 – which had previously been rejected as unsuitable for development.

This letter represents my personal response to the Modifications, and reinforces the HMAG and HMRA responses and amplifies certain aspects of them.

Before dealing with the Modifications themselves, I wish to start by challenging the whole basis on which this Consultation has been conducted.

### **VALIDITY OF CONSULTATION PROCESS**

#### **SCOPE**

I believe the consultation process to be invalid because it is restricted to the Modifications to the Plan, but the previous manifestation of the Plan has never been adopted. If I understand it correctly, the Plan in its entirety – as amended by the modifications – will be either accepted or rejected by the Government Inspector. The public therefore needs an opportunity to comment on the whole package, not just on the modifications. The Table of Proposed Modifications document says: “A number of other amendments have been proposed in response to the consultations undertaken in May/June 2014 and November/December 2014. These have been shown in full in submission documents LP23 and LP23a. However, these amendments have not yet been subject to consultation and do not form part of current considerations.” At the beginning of the consultation period I asked WDC to explain the process by which the public will get an opportunity to comment on the “other amendments” mentioned above – but no explanation has been received.

#### **TIMESCALE**

The six week consultation period is completely inadequate. The current proposals include a large number of sites which were not targeted for development in earlier versions of the Plan – many of which were rejected at the time for reasons which are still valid, and their inclusion in the Modifications took many people completely by surprise. WDC clearly knew long before the start of the consultation process what was going to be proposed, but chose not to give any warning of this – even to Parish Councils whose parishes were likely to be directly affected. It is clearly necessary for those people who consider that they will be adversely affected by the inclusion of the new sites to have an ample opportunity to challenge the methodology by which those sites have been selected. The scope for challenging the Modifications is very limited – being restricted to issues of "soundness" etc., which will not be readily understood by those not versed in the intricacies of planning law. In order to mount an effective challenge, affected groups will need to organise themselves and obtain

professional assistance from planning consultants. It is totally impossible to do this within the available timescale, resulting in a serious lack of democracy. There is a legal requirement for such consultations to be open for no less than six weeks, but there is no legal constraint on having a longer period when there are good reasons for doing so. There ARE good reasons in this case, and restricting the consultation period to six weeks is both unfair and unreasonable.

## **ACCESSIBILITY**

The problems with the Consultation are compounded by the way in which information about it is presented on the WDC website. Despite saying on the main page: "Representations at this stage must only relate to the main modifications proposed and associated Sustainability Appraisal", the site has links to dozens of documents consisting of many hundreds of pages in all. Many of the documents themselves contain links to other documents. For example, the FAQ document contains links to at least 17 other documents. This makes the whole thing very difficult to navigate around, and to decide just which parts are significant. Furthermore, the link for responding on-line using the e-consultation system links ONLY to the Main Modifications document. There is seemingly NO WAY of responding on-line to the Sustainability Appraisal

## **CONCLUSION**

The consultation process is invalid because its scope means that the Plan, as amended, will contain material which has never been consulted on. The issues involved are too technical and complex for most members of the public to understand, and the six week consultation period is far too short because it doesn't allow time for affected groups to commission a professional response. The WDC website is difficult to navigate around, and only facilitates making on-line responses to one of the two documents subject to consultation.

## **RESPONSE TO THE CONSULTATION**

### **SOUNDNESS**

The modifications are Unsound because they have not been positively prepared as a result of having been prepared at too great a speed. WDC were faced with either having to produce a completely new Local Plan to satisfy the concerns which the Inspector raised during the examination of the previous version or of requesting that the inspection be suspended for a limited period – during which time they would rush through some modification which they hoped would be acceptable to the Inspector. WDC chose the latter course, with timescales which did not allow a thorough analysis to be performed on all possible sites on which development might occur. Instead, they only considered sites known to be currently available rather than selecting sites in the most suitable locations to meet the defined housing needs.

The modifications are unjustified because they include very large totally unacceptable incursions into the Green Belt. More time should have been taken to investigate sites in more suitable locations, outside of the Green Belt, even if this involved compulsory purchase. My understanding is that land can only be removed from the Green Belt under "exceptional circumstances". I believe that the existence of exceptional circumstances has not been adequately demonstrated. If it is proven that sufficient land can only be made available by re-classifying Green Belt areas, land should be found for completely new developments rather

than expanding the villages. This has apparently been ruled out on the basis that the houses would then not be where they need to be. But this applies equally to the villages. Taking Hampton Magna as an example, recent surveys of parishioners have only identified the need for a handful of additional houses to meet the needs of the village itself. There are very few employment opportunities within the village, so the occupants of virtually all of the proposed new houses will need to travel out of the village to go to their workplaces – making the already congested limited access roads even more congested. They could more easily travel to work from completely new developments – which could be planned to have adequate access roads from the outset.

## **SUSTAINABILITY**

Developments on the scale proposed are only viable when accompanied by commensurate – and massive – infrastructure projects in order to provide suitable schools, transport networks, utilities, etc. Paragraph 2.67 of Policy DS15 says:

*"Without a comprehensive development scheme, the delivery of infrastructure and services (such as schools, open space, roads, transport facilities, community facilities and local centres) cannot be guaranteed or properly integrated into the area. Further, incremental proposals which do not take sufficient account of proposals for the whole site are less likely to deliver a high quality, integrated development which can build a strong sense of place and sustainable neighbourhoods."*

Whilst DS15 relates specifically to 'Strategic Sites', the same considerations need to apply to 'Growth Villages' but do not currently appear to do so. I propose that a new policy should be created, along the lines of:

**"No site should be included in the Plan until a THOROUGH sustainability appraisal has been carried out and until a DETAILED Infrastructure Delivery Plan has been produced in order to define exactly how the necessary infrastructure will be delivered and funded."**

Otherwise there is a very real danger that, once the Plan has been adopted, there will be an imperative to proceed with the development of sites identified within it even when they are subsequently found to have insoluble infrastructure problems. By then, the Planners will have moved on – leaving the residents to live with the consequences.

No detailed analysis – of the sort specified in the proposed new policy (above) – has been carried out in respect of the Growth Villages, and they should therefore be withdrawn from the Plan until it has. Although WDC has commissioned an external consultancy to produce a "Sustainability Appraisal Addendum" report, this is very superficial. Despite running to 185 pages and claiming to be "evidence based", it is nothing of the kind in reality. It has all the hallmarks of a box-ticking paper exercise completed by someone sitting in an ivory tower in rural Wiltshire without actually visiting any of the sites. There are so many question marks in the tables that it is very difficult – if not impossible – to draw any conclusions from it. But it has nevertheless been used as a basis for site selection. To quote an example, Hampton Magna has been identified as a village suitable for development because it has ticks in its boxes for School, Shop, Surgery, Bus Service, etc. By implication, these services are deemed to be infinitely expandable – which quite clearly they are not in reality. The school has little room for expansion, but it is nevertheless assumed that it will be able to cater for the children from all the new houses in Hampton Magna itself AND for those from nearby Hatton Park.



The sewers are overloaded and are already subject to frequent blockages and surcharging, and are totally incapable of handling the foul water from an additional 245 houses. The main foul water sewer serving the southern end of Hampton Magna passes diagonally across Sites H51 and H27, as shown in the satellite photograph below, and will severely limit options for where houses can be built.



There is an inspection chamber for this sewer inside a private garden on the corner of Daly Avenue. There have been several occasions in recent years on which downstream blockages have caused the lid of the chamber to be forced off, and the garden to be flooded with raw sewage, as shown in the photographs below.



A major overhaul of the sewage systems is required in order to deal with **existing** issues – quite apart from accommodating any additional houses. No account has been taken of this in the superficial analysis which has led to Hampton Magna being designated as a Growth Village.

The ranking of Hampton Magna as a Growth Village with the good facilities is based on a large amount of erroneous information – particularly in the realms of public transport. **"Village Profile and Housing Allocations – February 2016"** states that Hampton Magna is served by the X17 bus service with direct links to Coventry. This is not true! The only bus serving Hampton Magna is the No 68, which goes to Warwick and Leamington but not to Coventry – and does not run after 7pm on weekdays or at all on Sundays. Since the additional 145 houses are deemed to be necessary in order to meet Coventry's unfulfilled housing need, it is reasonable to assume that most of the people occupying those houses will work in Coventry. Travelling to Coventry from Hampton Magna by bus involves changing either in Warwick or Leamington and takes about one and a half hours. It is impossible to arrive much before 9am – ruling it out for many workers. Since the journey by car can be driven in about 20 minutes, and takes people directly to their workplace rather than to the centre of Coventry, it is inevitable that anyone working in Coventry will travel by car rather than by public transport – greatly adding to the existing congestion and pollution. Nevertheless, Hampton Magna has received a high score for its bus service. It has even scored some points for its library service, based on the fact that a mobile library visits once every three weeks. It is thus clear that village rankings have been based on spurious information rather than having been performed objectively.

As a result of this lack of objectivity, some other areas – such as Bubbenhall – which are far more suitable locations than Hampton Magna for meeting Coventry's needs – and been overlooked and have not been subject to detailed analysis.

The process by which Site H51 has been selected for development in the Modifications is quite extraordinary, and totally indefensible. In the analysis performed in connection with an earlier version of the Plan, this site was deemed to be unsuitable because it would have a major impact on residential amenity and a major impact on open field landscape. The latter is illustrated by the photograph below, showing views over open countryside extending as far as Edge Hill.



In the latest Plan, this site has suddenly become "suitable" even though nothing has changed regarding the negative impact which its development would have. In the earlier analysis, several other sites around Hampton Magna – all of which have far less landscape value, and all of which could be directly connected to access routes without adding to the traffic in existing residential roads – were rejected even though they would have been

more suitable for development than H51. If, after further examination of the Modified Plan, the Inspector decides that Hampton Magna should continue to be regarded as a Growth Village, these other sites should be re-assessed, and one or more should be developed in preference to H51.

There are insufficient roads connecting Hampton Magna to the trunk road and motorway network with the result that the existing roads are already heavily congested at busy times. Of the three entry/exit roads, one is a narrow country lane and both the others have significant restrictions. The road to the A4177 via Warwick Parkway station is subject to 4-way traffic lights at the station, and traffic can only pass under the narrow railway bridge in one direction at a time. The other route via Hampton-on-the-Hill is subject to several traffic calming 'pinch points', with additional obstructions caused by parked cars. The result of these restrictions is that there is already significant congestion and delays at busy times. The additional cars belonging to the people living in the proposed new houses – and of people from the new houses in Hatton Park bringing their children to school in Hampton Magna – can only make things far, far worse. Parking around the school at start and finish times is already a serious problem. This, too, will be made far worse by the Hatton Park intake.

As far as can be ascertained, no viable Infrastructure Delivery Plan currently exists for Hampton Magna. What does exist is very superficial – with the assumption that Hampton Magna's transport problems will be solved by installing traffic lights at the intersection of the A46 and A4177 (which will actually make things worse!) and encouraging people to use bicycles! Until such time as a detailed infrastructure delivery plan is created and costed for Hampton Magna, defining exactly how school, surgery and sewerage and other utility capacity is to be increased, and how the traffic congestion problems are to be addressed – preferably by means of a totally new access road to the A46 – the plan for Site H27 should, at worst, be left unchanged at 100 houses and the plan for Site H51 should be withdrawn.

## **CONCLUSION**

The modifications to the Plan are unsound and unjustified because they have been produced with too much haste, and have failed to consider alternative sites which would be more suitable for meeting Coventry's unmet housing needs.

The proposed Growth Village developments – particularly at Hampton Magna – are unsustainable because they have totally failed to address the infrastructure limitations.

## **OVERALL CONCLUSIONS**

The consultation process is invalid, and the consultation should be abandoned. The proposed Modifications to the Plan are unsound, and the Plan should be rejected.

A totally new Plan should be produced – taking adequate time to identify and fully assess ALL potential sites – and including a detailed fully costed Infrastructure Delivery Plan for all sites designated for development.

A new consultation should then take place on the complete plan, allowing sufficient time for concerned parties to engage professionals to respond on their behalf.

**Roger Mills**  
**19<sup>th</sup> April 2016**