LOCALPLAN
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WARWICK DISTRICT COUNCIL

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	DR	
First Name	JONATHAN	
Last Name	RUSS	
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1	[redacted]	
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

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:	H27 and H51
Paragraph Number	
Mod. Policies Map Number:	• H27 and H51 • Table of Proposed Modifications January 2016, Appendix C Changes, Policy Map 20.

5. Do you consider the Local Plan is :

5.1 Legally Compliant?	Yes		No	✓
5.2 Sound?	Yes		No	✓

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:	✓
Justified:	✓
Effective:	✓
Consistent with National Policy:	✓

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.

(See separate sheet)

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.

(See separate sheet)

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:

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: [redacted]

Date: 19th April 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:

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.

7.1 DETAILS OF WHY THE LOCAL PLAN IS CONSIDERED NOT TO BE LEGALLY COMPLIANT.

In preparing the plan the local planning authority must have regard to national policies and advice.
The Local Plan in respect of Hampton Magna should be consistent with the principles and policies set out in the NPPF and we contend that it is not.

Further details of this are given under the heading "Not Consistent with the NPPF".

Therefore, for this reason, the Local Plan in respect of Hampton Magna is not Legally Compliant.

7.2 DETAILS OF WHY THE LOCAL PLAN IS CONSIDERED NOT TO BE SOUND IN RESPECT OF HAMPTON MAGNA:

7.2.1 NOT CONSISTENT WITH NATIONAL POLICY

To be consistent with national policy the proposal for Hampton Magna should enable the delivery of sustainable development in accordance with the policies in the NPPF.

This has not been achieved due to the reasons below.

7.2.1.1 Transport

By the NPPF paragraph 32, plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people.

There is already traffic congestion to and from Budbrooke village at peak times. This is due to the fact that access in and out of Budbrooke village is by way of a single road. At one end, Old Budbrooke Road becomes a single lane under the railway bridge approaching Warwick Parkway Railway Station and this is controlled by alternating traffic lights system which allows only a few vehicles at a time in and out of the village. When traffic enters the village or Warwick Parkway Station it prevents access out of the village.

The overall affect is that traffic congestion and delays are experienced at peak times. If there is a traffic incident in a nearby motorway this causes huge traffic build up in areas surrounding Budbrooke Village which further exacerbates the situation. Traffic flows and congestion will increase very significantly for both peak morning and evening if there are additional housing allocations.

An alternative access route to Warwick is through Hampton on the Hill and on to the Hampton Road but this is subject to two narrow access points in Hampton on the Hill which are subject to priority give way lane control arrow signals resulting in potential choke points in and out of Hampton on the Hill. In addition Hampton Road is subject to busy traffic travelling down the hill into Warwick thus forming an impediment to exit. Traffic (particularly at peak times) also uses this route for access into the village down the Old Budbrooke Road and under the railway bridge for journeys to the Birmingham Road and to Stanks Island. All of this will create additional congestion and pollution for local residents and the risk of accidents.

There is a Strategic Transport Assessment which proposes changes to Stanks Island to alleviate traffic congestion due to increased traffic flow to and from destinations served by Stanks Island. This assessment fails to address and demonstrate how the scheme will enable safe and suitable access to and from Hampton Magna at peak times.

There is a separate technical study (Old Budbrooke Road/Warwick Parkway Station Access Junction – LinSig Assessment) which considers the potential impact of the railway bridge on traffic in and out of Hampton Magna. This shows that the peak morning assessment is near to or exceeding The Degree of Saturation shown and states it is likely that congestion will develop. We contend that the cumulative impacts of traffic from the proposed 245 extra homes at Hampton Magna, the additional proposed housing at Opus 40 and Hatton Park, the growing commuter capacity and increasing vehicle use at Warwick Parkway station and the increasing use of Hampton Magna as a cut through route from the Hampton Road are likely to be severe.

Also, the peak morning period is taken as 8am to 9am. It does not show the effects on traffic flows if the peak times are increased, as is the case for many motorists needing to reach their destination on time given increasingly lengthy journey times which result from increased traffic flows in the Birmingham Road/Stanks Island vicinity.

The theoretical modelling study has failed to properly consider the above problems adequately.

The additional traffic will also adversely impact on public transport at peak times and could result in emergency services vehicle access being delayed or prevented.

So the proposal does not enable the delivery of sustainable development or show with certainty that suitable transport access can be achieved for all people.

Therefore it is not consistent with NPPF transport policy.

7.2.1.2 Infrastructure

The NPPF (paragraph 162) states that local planning authorities should work with other providers to assess the quality and capacity of water supply, waste-water and its treatment, energy, health and education, and its ability to meet forecast demands. It covers other matters not listed here.

We consider the plan must clearly show how they have worked with providers to properly assess how they are able to meet forecast demands at Hampton Magna.

General and superficial assurances given in the Infrastructure Delivery plan for water supply, waste-water and its treatment, energy are not adequate.

No assessment appears to have been made in respect of health, re GP surgery.

More details are given in the "Not Effective" section.

Therefore it has failed to meet the requirements in respect of the infrastructure policy.

7.2.2 NOT POSITIVELY PREPARED

To be Positively Prepared the plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

One of the key requirements is promoting sustainable transport (NPPF paragraphs 29 – 41).

In particular, the plan should:

- encourage solutions which support reductions in greenhouse gas emissions and reduce congestion (NPPF policy 29 and 30).

- ensure that developments which generate significant movement are located where the need to travel will be minimized and the use of sustainable transport modes can be maximized (NPPF 34).

For the reasons detailed elsewhere in this response, the additional proposed housing allocation at the sites in Hampton Magna with restricted access to and from Hampton Magna will result in significant increased traffic flow and congestion and conflict with these policies.

7.2.3 NOT JUSTIFIED

To be justified the Local Plan "needs to be founded on a robust and credible evidence base involving research/fact finding demonstrating how the choices made in the plan are backed up by facts."

In our submission the Local Plan in respect of Hampton Magna fails to do this because the proposed figure of 245 additional houses has not been robustly demonstrated as justified even as measured against the Indicative Village Capacity proposed in the Plan.

The Village Profile and Housing Allocations February 2016 document includes the profile for Hampton Magna and contains The Indicative Village Capacity section. This gives a total figure of 180 additional houses for Hampton Magna. It concludes that 180 is indicative and it is reasonable to exceed this "to a degree". However, an increase from 180 to 245 is not "a degree". The proposed 245 is not backed up by facts in the assessment and not justified.

To justify the increase from 180 to 245 houses it uses "the range of services within the village, its sustainable location close to urban area and good quality transport links." However no account has been taken of the negative sustainability impact on certain amenities which will result from the significant proposed number of additional houses, e.g. doctors surgery, primary school and local public and private transport access delays out of the village at peak times.

The plan is also defective in assessing sustainability.

The plan says a Sustainability Assessment (SA) for the H51 site for Hampton Magna (land south of Lloyd Close) is not needed because the site has not been subject to change since 2015 when it was originally appraised but not allocated.

However this H51 site has clearly changed since 2015 from 0 houses allocation to 145 houses allocation! So there is a huge fundamental change and hence a new Sustainability Assessment (SA) is essential to revisit this.

The fact it has not been performed shows no attempt has been made to satisfy the sustainability criteria of justification.

We appreciate that the Local Plan needs to find additional houses in total but it is not justified to allocate another 145 (an increase of 145% to the original 100 houses) simply because Hampton Magna is a village with some amenities. The plan needs to demonstrate precisely how the total figure will be accommodated based on a revised Sustainability Assessment which fully addresses the real problems such an increase will entail.

It does not do this and for these reasons 245 houses in total is Not Justified.

7.2.4 NOT EFFECTIVE

To be effective the Local Plan needs to demonstrate sound infrastructure delivery planning by showing:

- clearly identified policies and proposed solutions
- a schedule setting out who will delivery and when and how it will be funded.
- support for the above by the providers and how it will be achieved.

The Infrastructure Delivery Plan does not do this. The Table in the Infrastructure Delivery Plan shows responses from physical Utility providers in very general terms:

U3 – Water and Sewerage assessment says Severn Trent Water's investment plans for drainage, sewerage and sewerage treatment mean that the development proposals can be accommodated.

U1 High Voltage Electricity Transmission System Electricity assessment says the transmission system will have the capacity to accommodate the additional demand.

However, the poor state of existing water drainage and sewerage systems in Hampton Magna is well known and is acknowledged by Severn Trent Water. There is no current detailed assessment of what work will be required and how and when it will performed to enable the existing systems to adequately cope if additional housing is built.

The existing electricity distribution system in respect of Hampton Magna has also been subject to problems for many years and there no assessment even in general terms as to how the existing system might be affected by the additional housing and how and when any problems arising will be resolved.

Social Infrastructure

– Health GP Services, there is no assessment or proposal in respect of how GP practice at Hampton Magna will cope with the additional patient numbers, whether expansion will be necessary and if so how it will be funded.

- Education.
The January 2016 census recorded 266 pupils against a capacity of 315.

WDC estimate that the total additional proposed homes for Hampton Magna and Hatton Park will generate in the region of 110 primary age pupils.

When added to the 266 pupils it would create a total of 376 pupils which is 61 pupils over the 315 capacity.

This would entail an expansion of the school from the time the extra housing is built. It does not take account of a future growth in numbers of pupils.

However, in respect of such expansion, there is no current detailed assessment of what work will be required, how and when it will performed and how it will be funded with certainty.

Therefore we believe the plan for Hampton Magna fails to satisfy the key requirement to show it is the proposal is Effective

This "it will be alright on the night" approach is inadequate.

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.

8.1 LEGALLY COMPLIANT AND SOUND

As the Plan has failed to satisfy Legal Compliance and Soundness then the allocation of 245 houses should be denied on the basis that such allocation has failed a proven sustainability assessment and the other failures in the Plan as stated in this response.

If the Inspector concludes that the Local Plan is Legally Compliant and Sound in some respects then at the very least it is proposed that there should be a significant reduction in the number of houses allocated for Hampton Magna. How this is achieved is a matter for the Inspector. For instance, he could deny the proposal for the additional 145 houses, or reduce the total 245 number in some other way.

There is potentially a more suitable site nearer to Coventry which should be considered as an alternative, e.g. Bubbenhall, given that meeting Coventry's housing is the focus of the Plan. This would also better meet the Positively Prepared key requirement in respect promoting sustainable transport in accordance with NPPF.