

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	Ms
First Name	Rupert	Caroline
Last Name	Young	Chave
Job Title (where relevant)	Development Director	Director
Organisation (where relevant)	Nurton Developments	Chave Planning
Address Line 1	Second Floor	Enterprise Centre
Address Line 2	11 Waterloo Street	Bridge Street
Address Line 3	Birmingham	Derby
Address Line 4		
Postcode	B2 5TB	DE1 3LD
Telephone number	0121 222 4340	01332 489 407
Email address	rjy@nurtondevelopments.com	caroline@chaveplanning.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 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:	Modification
Mod. Number:	6
Paragraph Number	Policy DS7
Mod. Policies Map Number:	

5. Do you consider the Local Plan is :

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

There is still uncertainty over unmet need from Birmingham

Whilst the OAN and distribution of unmet need from Coventry has broadly been agreed, it is considered that the housing requirements for each authority should very much be seen as a minimum. The Inspector had identified that some of the authorities in the HMA could be asked to accommodate unmet needs from the Greater Birmingham area in due course. If this was the case it is likely to require a further re-assessment of the distribution and overall level of housing provision in the HMA. Whilst the situation at the suspension of the WDC examination was not yet clear, it seemed to the Inspector likely that, if anything, there would be further upward pressure on the figures for the HMA and individual authorities.

Birmingham City Council has now received the Inspector's report on its Development Plan, with the plan being found sound subject to modifications. The City's objectively assessed housing need for the period 2011 to 2031 is 89,000 additional homes. It is not possible to deliver all of this additional housing within the City boundary. The City Council will continue to work actively with neighbouring Councils through the Duty to Co-operate to ensure that appropriate provision is made elsewhere within the Greater Birmingham Housing Market Area to meet the shortfall of 37,900 homes.

A review of the Black Country Core Strategy is to commence in 2016, which will need to identify further sites for the 2026-31 period and also accommodate unmet need from Birmingham. The Stage 3 Greater Birmingham and Solihull LEP Black Country Local Authorities Strategic Housing Needs Study has indicated that there may be a need to look beyond the HMA boundary – the 'Export' option. Whilst WDC has not specifically been implicated in the 'Export' option, it was not within the brief of the study to identify all potential overspill options. It is clear that there is a very large, known quantity of housing that needs to be accommodated in an adjoining HMA within the next 15 years. It therefore continues to appear likely that, if anything, there would be further upward pressure on the figures for the Coventry & Warwickshire HMA and individual authorities.

Nuneaton & Bedworth Borough Council's position undermines certainty on meeting the OAN

There is also potential for a shortfall in meeting the OAN within the Coventry & Warwickshire HMA. Nuneaton and Bedworth Borough Council (NBBC) has not agreed to the proposed housing distribution in the Memorandum of Understanding (MOU). The principal reason for this is that they have not published work on the Borough's housing capacity and they therefore decided they were unable to commit to providing for a portion of Coventry's unmet need. NBBC is currently completing its draft SHLAA. Once the draft is complete, it will be scrutinised by the other councils in Coventry and Warwickshire to ensure that it provides a robust and complete picture of the Borough's capacity. It is possible that the SHLAA will demonstrate that NBBC cannot fully meet their portion of Coventry's unmet need. If this is the case, the MOU will need to be reviewed with potential consequences for the Local Plan proposals and timetable.

NBBC is to publish their SHLAA at their next Local Plan consultation, programmed to follow the June 2016 Cabinet Meeting. The consultation in December 2015 on NBBC's Submission Local Plan proposed a housing target of only 10,040 dwellings over 2011-2031. This would be 4,020 dwellings short of the MOU requirement. WDC therefore remains in the same position in terms of uncertainty as to whether they will have to accommodate overspill from another HMA authority.

The plan period should be extended to 2031

It is considered that a plan period ending in 2029 is inappropriate and the plan period should be extended to 2031. The plan period should match the period over which the OAN is assessed and distributed between the HMA authorities in the Memorandum of Understanding (MOU), i.e. 2011-2031.

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Continued response to Q7:

HMA authorities at Coventry, Nuneaton & Bedworth, Stratford upon Avon and Rugby are all preparing their Local Plans on the basis of a plan period ending in 2031. It is considered that Warwick District Council should ensure consistency with other emerging plans in the HMA.

Time has moved on since the WDC Local Plan examination was suspended and the suspension has persisted for longer than anticipated. The Local Plan is now expected to be adopted in March 2017, providing a time horizon of less than 13 years upon adoption, potentially little more than 12 years. This is inconsistent with guidance in paragraph 157 of The Framework, which states that, crucially, Local Plans should be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date.

WDC has agreed as part of the MOU to provide 18,640 dwellings over the period 2011-2031, but is only planning for 17,577 over the period 2011-2029. The plan does not therefore follow through the commitment made in the MOU and there can be no certainty that the requirement set out in the MOU will be met.

The plan is not allocating enough sites to meet the OAN with a necessary degree of flexibility

The Local Plan is not allocating enough sites to meet the required distribution of OAN. The housing trajectory is telling. Completions start to tail off in Year 7 of the trajectory (2021/22) and by the end of the plan period delivery is at only 389 dwellings per annum. Action needs to be taken now to allocate sufficient sites to ensure that delivery persists at the level required to meet OAN through to 2031. Otherwise the supply of housing land would fall short of that necessary to meet OAN and no flexibility would be provided in meeting the OAN.

Allocations would not come forward as quickly as envisaged

Whilst we do not wish to object to the proposed additional site allocations, our concern is that not enough sites have been allocated to ensure a 5 year supply and the longer term fulfilment of the housing requirement over the plan period. In particular, sites without planning permission and with substantial, strategic transport infrastructure requirements are shown to deliver housing in the first 5 years of plan trajectory from this point (2016/17 to 2020/21), as illustrated the table below.

Site	Ref	Dwellings	Development Commencing	Delivery in First 5 Years	Delivery Per Annum
Westwood Heath	H42	425	2018/19	225	25-100
Kings Hill	H43	1,800	2020/21	200	200
Woodside Training Centre	H40	640	2018/19	200	25-100
North of Milverton	H44	250	2019/20	100	50
TOTAL		3,115		725	

These proposed allocations, which require substantial transport improvements to the road network (e.g. A46 Stoneleigh and Thickthorn junctions, Kenilworth Road Corridor and dualling of A452) are shown in the trajectory to deliver substantial housing numbers in the first 5 years. There is no delivery plan for these sites in the Council's evidence base, which explains the assumptions behind the trajectory and how infrastructure will come forward to enable delivery in such a short timescale. There is no explanation for why the delivery rate for Kings Hill is double that of any other new allocation. It appears to hit the ground running delivering 200 dwellings per annum from day one, rather than building up delivery over, say, a 12 month period. The delivery assumptions behind these sites should be interrogated further and a realistic trajectory set out, which in our view is likely to see Kings Hill unable to deliver the suggested amount of housing within the plan period and the other sites delivering housing later than currently envisaged in the plan period.

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Continued response to Q7:

The plan does not provide 5 year housing land supply upon adoption

It is considered that the Local Plan would not provide a 5 year supply of housing upon adoption. There has been a shortfall in delivery of 2,245 dwellings in the first four years of the plan period. On this basis it is clear there has been persistent under delivery of housing and a buffer of 20% should be applied. This buffer should be applied once the shortfall from the plan period so far has been added to the basic requirement of 932 dwellings per annum. The calculation of 5 year housing supply is therefore as follows:

A	Housing Requirement Per Annum	932
B	Requirement over first 4 years of plan period (A x 4)	3,728
C	Completions over first 4 years of plan period	1,483
D	Shortfall over first 4 years of plan period (B – C)	2,245
E	5 year requirement (A x 5)	4,660
F	Shortfall added to 5 year requirement (D + E)	6,905
G	Requirement with application of 20% buffer (F x 1.2)	8,286
H	Projected completions over next 5 years	6,618
I	Shortfall to 5 year supply (G – H)	1,668
J	Years of supply ((H / G) x 5)	3.99 years

The above table demonstrates that the Local Plan would only deliver a 3.99 year supply of housing upon adoption, which would fail to significantly boost the supply of housing as required by The Framework.

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.

The plan period should be extended to 2031. The plan should make additional provision for further housing allocations in order to meet the OAN agreed for the HMA until 2031 and provide a 5 year supply of housing upon adoption.

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:

Nurton Developments took part in previous examination sessions and are concerned that the Local Plan still does not address some of the key issues raised during those examination sessions. Further discussion at forthcoming examination sessions is necessary to fully explore the issues.

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:

22.04.16

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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