

PAC
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LOCAL PLAN

helpingshapethedistrict



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

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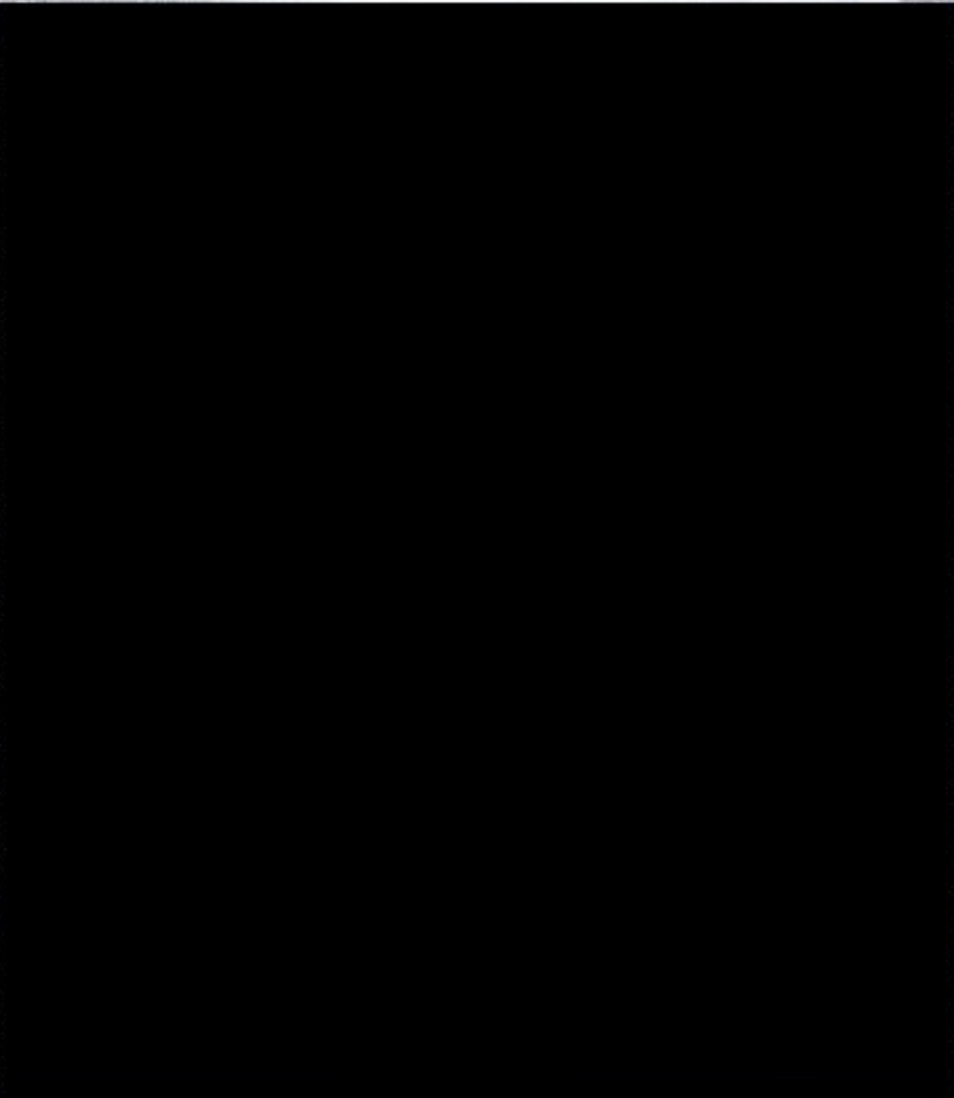
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Part A - Personal Details

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	PENNY-ANNE	
Last Name	CULLEN	
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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The adoption of the Local Plan.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

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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:

Mod 19.

Paragraph Number

Mod. Policies Map Number:

MAP 21 Site H53

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:

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Person ID:

Rep ID:

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Person 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.

SEE SEPARATE SHEETS
PLUS 2 PHOTOGRAPHS ATTACHED
① 18/03/2016 Sheep field Brownley Green Lane
② April 2016 Flooding on Brownley Green Lane

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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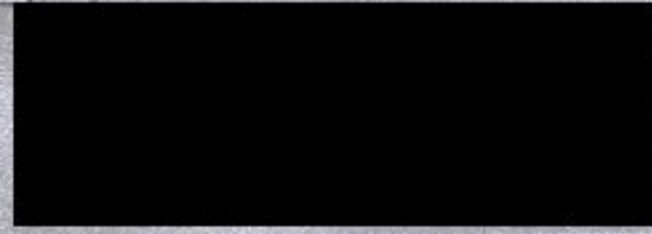
Person ID:

Rep ID:

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:

I do not wish to participate. - confirm

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:

23 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.

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Person ID:

Rep ID:

If you wish to participate at the oral part of the examination, please indicate this on the form below. If you do not wish to participate at the oral part of the examination, please indicate this on the form below.

Yes, I wish to participate at the oral examination.

If you wish to participate at the oral part of the examination, please indicate this on the form below. If you do not wish to participate at the oral part of the examination, please indicate this on the form below.

Yes, I wish to participate at the oral examination.

Continue on a separate sheet if necessary.

Please note: The written reproduction carries the same weight and will be subject to the same scrutiny as oral reproductions. The instructor 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.

All decisions regarding the oral examination will be made by the instructor. The instructor will be responsible for all costs associated with the oral examination, and the instructor will be responsible for any other costs associated with the oral examination.

[Signature]

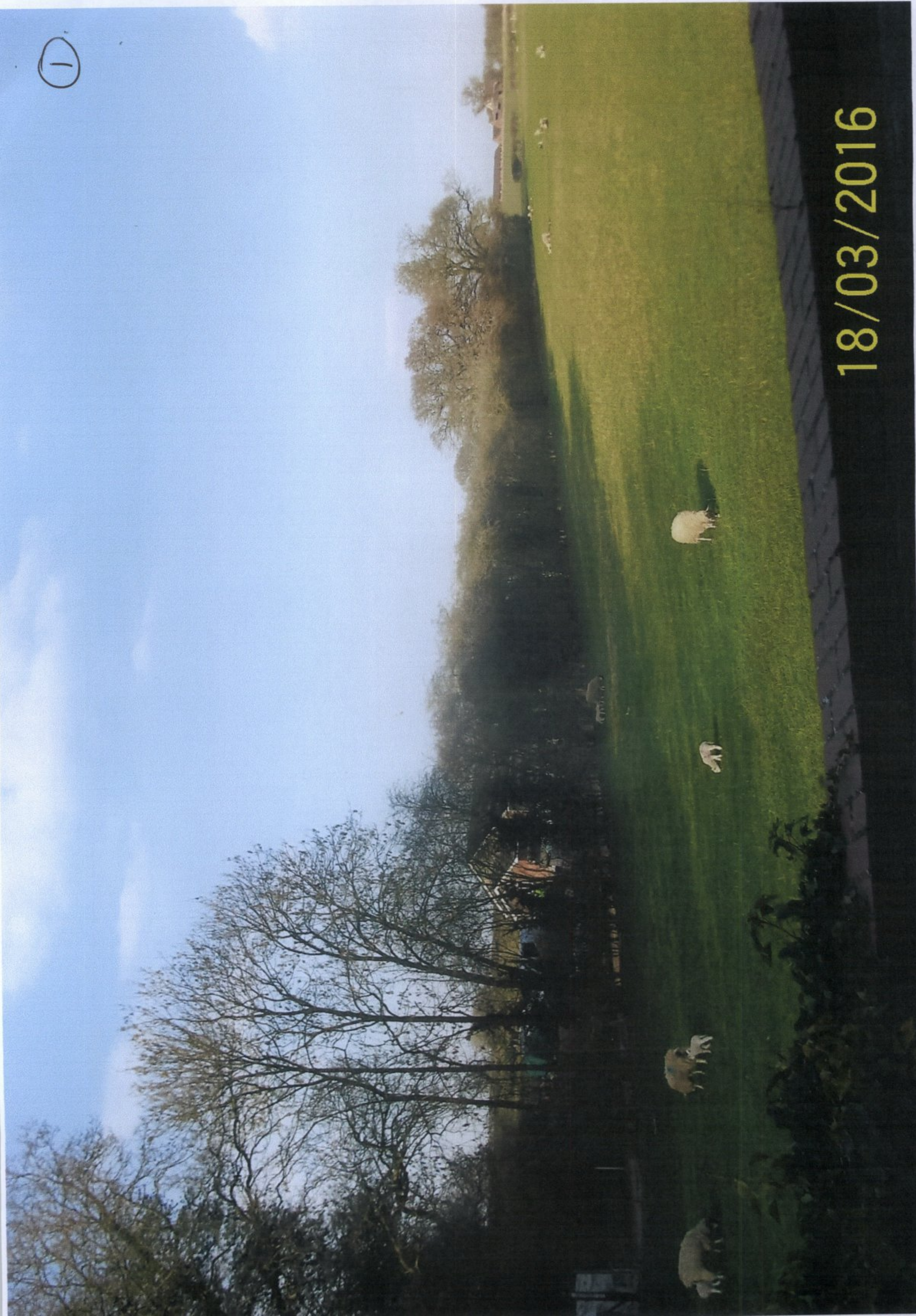
Signed:

22 April 2014

Date:

Copy of all the written and oral reproductions will be made available for others to see at the discretion of the instructor. Please note that all oral reproductions will be subject to the same scrutiny as written reproductions. The instructor will be responsible for all costs associated with the oral examination, and the instructor will be responsible for any other costs associated with the oral examination.

①



18/03/2016

2



Objections to proposed development of Green Belt land adjacent to Brownley Green Lane Hatton and Barcheston Drive Hatton Park

Referred to as Proposed Modification no. 21 January 2016 Site Ref H53 of New Local Plan

Miscalculation of housing demand

In implementing the National Policy for local housing needs the estimate took a long term view in its assessment. The estimate of the objectively assessed needs (OAN) took no notice in the recent decline in housing demand but based the estimates on "a mere blip" for just one year. Hence the OAN could well prove to be vastly over estimated and the inclusion without any justification of Site H53 in the Local Plan.

The specious estimated demand for growth in new housing that is posited in the OAN has also failed to take into account the dynamics of the housing market. In this vein, people make their housing choices in terms of the whole stock of housing and **not** the net new stock. For example new households very seldom can afford new houses and are prepared to commute. Hence the volume of commuting does not depend on the balance between local jobs and housing growth.

Inconsistency in terms of reference

The Inspectors must take into account the National Planning Policy Framework (NPPF) and the Planning Policy Guidance (PPG). Both of these documents contain a number of inconsistencies. For example, the PPG presents an unbalanced perspective that gives an overwhelming influence to the demand projections regardless of the validity of the assumptions. On the other hand, NPPF role is to secure sustainable development which is difficult to achieve, given the over estimates for demand and the reality that is the potential of economic and social uncertainty.

In reality, developers will choose the most profitable sites, which in general will be Greenfield tracts of land. However, building housing estates on Greenfield sites will inevitably create a more dispersed housing pattern causing more individual car dependency and strains on public services. This combination of dispersing housing and overburdening public services will also increase infrastructure and environmental costs. In this vein, with regard to this particular site, the developers will contribute only some two million pound to cover the entire proposed development sites adjacent to Hatton Park. It is axiomatic that such a sum covering the vast extent of the proposals adjacent to Hatton Park is palpably insufficient and suggests a series of flawed perspectives.

Therefore, there is a large gap between the triad of the OAN; Sustainable development and the ability to comply with NPPF. In reality, developers will always choose green field sites because they are the most profitable rather than consider any brownfield sites that do not promise the same level of return. Hence, the developers will continue to retain their existing land bank for exploitation as and when they chose.

Dr Penny-Anne Cullen, 23 April 2016

The over estimate on demand and the inconsistency in the terms of reference have therefore caused the additional of housing to be proposed on Policy Map 21 – Hatton Park and the Area H 53 on Brownley Green Lane. Thus logically, the proposition to include H 53 on Brownley Green Lane, is specious and unsound and consequently it should be removed from the Local Plan.

Access to the Field

The councillors have given their assurance that access to the proposed development would not be from Brownley Green Lane but from Barcheston Drive adjacent to Hatton Park Village hall and the local amenities area. However there are obvious difficulties in establishing a practical and safe traffic access down into the field.

The gradient from Barcheston Drive is extremely steep and the field continues to fall away from the existing embankments that support the whole of the Community Centre, car parks and Barcheston Mews. Hence the approach to the existing estate road would create treacherous hazards to traffic, children and pedestrians on the existing arterial road due to the steep approach to the entrance and limited visibility. These conditions would be compounded during darkness and throughout the winter months. Furthermore, access from the Community Centre car park and the Centre itself would become very difficult, nay almost impossible for any people with special needs or those with disabilities. Furthermore, the children's play area would become restricted and the additional traffic present a danger to the childrenⁱ. These conditions of access to a busy arterial estate road have not been considered by the Local Plan and are therefore represents another unsound proposition.

Access for construction traffic

Access for all construction traffic will compound the hazards and difficulties for the public from this proposed entry. Barcheston Drive is used continually for residential parking and is subject to a comprehensive series of traffic calming measures hence the disruption to the public and the damage caused to the roadway by the construction traffic would be unacceptable.

It has been suggested that construction traffic could access from Brownley Green Lane. This however would also be totally objectionable as it flies directly in face of all the assurances of the councillors on access with regard to Brownley Green Lane. Furthermore, once that the Council permit construction traffic to enter the site via Brownley Green Lane, it would be a short step to have that access made a permanent point of access and egress onto the proposed site on Brownley Green Lane. In addition to this being a travesty in terms of confidence in our local government officers and councillorsⁱⁱ, the rural nature of the lane and the road traffic hazards that have been expressed by the Highways Department would totally militate against even temporary access to the proposed Green Field site from Brownley Green Lane.

Furthermore, as Brownley Green Lane is narrow, and being flanked by an open culvert, overhanging trees and steep unsupported bank, is totally unsuitable for construction traffic. This fact is clearly

Dr Penny-Anne Cullen, 23 April 2016

demonstrated by the current development at "The Old Piggery", that is extremely proximate to the Brownley Green Lane proposed site and the dwellings on Lower Farm. This latest stage of a series of construction projects on the site of The Old Piggery has caused the Lane to be plagued for months with constant mud; congestion; damage to the verges, trees and vegetation as well as destruction of the road surface. The contractors have only made scant maintenance to Brownley Green Lane once during construction, this after some 10 weeks of pressure from members of the local community to the Council, which presumably would be typical of the attitude to the public highway for housing developers. No consideration has been made on the impact that the heavy construction traffic will have throughout the protracted and inappropriate use of the local roads and its adverse impact on residents and thus on these grounds alone the Local Plan is unsound.

Hatton Park Community Wildlife Orchard

The proposed development is adjacent to the communities' wildlife orchard and will create a danger to the wildlife and as well as the community. The orchard has proved very popular with the local residents and schools offering a shared space for study and enjoyment of our limited wild flora and fauna. The orchard and surrounding area provides a sanctuary for several rare wild flowers in addition to Priority Species such as the Small Blue Butterfly and Pipistrelles bats.

The Local Plan has clearly failed to consider the impact of the proposed development on this area or the provisions of the Habitat Assessment 2008 for Warwickshire, Coventry and Solihull; the 1981 Wildlife and Countryside Act; the Habitat Regulations 1994 or the Countryside and Rights of Way Act 2000 and yet again, on these particular grounds the Local Plan is therefore unsound

Outfall drainage

Quite clearly all drainage from the proposed development would have to flow down the site to the lowest point and then onto Brownley Green Lane. Storm water is already a problem on Brownley Green Lane, as Warwick District Council is well aware, and any more development will compound the difficulties of flooding. The development's drainage will presumably require a new sewer to follow Brownley Green Lane and across the A 4177, Birmingham Road. The disruption that this would cause to the residents and the traffic on this busy Lane and Birmingham Road would be unsustainable and intolerable. It will also bring into question the viability of the developments' infrastructure on financial grounds as the costs of the drainage, services and access roads will be considerable. Clearly the financial implications of draining this site and the disruption to the local community and commuter traffic that this would cause has failed to be considered in devising the Local Plan and are therefore it is unsound on these specific grounds alone.

Public facilities and infrastructure

The proposed development has not been supported by any proposals for public amenities nor does it consider the impact the additional housing would have on the local infrastructure and public facilities such as schools, health and care. A figure in the region of two million pounds has been posited by councillors as being the developer's possible contribution towards the costs. This as yet

Dr Penny-Anne Cullen, 23 April 2016

unsecured contribution also includes the development of site H28 on the east of Hatton Park. Clearly this level of contribution is totally inadequate and the burden would fall on the tax payers to subsidise the developers.

In terms of transport infrastructure, Hatton Park has two access roads onto the heavily congested commuter road the A4177 which serves Warwick with the West Midlands. The road is constantly busy and at peak times; it is overcrowded and dangerous as several recent accidents and fatalities confirm. The addition of 175 houses with the potential of adding some 300 or more additional vehicles to the congestion is insupportable and dangerous. The Highways Agency has not proposed any possible solution to this serious problem only a pathetic series of platitudes for people to phase their journey times. Once again the burden would fall on the tax payers to subsidise the development. At a meeting, councillors advanced the weak panacea that a traffic light on the A4177 would be the solution to the traffic dangers. Once more the Local Plan has not considered the impact the development would have on the local facilities and infrastructure and is therefore unsound on these particular grounds.

Local needs and opinion

The Localism Act 2011 November provides for:

- New rights and powers for communities and individuals – hence our objections
- Reform of planning systems to be more democratic and effective and requires the local authorities to consider the opinions of the local residents. –
 - I would comment that in the recent Parish Plans prepared for Hatton villages and the surrounding parishes of Shrewley, Beausale, Honiley and Leek Wootton all these reports found strong opinion to maintain the current levels of Local Green Belt. This proposition is grounded in a survey that was developed and drafted to provide objectivity and robust results. However, we find no evidence of any rigour in the proposals that are the focus of the Local Plan
- Reform to ensure decisions about housing are made locally. However, very little if any public consultation has been made by Warwick District Council prior to the publication of the Local Plan or the New Local Plan. Specifically, it is also widely believed that efforts were made to restrict access and information on the proposals from the general public. Furthermore at a meeting with local councillors on 31st March 2016 and several other conversations the distinct impression from the councillors was “that unless the local residents accepted the New Local Plan then *Central Government* would impose their own proposals without consultation and without contribution from developers”. This is a threat that is against the Localism Act 2011 and is undemocratic and illegal.

Therefore, the proposals made in The New Local Plan January 2016 Modification No 21 Site Ref H53 do not comply with the National Planning Policy Framework and are therefore unsustainable, unsound and undemocratic. On these grounds the Local Plan is unsound.

In order to address local planning requirements, the District Council should adopt:

Dr Penny-Anne Cullen, 23 April 2016

- Realistic and objectively validated housing targets based on local needs
- Develop “brown field” sites before “green field”
- Build on the land for which planning consent has been granted before developers can move onto exploit further sites

Alternatives

Any development in the areas around the A4177 Birmingham Road and the A46 will only add to the local congestion, the difficulties for traffic in approaching and leaving Warwick and the issuant dangers that flow from these realities. Thus, it is on sensible and sustainable to consider alternatives. Traffic access to the south of Warwick and Leamington Spa is restricted by the town centre layout and dominated by the limited alternatives to cross the Avon River to reach the commercial, retail and domestic housing areas of Heathcote and Gaydon. Therefore, existing developments such as Chase Meadow and Warwick Gates should be considered.

Much of the pressure for the Local Plan to be amended from the 2014 proposals came from the reduction in sites considered for development in Coventry. However, the abandoned commercial and industrial property between Coventry City centre and Bedworth has not been included in their plan. With the proposed redevelopment of the City Centre these sites would provide ideal locations for residential and commercial property. Once again, it is suggested that developers make more profit from exploiting Greenfield sites, rather than building on Brownfield spaces. On these grounds alone the Local Plan is unsound.

Conclusions

The late modification 19 to Map 21 of Site H53 was made in haste with little or no thought or consideration that development on the detrimental impact development of this field would have on the local residents, traffic, public facilities, safety, infrastructure and wild life. In conclusion the Local plan is ill conceived, unsound and unviable and should be withdrawn.

Dr Penny-Anne Cullen

23rd April 2016

ⁱ The construction programme of the proposed Brownley Green Lane site would involve a plethora of contractors and other organisations. In this context, the main contractor or contractors will have sub-contractors; each of these providers would have their respective agents, employees and self-employed workers/consultants. Thus, in terms of childrens’ security and despite each contractor ticking the box to the effect that they will be legally compliant, in reality is not feasible to safeguard the children by having the people involved in the construction of the estate on Brownley Green Lane to have DRB checks. Although this is not a planning matter per se, it is suggested that it is a real hazard that should but cannot be dealt with in practice.

ⁱⁱ Critique of West Midlands Housing Needs Assessments ,Final Report, To CPRE Warwickshire 27 January 2016
Urban & Regional Policy e-mail alanwenbansmith@pobox.com

Dr Penny-Anne Cullen, 23 April 2016