

LOCAL PLAN

helping shape the district



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)
Title	Miss	
First Name	Jacqueline	
Last Name	Samuel	
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

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:	<input 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.

In no particular order, I believe the Proposed Modifications to the Local Plan are unsound on the following grounds. Unless all these items can be accurately answered and demonstrated, the recent addition of housing the new Area H53 Land at Brownley Green Lane should be removed from the Local Plan update.

- 1) Has the location for a suitable access to the site been properly thought out?
- 2) Can the site be considered to be sustainable in accordance with NPPF?
3. How can further development on Green Belt be justified?
4. How has the new site come about?
5. There are wider transport issues to address

Further justification of these points is provided on the 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.

The attached sheet sets out the alternatives for consideration in the Local Plan which I believe should be explored. There are many more suitable sites for development before encroaching on Green Belt land. In addition to the Green Belt issue I believe there are a number of factors which would prevent development on Site H53.

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:

Date:

21/04/16

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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Q7: 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.

1. Has the location for a suitable access to the site been properly thought out?

Whilst the proposed allocation for site H53 has been considered at a high level, it is clear that the logistics of actually bringing the site forward in terms of a planning application have not fully been considered.

It is understood the potential to use Brownley Green Lane was discounted on the basis it is too narrow for a primary access to accommodate 55 new homes. The proposed location of access is therefore from Barcheston Drive through the existing Hatton Park Village Hall car park. This is far from ideal. Any new access would result in a material impact on the following:

- The Village Hall car parking spaces;
- The sports facilities;
- The planted orchard (which I understand the Council paid to be recently planted out);
- Hatton Park play area; and
- The bus lay by.

As set out in paragraph 32 of the National Planning Policy Framework (NPPF), this states that plans and decisions should take account of whether, *“safe and suitable access to the site can be achieved for all people”*. An access junction in this location would result in a significant compromise in a number of existing facilities as set out above.

The Village Hall car park is often fully parked as shown in the photo below. Where would the parking area be accommodated to allow for an additional access to Site H53? Would the sports facilities be removed? Will the planted orchard go?



The concept of providing a "safe access" cannot be achieved for users of the adjacent play area. The provision of a new access junction for through traffic to serve Site H53 within close proximity to the play area is not safe.

An emergency access may be required, and whilst it may be possible for a route to be provided onto Brownley Green Lane, it is a sunken lane, enclosed by vegetation and very rural in character. This also may not be supported by Road Safety given the narrowness of the road, absence of footways or street lighting.

It is understood the existing bus lay by would need to be relocated and it would appear there is limited scope within the immediate vicinity of the site to do so, due to the location of traffic calming features and the access junction to Pebworth Drive.

Furthermore, the visibility splay from the existing Village Hall access junction is restricted to the right on approach of the junction. This is illustrated below. It is clear that a 43m visibility splay (in accordance with 30mph speeds) cannot be achieved without significant vegetation removal which may or may not be in the public highway.



Site H53 has a considerable level drop which is illustrated in the photo below. This will result in a significant amount of infilling to increase the existing level of land. If this process is not undertaken, an access road to serve the site will be too steep based on the existing gradients and its construction would rely on considerable land take which would further compromise the existing Village Hall facilities.

On this basis, it is considered that neither Brownley Green Lane nor Barcheston Drive are suitable for taking access to Site H53.

In addition, the existing level difference would result in a clear view for existing residents in properties on Barcheston Mews to look into new gardens on site H53 as these properties are situated higher up.



2. Can the site be considered to be sustainable in accordance with NPPF?

Guidance in NPPF is clear that new development should be located in a sustainable location and this is also echoed in Local Planning Policy guidance. The Sustainability Addendum report for Site H53 states the following:

“There is no Local Shopping Centre within Hatton Park. Warwick Town Centre is located around 4.8km away⁹⁴. The site is located around 2.1km from the nearest school (The Ferncumbe C Of E Primary School) and around 3.4km from a GP (Budbrooke Medical Centre) ⁹⁵. In line with Submission Local Plan Policy SC0 (Sustainable Communities), any proposal for development at this site will need to ensure that good quality infrastructure and services are provided and where this cannot be offered on site, provision will be made through off-site contributions provision. The policy also states that new development should provide good access to community facilities. However, given the capacity of the site it is considered unlikely that development will deliver significant improvements to the local facilities and services on offer with the potential for a minor long term positive effect against SA Objective 13.”

In short, this says that the site is not sustainable and due to the size of the site there won't be any significant contribution to improve facilities or amenities. Hatton Park has a small local shop, Village Hall and bus stops within walking distance. Access to all other amenities including retail, education, employment and health facilities require a journey by private car. Building further on Hatton Park

without full developer funding for specific facilities cannot be considered to be sustainable development. A development on this site would encourage, not discourage car use.

3. How can further development on Green Belt be justified?

As set out in NPPF, *"The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Guidance in NPPF is clear that Green Belt land should be retained."*

The NPPF states "Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan." There are a considerable number of Brownfield sites available for development, particularly in Coventry City which need to be explored first before Green Belt is encroached further. What are the 'exceptional circumstances' that have allowed development on Site H53 and also on Site H28 to be suitably justified? Fundamentally, what is the point in having a Green Belt boundary if it to be continuously moved, regardless of whether it is through the Local Plan process?

4. How has the new site come about?

It is quite clear that the inclusion of Site H53 is a desperate attempt to make up for lost housing numbers elsewhere in the District. Why has it been included at this late stage when it was never considered previously?

5. There are wider transport issues to address

It is well known that there are existing traffic issues on the Birmingham Road and these are not going to be improved as part of any new development on Hatton Park on Site H53 or Site H28. The Birmingham Road queues in the morning peak well past the Hatton Arms on a regular basis as a result of traffic trying to enter Warwick. The Local Plan process needs to properly address the operation of the Stanks Island roundabout and the signal junction with Warwick Parkway station prior to any further development in the area coming forward.

In summary, the Proposed Modifications to the Warwick District Local Plan are not sound as Site H53 would fall down on a number of key points when considered as part of a planning application. These include access, road safety, level difference, visibility, loss of existing amenities (impacts on the Village Hall) and overall the unsustainable nature of the site. These have not been considered in enough detail to ensure that the site is adequate and capable of sustaining new development as part of the Local Plan process.

Q8. 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.

From the outset, Site H53 might look like a very feasible site for new development. However, when we consider factors in detail such as access, disruption to existing facilities, sustainability, levels, Green Belt, housing need, etc., the site is not appropriate or suitable for new development.

If we are to protect the Green Belt there has to be more of an effort in securing Brownfield sites for further development if we really do need so many more houses in the next 20 years. Based on a number of factors set out in the above response, there are certainly better locations than Site H53 for new development.

Site H28, although this is still located within Green Belt, is better suited for new development in terms of access given the proximity to the A4177 Birmingham Road. Access can be taken onto the Birmingham Road rather than through an existing Village Hall car park which will result in a significant impact and change to one of the only essential amenities on Hatton Park.

Although the A46 acts as a natural barrier separating Warwick and Hatton, acquiring land between the two settlements would be more sustainable given proximity to facilities in Warwick and allow for direct access to the taken from the Birmingham Road. This would allow a comprehensive improvement of the Birmingham Road as part of the Local Plan process which could adequately serve future development sites.