

LOCAL PLAN

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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	Mr	
First Name	James	
Last Name	Aggiss	
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:	<input type="text" value="MODIFICATION"/>
Mod. Number:	<input type="text" value="MOD 19"/>
Paragraph Number	<input type="text"/>
Mod. Policies Map Number:	<input type="text" value="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:

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 on H28 - Hatton Park and the new Area H 53 Land at Brownley Green Lane should be removed from the Local Plan update.

- A) Are we sure we need to build on Green Belt land?
- B) Are we sure we even need as many houses as being suggested?
- C) The advice given in the Sustainability Appraisal Addendum Report February 2016 is misleading/incorrect:
 - i) As to the level of available services on Hatton Park and in the village of Hatton itself.
 - ii) As to the way it assesses a single site in general and does not describe the effects of more than one development in the same area.
- D) The transport network cannot cope with additional housing.
- E) The road layout at Hatton Park is not suitable for further housing development.
- F) The location of H53 and the lie of the land is far from ideal due to access and significant difference in altitude compared to the existing development.

Further justification of these points is provided in the attached report.

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.

As well as the points already made in my response to question 7, I hereby recommend an alternative for consideration in the Local Plan (using an existing planned development) which I believe better follows the intentions and recommendations of the Sustainability Appraisal.

The attached proposal attempts to address all points (A-F) highlighted in my response to question 7.

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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RESPONSE TO QUESTION 7:

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 on H28 – Hatton Park and the new Area H 53 Land at Brownley Green Lane should be removed from the Local Plan update.

A) Are we sure we need to build on Green Belt land?

The proposed development does not align with development in the Green Belt as set out and established in National Planning Policy Framework (NPPF). Referring to the 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." Development on two sides of Hatton Park does not appear consistent with the policy of preventing "unrestricted sprawl". The proposed development encroaches on the countryside and the developments proposed do not seem consistent with the objective of "[retaining] and [enhancing] landscapes".

The NPPF states "Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan." Indeed PM David Cameron also states the Green Belt should be protected and only considered in 'exceptional circumstances'. I would like to understand how the decision was made that in this case it was an 'exceptional circumstance' to remove H53 from the Green Belt allocation and offer it up for development?

It is well documented that Coventry City is unlikely to meet its housing needs in full and that WDC were requested to step up to meet the needs of the area. It is also noted that the rate of development within Coventry is noticeably slower than that within WDC. It is highly likely that developers will choose more profitable Greenfield sites in WDC over sites in Coventry. This needs to be more tightly controlled. Are we sure all sites have been considered, particularly brownfield sites in Coventry (acknowledging that a large proportion of Warwickshire is Green Belt)? What sites were considered? Which sites were discounted and why? Have all other opportunities been explored before deciding to build on Green Belt land? Where is the proof? Simply re-allocating land to not being part of the Green Belt completely undermines the point of having a Green Belt in the first place.

B) Are we sure we even need as many houses as being suggested?

The estimate of the objectively assessed needs (OAN) took no notice of the recent decline in housing demand and based the estimate on higher figures from past years. The OAN could well prove to be vastly over estimated. The over estimate has obviously caused the recent addition of housing on H28 – Hatton Park and the Area H 53 Land at Brownley Green Lane. Unless the OAN can be proved accurate, these updates should be rejected and removed from the Local Plan.

C) The advice given in the Sustainability Appraisal Addendum Report February 2016 is misleading/incorrect:

i) As to the level of available services on Hatton Park and in the village of Hatton itself:

It is clear from Table 3.4: Reasons for Progressing or Rejecting Options for the Location of Growth in Plan Making that Option 5 is the preferred route as this goes some way towards trying to justify the additional housing on H28 – Hatton Park and the new Area H 53 Land at Brownley Green Lane. That said it states “This option is the preferred option to progress through both the submission local plan and proposed modifications. It complies with the local plan spatial strategy and offers the most sustainable approach to the delivery of housing by meeting housing needs predominantly from where they arise in and adjacent to urban areas and growth villages which have a reasonable level of services. The proposed modifications includes further growth within all of these areas, and because of the level of availability of suitable sites outside of the Green Belt, significant further development in the existing Green Belt in sustainable locations.”

Within the entire area of Hatton, there is a single small village store on Hatton Park estate. Apart from two country pubs (only one of which is in walking distance) and a petrol station, there are no other amenities.

The Sustainability Appraisal Addendum Report February 2016 states “There is no Local Shopping Centre within Hatton Park. Warwick Town Centre is located around 4.8km away. 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). 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.”

It can be argued that the existing infrastructure within Hatton is substandard for the number of houses existing today. With this in mind, adding a further 175 houses (across two sites) implies a definite need for additional and more suitable amenities. A simple “Contribution” should not be allowed and instead an agreed plan to add a doctors/dentist, shopping, library, etc should be a pre-requisite for any further development of Hatton Park.

ii) As to the way it assesses a single site in general and does not describe the effects of more than one development in the same area.

There is no indication or consideration as to the effects more than one development on the same site or indeed a group of sites will have on a particular area. Hatton Park currently has two sites proposed: Additional housing on H28 – Hatton Park and the new Area H 53 Land at Brownley Green Lane.

That said it states for H28: "Though the site has been subject to 32% intensification, it is considered that suitable mitigation is provided through Local Plan policies to address any potential increase in the significance of effects on the topics of traffic, transport, and air quality. The site is not identified as having a high landscape value, and the process of intensification avoids the loss of Greenfield and Green Belt land elsewhere in the plan area. Intensification has the potential to increase the significance of the identified effects against biodiversity, however it is considered that suitable mitigation is provided through the Local Plan, and available at the project level to ensure that any effects are not significant. As noted in the previous appraisal, site specific mitigation is required to address potential contamination on site and avoid negative effects arising on the topic of health. The increase in housing provision however is not considered to significantly affect the overall findings of the 2015 appraisal. No requirement for further SA." and "The increase in capacity has been screened for significance. The findings of the screening are presented in Appendix II. The increase is unlikely to significantly affect the previous appraisal findings. No further SA work required." **If this is truly the case, why has area H53 needed to be added?**

D) The transport network cannot cope with additional housing:

Interestingly enough, the Sustainability Appraisal of November 2013 states:-
"...development at the sites is likely to increase traffic (in both the short and the long-term) at the A46/A4177/A425 Stanks junction which according to the Transport Assessment (2012) experiences high traffic flows¹²². Given the capacity of sites HP1*O and HP3*O at over 90 dwellings each there could potentially be a major negative effects on traffic under SA Objective 2. Moreover, there could be negative cumulative effects on A46/A4177/A425 junction if the sites at Hampton Magna are developed as well as the sites at Hatton Park, Hatton Station and Shrewley Common."

Since then the traffic problem has only got worse. During peak hours, the road is already congested with commuters and parents driving children to and from school. The traffic already queues from the A46 back towards the Hatton Arms and on days where there are problems on the M40 (which is more often than realised), the traffic can queue as far back as Wroxall Abbey and Haseley Knob. The road is already beyond capacity in peak hours, so any additional housing needs to be mindful of this moving forward. There have been a number of fatalities and serious accidents on the Birmingham Road in recent years and any increase in traffic volume will increase the likelihood of these occurring.

That said, the Sustainability Appraisal Addendum Report February 2016 skilfully avoids this point entirely. Nothing has changed in the existing development and the traffic has got worse, so why was this issue not highlighted? While HP1*O has since been discounted, the number of houses being proposed across the two sites at Hatton Park remains largely the same, so the issue should still apply.

E) The road layout at Hatton Park is not suitable for further housing development:

The existing traffic calming (and there is a lot of it along Barcheston Drive) will cause problems not only during construction phase but also for extra housing. Barcheston Drive is too narrow for lorry and heavy plant movements during the construction phase. The bus already struggles to negotiate the traffic calming features, particularly with the presence of parked cars. The developers may also be obliged to use the grass verges and pathways, presenting a danger to pedestrians and destroying the established walkways and cycle paths which are unlikely to be corrected afterwards.

In addition, traffic flow beyond the village hall from Pebworth Drive is typically clockwise (with less traffic calming) and traffic flow from before the village hall is anticlockwise due to distance to the Birmingham Road. As a result, it is expected that the majority of traffic from the site at H53 will flow anticlockwise through the calming. The photograph below was taken during the day from roughly where people will exit and turn right from the development. It shows a number of cars also parked along Barcheston Drive when trying to pass through the traffic calming resulting in not a lot of space for vehicles to manoeuvre.



On a morning and evening, the number of park cars increases to a level where there is no available parking along Barcheston Drive. A number of residents have had their cars scraped from parking there and it is already difficult to leave the Mews through the archway as a result of one carriageway being blocked by cars. Fortunately the traffic is currently from one direction as the mews are at the top of the anticlockwise traffic flow. The additional housing will mean people will need to contend with significantly more traffic and for those living in the mews, traffic will now be more likely in both directions with parked cars blocking their view. The traffic will then pass either by the play field at the centre of the Hatton Park (where children playing can easily run out into the street) or down Winderton Avenue (where the turning is too small to be considered as a main exit and turning right onto Birmingham Road is already difficult). Neither of these ways are ideal for the location of housing at H53 and the access through Brownley Green Lane has already been rightfully discounted.

That said the road layout at the bottom of the estate is better prepared for further traffic from H28. There is already a roundabout in place, minimal traffic calming and Charingworth Drive (which is significantly wider with no parked cars blocking the carriageway) already leads onto yet another roundabout allowing easier access onto Birmingham Road. An additional access could also be provided directly from H28 onto the Birmingham Road to help alleviate traffic through the existing development.



F) The location of H53 and the lie of the land is far from ideal due to access and significant difference in altitude compared to the existing development.

It has already been stated that Access to the site could only be achieved from Barcheston Drive in the vicinity of the existing bus layby. Issues that would need to be addressed include:

1) The need to relocate the existing bus stop - preference likely to be for another layby to the east of the Village Hall given the proximity of the traffic calming (mentioned above);

2) Access route would impact on the existing car park - additional car parking would need to be provided, and ramped access to Village Hall created from the car park as the access road currently forms a ramped access; With this in mind, I would be interested to understand how and where this would be located as moving the bus-stop further clockwise round the estate would use up any available land on the other side of the village hall. Should the developers be looking to move the car park further back, then this would mean a loss to all or part of the existing basketball court, playground and/or the orchard which was funded and planted not so long ago. The Village Hall is also well used and so is it's car park. A reduction in the number of spaces is not an option.



3) Site is at a lower level to the existing surrounding development, therefore additional land, over the amount that would generally be required, would be needed to create the highway infrastructure into the site to achieve acceptable gradients; This will impact on the village hall, the neighbouring play area, planted orchard, sports facilities and the number of parking spaces available for the village hall. The children's play area would become dangerous as it would be next to an access road and the resultant increase in traffic to the new houses. Appropriate fences etc would need to be put in place to prevent children from running out into the road. Having said this, a playground on the corner of a new junction can hardly be described as safe and sensible. The location of the junction is far from ideal.

4) 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. In such circumstances it is recommended that the access road and footways/cycleway be constructed to a width and standard to accommodate an emergency vehicle should the road be blocked.

It is also worth noting that that there was a last minute amendment because the previously proposed access from Brownley Green Lane was changed after having been quite properly declined by the Highways Authority. It is therefore arguably evident that there can have been no "strategic" assessment of the alternative access now being proposed.

In addition to these points, vision looking down Barcheston Drive past the mews where all the traffic calming and parked cars are is likely to be severely hampered or even blind depending on the uphill gradient when leaving the site. In winter it is likely to cause havoc for people trying to leave the development. This already happens to residents of Quinton Close resulting in most people parking along Barcheston Drive, thus congesting it further.



Finally what will be done about significant difference in levels? I attach photos taken from Barcheston Mews showing how the existing development would look down onto H53 and into their gardens and houses. I am fairly sure this would not be appreciated by the new home owners.



In summary:

The new additions to the Local Plan (such as H53) seem merely a last minute desperate measure to attempt to solve an immediate problem, rather than a forward thinking, long term strategy. Looking towards the future, it is only a matter of time before there will be further requests requiring more land for houses. We should start to consider a longer term strategy perhaps growing Hatton in towards Warwick almost like Warwick and Leamington Spa do not have a definite divide anymore. If we looked to join Hatton Park to Warwick as a long term plan, the Birmingham road could be better developed with improved access into Warwick and in particular onto the A46. This would help address point D.

Hatton does not have the amenities to operate as a self-contained town/village. The current emergency services are already stretched and building more houses further away just seems ridiculous. They already closed the fire station in Warwick and the hospital in Warwick (which has no scope to grow) has to support all surrounding areas, so I really cannot see these extra amenities being added to Hatton, when cuts are causing it to go the other way. As indicated above, we already need a bigger shop and a doctors and availability within the local schools is already stretched. The problem is that the Sustainability Appraisal looks at the effects of each site individually. If we keep considering the minor effects for lots of sites separately we will end up with one big problem at the end to deal with. I do not see any plans for improved amenities when site H28 was first decided and I am sure the plan is to simply squeeze the already overstretched services. The best option would be to build closer to Warwick to at least release some of the additional burden on the already "maxed out" emergency services. An additional access road from H28 would also relieve the burden of traffic through the estate as the request will only come again in the future, begging for more land anyway.

RESPONSE TO QUESTION 8:

As well as the points already made in my response to question 7, I hereby recommend an alternative for consideration in the Local Plan which I believe better follows the intentions and recommendations of Sustainability Appraisal.

Assuming my points A and B (above) can be suitably addressed, then I regrettably acknowledge the need to build on Green Belt land and with that in mind the question as to where and why needs to be agreed. In line with the recommendation for H28 my proposal would be to further increase the number of housing proposed at HP3*O – Land North of Birmingham Road (site H28) to remove the need for the additional Green Belt site at H53 - Brownley Green Lane and as a result negate point F above.

In my opinion this fits more in line with the Sustainability Appraisal, where it states for H28: “The site is not identified as having a high landscape value, and the process of intensification avoids the loss of Greenfield and Green Belt land elsewhere in the plan area”

Residents have already been through the pain of having to accept this site being added to the plan indicating that Hatton Park is set to grow. It is always less painful accepting a growth of an existing planned site than having to accept a totally new additional site in a different location. In reality people complain more about the fact there is a new development blocking their view. The number of houses is often a secondary argument. Growing an existing site is likely to have less resistance than a totally new site. Separate sites need separate construction equipment, offices, etc, but growing an existing planned development means simply adapting what is already planned to be there. As such the environmental impact is likely to be less.

In addition, strategies should be put in place where housing developments are not just built to solve the immediate need, but have the scope to be extended. Road layouts can be developed with future expansion already in mind so that existing road networks are not redeveloped every time the housing need increases. People's expectations are also set up front, that the site could potentially grow. We need to stop this “patch on patch” approach.

That said, the Green Belt site at H53 - Brownley Green Lane does not lend itself well to this idea. The road layout at the bottom of the estate is better prepared for further traffic from H28. As previously mentioned, there is already a roundabout in place, minimal traffic calming and Charingworth Drive (which is significantly wider with no parked cars blocking the carriageway) already leads onto yet another roundabout allowing easier access onto Birmingham Road.

There could also be scope to have an additional access onto Birmingham Road by the shell garage to further alleviate pressure on the existing Hatton Park estate (I believe this was contemplated when the estate was first built). As they already have to develop the road layout for the new development at H28 anyway, this could be adapted to suit the new access.

Finally in an effort to address points C and E, I additionally propose the land at Oaklands Farm to be acquired and used for either or (preferably) both of the following:

- Additional amenities desperately required by Hatton. These include but are not limited to a local shopping centre, doctors/dentist, and library.
- Improving the access to the new development site H28 on Hatton Park.

People often do not like the idea of living next to a petrol station anyway and this would place all amenities including the petrol station in one central location, ideally placed as Hatton Park ultimately sprawls towards Warwick. The remaining land could then be adapted to improve access using additional road features such as turning lanes. This would help alleviate the queuing along Birmingham Road and go some way at least towards addressing point D.