

Publication Draft Representation Form 2014

For Official Only	
Person ID	
Rep ID	

This consultation stage is a formal process and represents the last opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) before it is submitted to the Secretary of State. All comments made at this stage of the process are required to follow certain guidelines as set out in the **Representation Form Guidance Notes** available separately. In particular the notes explain what is meant by legal compliance and the 'tests of soundness'.

This form has two parts:

- Part A – Personal Details
- Part B – Your Representations

If you are commenting on multiple sections of the document, you will need to complete a separate Part B of this form for each representation on each policy.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the plan has 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 received by **4.45pm on Friday 27 June 2014**

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 Plan

Copies of the Plan are available for inspection on the Council's web site at www.warwickdc.gov.uk/newlocalplan and 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

Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410.

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

First Name

Last Name

Job Title (where relevant)

Organisation (where relevant)

Address Line 1

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone number

Email address

	Miss
	Kathy
	Else
The Trustees of Haseley Settlement	

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 Local Plan for independent examination	Yes <input checked="" type="checkbox"/> y	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"/> y	No <input type="checkbox"/>
The adoption of the Local Plan.	Yes <input checked="" type="checkbox"/> y	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 on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:	<input type="text" value="Local Plan"/>
Paragraph Number:	<input type="text"/>
Policy Number:	<input type="text" value="H0"/>
Policies Map Number:	<input type="text"/>

5. Do you consider the Local Plan is :

5.1 Legally Compliant?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
5.2 Complies with the Duty to Co-operate?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
5.3 Sound?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not: (please tick that apply):

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 Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The Council has failed to identify an objective assessment of objectively assessed need for housing.. The current proposal is deficient and therefore unjustified and thus unsound. While there is no prescribed methodology for establishing the Objective Assessments of Need (OAN) for housing, the Government published its own guidance in its PPG on 6 March on the approach. The Government guidance should also be read in the context of recent case, law which has further clarified a number of the processes for determining housing need.

From the Government's guidance and in line with case law, RPS sets out that establishing the OAN for housing requires four key components. These are - Demographic Analysis; Economic Analysis; Affordability; and Market Signals. In light of this, RPS has evaluated the Council's use of demographic evidence to inform upon the OAN. It is observed that Council's SHMA has used what were at the time the latest population and household projections. These were the 2011 Interim Population and Household Projections. However, these were unfortunately only projected by the Government to the year 2021 that are then extended over the period 2011 to 2031 as set out in paragraph 7.9 of the SHMA – however the method of this extension of the figures require analysis and scrutiny through sensitivity testing.

The firstly sensitivity tested uses headship rates contained in the previous 2008 Household Projections up to 2031. This concludes that this was not a representative approach of future household formation as it is likely to over-estimate household formation in the early period of the plan, with the housing market recovery impact being slower than that contained in the 2008 Household Projection data. RPS therefore concurs that the use of the 2008 headship rate over the entire plan period in this sensitivity test is likely to be unrealistic.

The second sensitivity test applies a hybrid of the 2011 headship rate data to 2021 and then 2008 rates post this to 2031. This is proposed to represent a slower recovering housing market with a return to increased rates of household formation half way through the plan period and the SHMA identifies this as the most appropriate approach to follow. Although RPS agrees that sensitivity testing can reach an appropriate scenario to apply within the SHMA in respect of headship rate information, objection is raised to the manner that the sensitivity test is applied.

Affordability

The PPG sets out that affordability is a component of establishing the need for housing. Assessments should take into account existing housing need, an estimation of the number of existing households falling into need and that associated with new household formation unable to buy or rent in the market area. Paragraph 029 of the PPG sets out that the total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments.

The Council has set out that its SHMA contains a requirement for 268 dwellings per annum to be affordable homes. This equates to some 37% of all new homes to be affordable. The council sets out a target of 40% over an urban threshold of 10 dwellings and a rural threshold of 5 dwellings. This would appear to provide the policy context for the provision of affordable housing. However, when considering the Council's track record on the provision of affordable housing of an average of 86 affordable homes a year over the last five years – the realisation of achieving more than triple the historic level of provision is doubtful.

8. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan 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.

RPS objects to the Council's demographic approach to OAN for housing on the basis that the evidence is misleading and the level of housing unjustified. To be sound:

- the plan should be consistent in its interpretation of the evidence, at present it is not. The assessments of the economic driven scenarios should be informed by the same hybrid headship rate sensitivity test. To not do so is misleading, inaccurate and unsound.
- the headship rate from the 2008 household projections should be applied at an earlier date than 2021. The date at which they should be applied from is 2016.

RPS also contend that whilst the 40% affordable housing provision rate matches the requirement of 268 dwellings of the plan's proposed figure of 720 dwellings per annum, the poor performance of the Council historically must be held in regard. On the basis of paragraph 29 of the NPPG, there is clear evidence and justification that uplift in the total level of housing is required to deliver on affordable housing requirement, especially in respect of its distribution in the rural area.

The Council is basing its OAN upon its latest SHMA published in November 2013. This sets out a number of sensitivity scenarios and recommends that an objective assessment of need is 720 dwellings per annum, which over the plan period is 12,960. The Council then proposes 12,800 dwellings. This is claimed to be aligned to the economic potential of the District in scenario 'PROJA – jobs led', however, there are deficiencies in this comparison and the SHMA significantly under represents the level of growth required to sustain the economic aspirations of the District.

The Council's approach should be appraised against the four components of the PPG guidance on establishing the OAN, which would demonstrate from the available evidence base that the Council's proposals for 12,800 dwellings over the plan period will lead to a significant under provision of housing and is not representative of an objectively assessed housing need.

In order for the plan to be found sound the Council needs to re-appraise its housing need. RPS contends that the OAN is not 720 dwellings per annum but should actually be based more reliably upon a 'jobs delivery' led economic scenario of providing at least 640 jobs per annum. This according to table 50 of the 2013 SHMA would indicate a need for 1,020 dwellings per annum for Warwick alone. This increased level of provision is much more realistic and would require 18,400 dwellings over the plan period to accommodate 11,500 jobs. Also for consideration is the plan period which should be 20 years from 2011, which would require an OAN of 20,400 dwellings and 12,800 jobs.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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9. If your representation is seeking a modification, 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 :

27/06/14

Copies of all the objections 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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