

27 June 2014

Leamington

SUSTAINABILITY
APPRAISAL

7457

Publication Draft Representation Form

For Official Use Only

Person ID:

Rep ID:

2014

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)

Title

First Name

Last Name

Job Title (where relevant)

Organisation (where relevant)

Address Line 1

Address Line 2

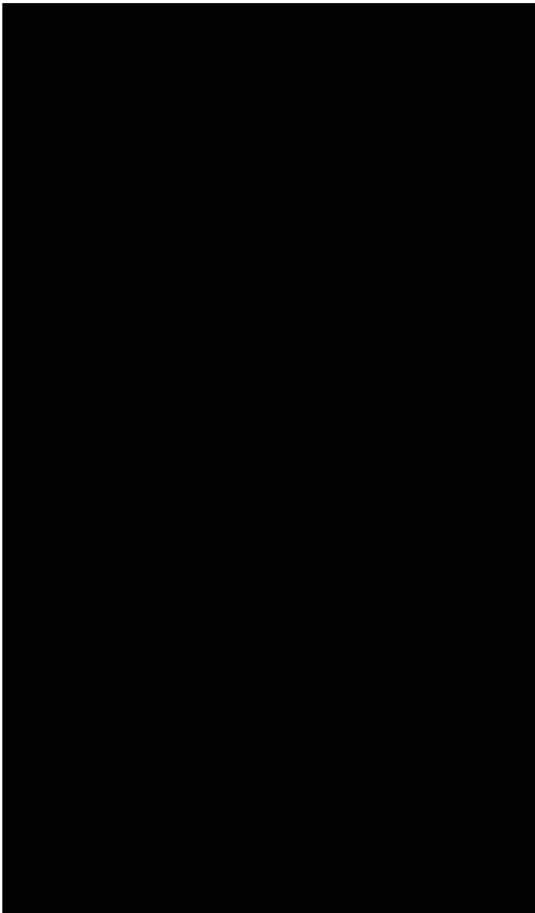
Address Line 3

Address Line 4

Postcode

Telephone number

Email address



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**

Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan **Yes**

The adoption of the Local Plan. **Yes**

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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.

Legal Compliance: The Sustainability Appraisal document is not an objective analysis but is an attempt to justify the Council's proposals by omitting difficult questions and failing to examine proposals that might conflict with the stated policies.

Soundness: The Sustainability Appraisal examining the Local Plan is an incomplete study and is not thorough or consistent in examining Local Plan proposals.

National Policy; The National Planning Policy Framework core requirement for sustainable development is not complied with for most proposals. The requirement for a Sustainability Assessment for the Local Plan is not met by this report.

Continue on a separate sheet if necessary

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.

- a) Carry out a new objective and more thorough Sustainability Assessment that complies with the 3 core principles in the NPPF for all major proposals in the Local Plan.
- b) Delay submission of the Local Plan until the defects are remedied and put before the local community for a new consultation.

END

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 modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. After this stage, 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 modification, do you consider it necessary to participate at the oral part of the 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:

- a) The NPPF Core Planning Principles state the need for: "*empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.*" It is important for local people to contribute to this process.
- b) Some policies are being proposed that support vested financial interests against the principles of Sustainable Development. Experience in attending the Gateway Inquiry demonstrated that the Planning Development Officers are not representing the community interests in Warwick District and unbiased comment needs to be expressed.

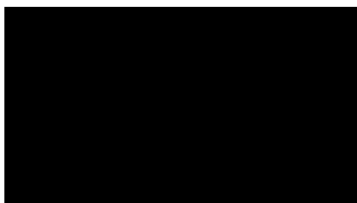
Continue on a separate sheet if necessary

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 : 26 June 2014

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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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:	Sustainability Appraisal
Paragraph Number:	See page 6 to 11
Policy Number:	See page 6 to 11
Policies Map Number:	See pages 6 to 11

5. Do you consider the Local Plan is :

5.1	Legally Compliant?	No
5.2	Complies with the Duty to Co-operate?	No
5.3	Sound?	No

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:	(not positively prepared)
Justified:	(not justified)
Effective:	(not effective)
Consistent with National Policy:	(not consistent with the NPPF)

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Local Plan or SA: **SUSTAINABILITY APPRAISAL REPORT**

Paragraph Number: **24, 5.20 & 5.26**

Policy Number: **SA Objective 3**

Policies Map Number: None included in report

a) Clauses 24 and 5.20. Contrary to the statement in these clauses the NPPF sustainability requirement which should have been considered in plan making for the industrial / commercial developments is not examined.

b) The proposed new development is not assessed against the requirements of clause 5.26 for successful integration.

c) The SA fails to apply the sustainable development criteria to examine the speculative industrial development site at Baginton: Local Plan policy DS16.

d) The impact of 1000 lorries per day through the village of Baginton is not even mentioned. It is also in opposition to SA Objective 3.

Local Plan or SA: **SUSTAINABILITY APPRAISAL REPORT**

Paragraph Number; **SA 5.27 & 5.31**

Policy Number: **SA Objective 14**

Policies Map Number: None included in report

a) The importance of the health of the community is stated as SA Objective 14 but the adverse impact that will result from implementing Local Plan DS16 is ignored. The development proposes that 1000 Lorries will travel each day close to existing houses and diesel pollution will significantly damage the health of residents in Baginton village.

b) The Report has failed to consider synergistic and cumulative effects of new development.

Local Plan or SA: **SUSTAINABILITY APPRAISAL REPORT**

Paragraph Number: **26 & 5.15**

Policy Number: **SA Objective 1**

Policies Map Number: None included in report

a) The largest industrial development in Warwick District is not required for the district but is for sub-regional employment purposes. The sustainability report does not contain a Sustainability Assessment of sub-regional plans or any sub-regional strategy and the report is therefore inadequate on this important aspect.

b) The area covered by the sub-region is not defined in the Report or the Local Plan and there are at least five different definitions of the sub-region in official documents. The LEP plus six district's Joint Study on Employment Land (described in Local Plan clause 2.25) is not assessed for sustainability and therefore any proposals relying on this study should be excluded from the Local Plan as they do not comply with the NPPF.

Local Plan or SA: **SUSTAINABILITY APPRAISAL REPORT**

Paragraph Number: **1.16 & 5.34**

Policy Number: **SA Objective 10**

Policies Map Number: None included in report

a) The road transport assessment does not consider the need to encouraging freight to transfer onto the rail system to reduce road congestion and CO2 emissions. In SA clause 3.80 road traffic is identified as the cause of 40% of CO2 emissions and it is not included in SA Objective 10.

b) Transferring freight from road onto rail was the previously the policy of Warwickshire County Council and Warwick District Council at the start of the Local Plan process. It was a key aim of the Regional Spatial Strategy which is used as the evidence basis for the Local Plan. The report is inadequate in the respect of considering the CO2 emissions problem caused by a major warehouse development with road access only.

Local Plan or SA: **SUSTAINABILITY APPRAISAL REPORT**

Paragraph Number: **4.52, 5.51 & 5.65**

Policy Number: **SA Objectives 5 & 9**

Policies Map Number: None included in report

a) Thickthorn housing; the surface water drainage problems that will result from this large area of development has not been considered and currently all the run-off from the fields is into a small stream flowing through the village of Ashow. In recent years serious flooding has occurred and a 400mm diameter bypass pipe was installed but this will be totally inadequate to take the increased flow from the development.

b) This aspect of sustainable development for the site has not been evaluated.

Local Plan or SA: **SUSTAINABILITY APPRAISAL REPORT**

Paragraph Number: **28, 5.33**

Policy Number: **SA Objective 2 & 3**

Policies Map Number: None included in report

a) The proposed areas of investigation for Park & Ride facilities are not evaluated as whether they are in a suitable position to reduce the need to travel.

b) More suitable locations nearer to the main strategic highways should have been investigated.