

Publication Draft Representation Form 2014

For Official Use 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

MR

First Name

STEVE

Last Name

WILLIAMS

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

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

The adoption of the Local Plan.

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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 on each separate policy.

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

Local Plan or SA:

WARWICK DISTRICT LOCAL PLAN

Paragraph Number:

ALL DS8

Policy Number:

DS8

Policies Map Number:

8 (BAGINWTON)

5. Do you consider the Local Plan is :

5.1 Legally Compliant?

<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

5.2 Complies with the Duty to Co-operate?

5.3 Sound?

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:

Justified:

Effective:

Consistent with National Policy:

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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.

REFER TO BAGWORTH PARISH
COUNCIL LETTER L136
OF 26/6/2014

Continue on a separate sheet if necessary SEE L136

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.

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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.** NOTED SEE LETTER L136

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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:

WARWICK DISTRICT LOCAL PLAN

Paragraph Number:

ALL DS11 (RE BAGINTON PARISH)

Policy Number:

DS11

Policies Map Number:

8 (BAGINTON ETC).

5. Do you consider the Local Plan is :

5.1 Legally Compliant?

Yes	No <input checked="" type="checkbox"/>
Yes	No <input checked="" type="checkbox"/>
Yes	No <input checked="" type="checkbox"/>

5.2 Complies with the Duty to Co-operate?

5.3 Sound?

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:

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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: WARWICK DISTRICT LP
Paragraph Number: ALL DS16 RE BABWTON PARISH
Policy Number: DS16
Policies Map Number: 8 (BABWTON ETC).

5. Do you consider the Local Plan is :

5.1 Legally Compliant?

~~Yes~~

No

5.2 Complies with the Duty to Co-operate?

~~Yes~~

No

5.3 Sound?

~~Yes~~

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:

Justified:

Effective:

Consistent with National Policy:

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Part B - Your Representations

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

Local Plan or SA:

WARWICK DISTRICT LP

Paragraph Number:

ALL DS19 REBAGGINGTON PARISH

Policy Number:

DS19

Policies Map Number:

8 (BAGGINGTON etc)

5. Do you consider the Local Plan is :

5.1 Legally Compliant?

Yes No

5.2 Complies with the Duty to Co-operate?

Yes No

5.3 Sound?

Yes 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:

Justified:

Effective:

Consistent with National Policy:

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Part B - Your Representations

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Local Plan or SA:

WARWICK DISTRICT SUSTAINABILITY APPRAISAL

Paragraph Number:

T4.16 + APPENDIX VI RE BACINTON

Policy Number:

AS ABOVE

Policies Map Number:

~~11A~~ (9 OF LOCAL PLAN BACINTON)

5. Do you consider the Local Plan is :

5.1 Legally Compliant?

Yes

Yes

Yes

No

No

No

5.2 Complies with the Duty to Co-operate?

5.3 Sound?

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):

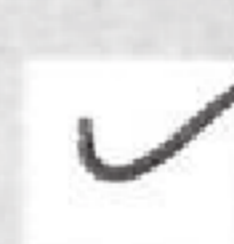
Positively Prepared:



Justified:



Effective:



Consistent with National Policy:



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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:

PLEASE REFER TO BASINGTON PARISH COUNCIL LETTER L136 OF 26/6/2014. THERE ARE MANY ISSUES OF GRAVE CONCERN TO COUNCILLORS AND RESIDENTS OF BASINGTON PARISH WHICH RENDER THE LOCAL PLAN UNSOUND (ETC) AND WE REQUEST THE OPPORTUNITY TO MAKE REPRESENTATIONS TO THE INSPECTOR.

Continue on a separate sheet if necessary **SEE L136**

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 :

26-6-2014

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.

For Official Use Only

Person ID:

Rep ID:

BAGINTON PARISH COUNCIL

STEVE WILLIAMS - CLERK

Our Ref: L136
Your ref

Development Policy Manager,
Development Services,
Warwick District Council,
Riverside House,
Milverton Hill,
Leamington Spa,
CV32 5QH

26th May 2014
By Email Only

Dear Sirs

Local Plan Publication Draft Representations.

On or about 18th May 2014 we received the new Local Plan publication under cover of your letter 16th May, together with three copies of the plan.

This document has been given consideration by Councillors.

We write regarding our OBJECTION to certain of the proposals in so far as they adversely affect our rural village community and we write to make representations on your Forms. We enclose a copy of your consultation forms, duly completed as requested, which refer to this letter.

We remain strongly opposed to the onslaught of developer proposals adversely affecting the undisturbed rural Green Belt surrounding our lovely village. Councillors and Parishioners are tired of this onslaught and ask that WDC look after the interests of our longstanding community and do not allow the existing Green Belt to be both removed and developed in this area.

For reasons given in the below paragraphs BPC OBJECTS to the Local Plan as it stands as believes it to be UNSOUND, procedures have not been properly followed and WDC has not complied with the statutory duty to cooperate: -

1. Policy DS 8 Employment land, Policy DS16 Sub-Regional Employment Site (C&W Gateway.) and Policy DS 19 Green Belt.

A. Insufficient consideration of alternatives and no consultation of latest proposals.

Policies DS 8 Employment land & DS16 Sub-Regional Employment Site are unsound as there has been insufficient sub regional consultation. There is reference within the Local Plan to a Joint Employment Land Review. However, it is understood that this has not been published and that it does not adequately consider alternative proposals.

BPC believes that exceptional reasons do not exist for proposing that the land shown on the policy Map 8 is removed from the Green Belt.

As such BPC believes that the lack of adequate consideration of the proposals renders the Local Plan unsound.

Furthermore, the Local Plan is unsound as the Sub-Regional Employment Site is not the most appropriate strategy when considered against reasonable alternatives, which have not been given adequate consideration. Some alternatives have been proposed in previous BPC correspondence opposing the Gateway.

Furthermore BPC and others have no visibility of the review and have not been consulted on its proposals. BPC believes this lack of transparency, consultation and lack of alternatives renders the Local Plan UNSOUND.

B. No account of desires of local communities.

In previous draft report section 5.5.5 it states:-

*"In the 2012 Preferred Options the Council committed to exploring the case for land at the Coventry and Warwickshire Gateway to be identified to provide a major employment site that could meet these needs. Since then, a planning application has been submitted. Although **this application has yet to be formally determined by the Council**, the evidence would support the identification of land in this area for a major employment use of sub-regional significance."*

You have our letter L090 response to that consultation dated 18.7.12. Many of the points made in that letter remain applicable.

Your policy DS16 Sub Regional Employment Site ignores our previous requests therefore is UNSOUND.

C. No consultation with local communities on removal of Green Belt.

The previous Revised Development Strategy specifically maintained the Gateway development area in the Green Belt. BPC have received previous assurance that this remained the intention of WDC. However, there has been a volte-face with the Local Plan as now presented, with the area suddenly removed from the Green Belt. Post public consultation. Yet there has been no consultation with our and other Parish Councils, our and other local communities and other stakeholders concerning the removal of this land from Green Belt. We believe that it is unsound, unreasonable and possibly illegal for WDC to change their mind on such a fundamental issue without adequately consulting the local community. The Local Plan policies DS8, DS16 and DS19 are therefore UNSOUND.

D. Contrary to the NPPF.

BPC remain wholly opposed to the Sub-Regional Employment Site (Gateway Development) for all the legitimate planning reasons given in our extensive correspondence OBJECTING to the development and lodged on the WDC website along with over 800 other objectors against planning application W12/1143.

In summary, the Sub-Regional Employment Site Gateway is unsustainable and inappropriate development of the Green Belt with no very special circumstances and is ruinous to the openness and rural character of our Parish. The open fields also act as a vital barrier against urban sprawl. The proposal will not support regeneration within the Coventry & Nuneaton Regeneration Zone, as it would directly compete with established underutilized sites with extant planning permission such as that at Ansty. There are many suitable alternative sites outside the Green Belt and no preferential sites within the Green Belt. Development can and should be carried out on existing sites with hundreds of acres of already available land.

The Gateway application has been subject to a Public Inquiry, which has just closed. The PI has written to us advising that the SoS is due to make a decision on or before 5th December 2014.

BPC and Parishioners continue to vociferously OBJECT to any mention of the Sub-Regional Employment Site Gateway in the Local Plan. BPC requests that the Local Plan be withdrawn and amended to remove all references to the Gateway, with all its projections amended accordingly.

BPC is of the view that policy DS16 is fundamentally flawed as it is contrary to the NPPF for all the reasons given in previous representations; hence the Local Plan is unsound.

Furthermore the Local Plan must not be concluded until the SoS has completed his deliberations following the recently completed Public Inquiry. As such the Local Plan as written can be seen to be prejudging the outcome of this inquiry and is unsound.

E. Based on out of date excessive growth projections.

On 29.5.2014 the ONS published the mid-2012 based population projections for all local authorities in England & Wales. This shows that in Warwick District, the population growth by 2029 will be about 29% less than anticipated by the Joint SHMA which was predicated on the mid-2011 ONS projections.

At the Council meeting on the 23rd April, when it was decided that the publication draft should proceed to a public consultation on its soundness, the Chief Executive, in answering a question from a Councillor said, that if these anticipated projections demonstrated a significant change to the provision in that plan, then the situation would need to be reviewed.

As such we believe that the Local Plan is fundamentally flawed as it is based on out of date information. Had it been based on the latest predictions there would be further demonstration that there is no need for the Gateway (or for the proposed level of increase in housing across the District). As the Local Plan is based on very significantly higher population growth this is unsound.

2 Housing and Policy DS11 allocated housing sites..

Please refer to our letter L130 of 15th January 2014, much of which has been ignored by the proposals in the Local Plan, which is therefore unsound.

We note Green Belt and landscape assessment work has emphasised the need to protect the villages from coalescence with nearby large settlements. This is certainly important as it helps maintain the open setting, identity and character of Baginton and protects it from Urban Sprawl. There must be no removal of any Green Belt to ensure that this protection is maintained in full. BPC believes that this vital requirement will be watered down if there was any release of the Green Belt so OBJECTS to removal of any Green Belt

This will protect the area against inappropriate development and infill development, both of which would not be welcomed.

We understand that removal of the Green Belt from defined areas would allow for less restrictive development whilst maintaining Green Belt restrictions elsewhere. BPC recognise the need for organic growth in the village to maintain its viability in the future. BPC does not want the village to wither and die. The longstanding recognised need for further housing to support sustainable organic growth is supported by the proposals, so BPC have no objection in principle and we believe there may be very special circumstances for developing the two proposed sites were they to remain within the Green Belt.

There is therefore NO NEED for removal of the Green Belt

In January 2014 we stated that should WDC insist on removal of Green Belt, which we object to, then the following must be put in place before this happens: -

A. Individual consultation between WDC and all householders affected by the change in their land from Green Belt to Non Green Belt. Cllrs are aware of some individuals who do not want their own land declassifying and wish the village to remain wholly in the Green Belt. All previous consultations had retention of the Green Belt and BPC requests retention of the Green Belt

B. Under no circumstances shall the definition of the line go beyond the boundaries of the individual properties defined in the document. We do not want there to be any ambiguity. We favour the line be drawn to the rear of the dwellings to ensure back gardens are not inappropriately developed, should WDC insist on removal of Green Belt, which we object to.

C. A professional consideration of whether the preferred land marked 1 on page 35 can be developed whilst remaining in the Green Belt, given that very special circumstances may exist, as per the land on page 61. Do very special circumstances exist? Please offer advice on this pivotal point, as Cllrs do not want the Green Belt removed from any area if the preferred option site number 1 on page 35 can proceed on the basis that it fulfils defined local need, hence has very special circumstances. If this was the case BPC would be minded to support such a development given defined needs, retaining the entire village in the Green Belt

D. The village conservation area and other areas remain in the Green Belt, as shown.

None of the above recommendations have been undertaken. You have not consulted with either ourselves or the property owners and you have ignored our requests. Warwick District Council has purposefully ignored the wishes of its constituents and ignored the objections from the three Parishes most adversely affected by the proposals.

BPC believes that exceptional reasons do not exist for proposing that the land shown on the policy Map 8 is removed from the Green Belt.

For all the above reasons the proposals in policy DS11 are therefore unsound, there has been inadequate cooperation and procedures have not been properly followed.

3 Community Infrastructure Levy Draft schedule; Plan delivery Policy DMI,

BPC are opposed to the proposal not to provide a levy on industrial warehousing and believes developments such as the Gateway should not be exempt should it proceed. There needs to be a consistent levy across the board to reflect the impact on communities. This policy is therefore unsound.

4 Sustainability Appraisal Table 416 and appendix VI Baginton section.

The sections of this document referring to Baginton do not include a consideration of the effects on the village and surrounding areas of the decision to remove the Green Belt, the provision of the Gateway Development or the up to date census data. There has been no consultation following the council's decision to remove the Green Belt. As such this proposal is unsound, you have failed to cooperate and procedure has not been properly followed.

In conclusion, the Local Plan proposals MUST protect the openness of the Green Belt countryside which surrounds our rural village and our neighbouring rural villages from urban sprawl of Coventry into Warwickshire and from inappropriate development with no special circumstances, retaining the Green Belt. The current proposals are contrary to these fundamental requirements of the NPPF.

You have not paid attention to the needs or desires of the Parish Council and local residents, wilfully ignored our requests and not even consulted us when changing your policy at the last minute to exclude the areas from the Green Belt. The Green Belt must not be removed to pave the way for inappropriate development.

In addition, you have not adequately considered the alternatives and contravened process, basing the Local Plan on excessive superseded growth projections.

Please amend your proposals by withdrawing the Local Plan as it stands, omitting the Sub-Regional Employment Site (Gateway development) and retaining the Green Belt throughout this Baginton Parish. Should you continue to ignore our reasonable requests and maintain the Local Plan in its current form we understand that the PI will be Examining the Local Plan before adoption. It is our intention to make representations at a hearing during the Examination to demonstrate that the Local Plan is all of the below:-

- A. Unsound.
- B. Unjustified.
- C. Not based on robust and credible evidence.
- D. Not in accordance with the NPPF hence contrary to national policy.
- E. Resulting from a consultation process that has not allowed for effective engagement of all interested parties to the proposals as they stand.
- F. Resulting from a lack of WDC's duty to cooperate.
- G. Not legally compliant
- H. Supported by assumptions made in the preparation of the Local Plan which are not reasonable and justified.
- I. Devoid of reasonable alternatives that have been adequately considered and with no clear audit trail showing how and why these decisions have been made.
- J. Is not the most appropriate strategy when considered against all the alternatives, all as previously presented?
- K. Resulting from a flawed consultation process with last minute fundamental changes of policy not previously consulted upon
- L. The result of last minute changes made due to the proceedings of the Gateway Public Inquiry, which was ongoing at the time, the outcome of which remains unknown.
- M. Fails to bring together and integrate policies for the development of other land in the sub-region.
- N. Has failed to protect valued rural landscapes.

Please ensure that this letter, which shall be read with and forms part of the Representation Forms, are distributed for your consideration and included in representations to the Planning Inspectorate should the Local Plan not be withdrawn beforehand.

Please also note that we formally request that we be given the opportunity to make representations at any hearing during the examination of the Local Plan by the PI.

Please advise the timescales for the examination and what more we need to do, if anything, to ensure our representations are heard together with those of our adjacent Parishes and The Community Group.

Finally, we recommend non-adoption of the plan as it stands.

Yours sincerely,

Steve Williams.
Clerk to Baginton Parish Council