

Publication Draft Local Plan: Focused Consultation 2014

For Official Only	
Person ID	
Rep ID	

This consultation is a formal process and represents an opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) in light of the information published in the "Focussed Consultation" 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 12 December 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	David	
Last Name	Ellwood	
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1	Cornwall Buildings	
Address Line 2	Newhall Street	
Address Line 3	Birmingham	
Address Line 4		
Postcode	B3 3QR	
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	<input checked="" type="checkbox"/>	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"/>	No	<input type="checkbox"/>
The adoption of the Local Plan.	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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?

Plan (tick one only):

Focused Changes [] Sustainability Appraisal []

Paragraph Number:

Policy Number:

Policies Map Number:

5. Do you consider the 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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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.

1. Green Belt, the purpose of which is to strike a balance between economic considerations and more general quality of life, is a long-standing national policy to which the Government remains committed.

Outside the Green Belt the National Planning Policy Framework (NPPF) makes a presumption in favour of sustainable development. The Coventry and Warwickshire Local Enterprise Partnership (LEP)-commissioned Strategic Employment Land Study (SELS) makes several references to that presumption.

However, it makes no reference to the counter-presumption, in Section 9 of the NPPF, in favour of the Green Belt, which applies except in very special circumstances. In Local Plan terms, that translates into a requirement of exceptional circumstances to warrant removing protection for ever from 308 hectares (740 acres) of Green Belt land in deference to a large (over a mile long and ½ mile wide) 20 metre high development adjacent to a village.

Continue on a separate sheet if necessary

Continued on separate sheet

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.

The removal of the removal of the Coventry and Warwickshire Gateway proposed development site from the Green Belt.

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 response is 'Yes', please outline which part of the examination you wish to participate in?

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 :

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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2. The sole raison d'être of the Coventry and Warwickshire Local Enterprise Partnership (LEP) is to promote economic growth and well-being.

The LEP commissioned Atkins to produce the SELS in November 2013

“to provide a robust evidence base and associated policy recommendations to assist in the preparation of the [LEP's] Strategic Employment Plan (SEP) ... ”¹

It does not claim to be either objective or independent. Its function is to support the LEP's decision to make “Coventry and Warwickshire Gateway” its flagship development site in the LEP area and its statement that “Without it [the LEP] cannot achieve its purpose.”²

A draft of the Report is shown as dated 28th February 2014 and a draft Final Report as dated 18th March 2014. The LEP published its SEP on 31st March 2014 (Sir Peter Rigby's last day as Chairman) but, after that date, Atkins' Final Report was revised three times, on 9th April 2014, 18th July 2014 and 15th October 2014. After the first of those Revisions, the author changed.³

Only the Final Report seems to have been put into the public domain, so the extent of the changes in its progression to that point cannot be assessed, though it is the subject of an outstanding Freedom of Information Request of Warwick District Council. However, an Officer's Report to Stratford-on-Avon District Council Cabinet for its Meeting on 1st December 2014 stated:

“Since [7th April 2014], it has been subject to further consideration to ensure it has taken into account the Strategic Economic Plan.”⁴

So it seems that over six months was spent after publication of the SEP ensuring that the Study, a purpose of which was to assist in its preparation, had taken it into account.

I will not repeat the criticism which others will make of the figures within the SELS but, even without examining the figures in detail, it is clear that they, and the Study's conclusions, cannot be trusted or relied on as anything other than LEP and Developer propoganda.

PARAGRAPHS 2.17 et seq: THE PLAN FOR GROWTH

3. The Plan for Growth is a joint Plan of HM Treasury and the Department for Business Innovation and Skills (BIS).

¹ Atkins' Strategic Employment Land Study Final Report, October 2014, paragraph 1.1.

² Coventry and Warwickshire Local Enterprise Partnership Strategic Economic Plan, March 2014, paragraph []

³ Ibid, Document history, page 2.

⁴ Stratford-on-Avon District Council Cabinet Meeting, 1st December 2014, Officer's Report.

It outlines the Government's plan for Britain's sustainable, long-term economic growth.⁵

However, that is not to be done at the expense of Green Belt. Atkins states:

"It highlights ... a powerful presumption in favour of sustainable development, opening up more land for development **while retaining existing controls on greenbelt land.**"⁶

4. So the Treasury and BIS whose focus, like that of the LEP, is on economic growth, acknowledge the important role of Green Belt. Atkins also follows that approach:

"The most obvious constraint is the Green Belt, which the Government has made clear remains a priority to protect against from (sic) built development."⁷

But, having identified that constraints are to be ignored when assessing need but taken into account in the final choice, its summary of the attributes of the Gateway site includes:

"Constraints on delivery: [Blank]."⁸

Carried away by its high level of praise for Gateway's other attributes, it seems to have overlooked "the most obvious constraint", namely that the site is wholly (except possibly for the highways) within Green Belt.

A fundamental reason why the Study's findings and conclusions have no credibility.

5. As stated in paragraph 2 above, the LEP has said that, if the proposed Gateway development does not go ahead, it (the LEP) cannot achieve its purpose. Atkins does not demur from that claim.

However, in September 2013, Warwick District Council's Consultant, GL Hearn, published an Employment Land Review Update for North Warwickshire Borough Council.⁹ It referred to the "Black Country and Southern Staffordshire - Regional Logistics Site Study" published in April 2013.¹⁰ The aim of that Study, it said, was to provide '**independent** planning, economic development and property market advice in relation to the continuing economic need for a RLS [Regional Logistics

⁵ Ibid, paragraph 2.17.

⁶ Ibid, paragraph 2.19.

⁷ Ibid, paragraph 5.22.

⁸ Ibid, page 70.

⁹ Employment Land Review Update, North Warwickshire Borough Council, Final Report, September 2013: GL Hearn Limited.

¹⁰ Black Country and Southern Staffordshire - Regional Logistics Site Study, April 2013: URS Infrastructure & Environment UK Limited

Site] in the study area, to inform and guide existing and emerging Local Plans'¹¹ and it commented:

“Importantly, the study recognises that the arising demand is capable of being satisfied by any location in the Midlands which is well served by road and rail. It need not be specifically satisfied within the Black Country/South Staffordshire area, let alone within a particular local authority.”¹²

So it seems that Atkins' unquestioning acceptance of the LEP's hyperbole is not shared by other Consultants.

The proposed Gateway development site is not served at all by rail.

6. Despite the claims made on behalf of the Applicant at the Public Inquiry, the majority of the deprivation and unemployment in Coventry and the surrounding area is in North and North East Coventry and in Nuneaton and Bedworth to the North East of Coventry.

That is why the Coventry-Nuneaton Regeneration Zone was identified for that area in the now abolished Regional Spatial Policy. It is on the opposite side of Coventry from the Gateway site, with the consequent inconvenience, cost and carbon footprint of travel to work at Gateway.

BOX 9

I wish to participate at the Oral Examination.

BOX 10

This Representation is supplemental to my Representation to the original Consultation and the reasons given there are repeated.

BOX 11

The Declaration in this box is incorporated in this Representation.

David A Ellwood

12th December 2014

¹¹ Employment Land Review Update, paragraph 2.37.

¹² Ibid, paragraph 2.39.