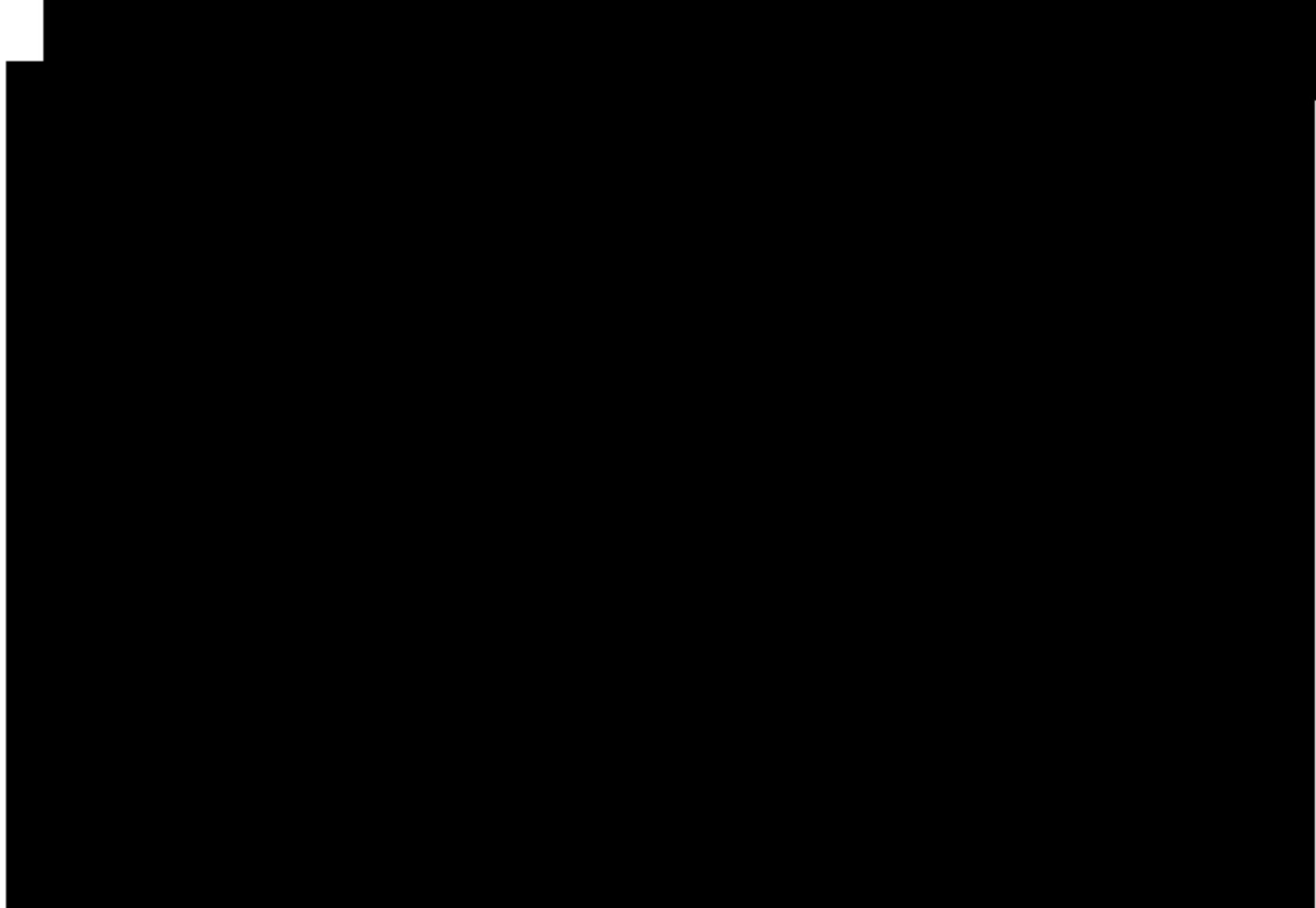


LOCAL PLAN – PUBLICATION DRAFT REPRESENTATION FORM 2016

PART A.

1. Personal Details:

Mrs. Rhonda Treacy-Hales



2. Agent's Details:

N/A

3. Notification of subsequent stages of the Local Plan

The submission of the Modifications to the appointed Inspector **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**

PART B - YOUR REPRESENTATIONS

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

Modification or SA - **Both**

- The Modification in respect of Hampton Magna
- The Sustainability Appraisal Report (SA) and SA Addendum in respect of the Hampton Magna site.

Mod Number: H27 and H51

Paragraph Number:

Mod Policies Map:

- H27 and H51
- Table of Proposed Modifications January 2016, Appendix C Changes, Policy Map 20.

5. Do you consider the Local Plan is:

5.1 Legally Compliant? **NO**

5.2 Sound? **NO**

6. If you answered no to question 5.2, do you consider the Local Plan and/or SA unsound because it is not (please tick that apply):

Positively Prepared: **NO**

Justified: **NO**

Effective: **NO**

Consistent with National Policy: **NO**

THIS RESPONSE IS CONFINED TO HAMPTON MAGNA ONLY. NO OBJECTIONS ARE MADE IN RESPECT OF ANY OTHER ASPECTS OF THE PLAN OUTSIDE HAMPTON MAGNA.

7. DETAILS OF WHY THE LOCAL PLAN IS CONSIDERED NOT TO BE LEGALLY COMPLIANT.

Section 19(2)(a) of the Planning and Compulsory Purchase Act 2004 states that “in preparing the local development document the local planning authority must have regard to national policies and advice and guidance issued by the Secretary of State”.

Paragraph 151 of the National Planning Policy Framework (NPPF) says that the Local Plan should be consistent with the principles and policies set out in the NPPF.

We contend that it is not.

Further details of this are given under the heading “Not Consistent with the NPPF”.

Therefore, for this reason, the Local Plan in respect of Hampton Magna is not Legally Compliant.

DETAILS OF WHY THE LOCAL PLAN IS CONSIDERED NOT TO BE SOUND IN RESPECT OF HAMPTON MAGNA:

NOT CONSISTENT WITH NATIONAL POLICY

To be consistent with national policy the proposal for Hampton Magna **should enable the delivery of sustainable development** in accordance with the policies in the NPPF. It should not contradict or ignore national policy. Where there is a departure, there must be a clear and convincing reasoning to justify the approach taken. (Reference Soundness Self – Assessment Checklist (March 2014) prepared by AMEX and URS of the Planning Advisory Service.)

This has not been achieved due to the reasons below.

Transport

By the NPPF paragraph 32, “All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment Plans. Plans and decisions should take account of whether **safe and suitable access to the site can be achieved for all people.**”

There is already traffic congestion to and from Hampton Magna at peak times.

This is due to the fact that access in and out of Hampton Magna is by way of a single road. At one end, Old Budbrooke Road becomes a single lane under the railway bridge approaching Warwick Parkway Railway Station and this is controlled by alternating traffic lights system which allows only a few vehicles at a time in and out of the village. When traffic enters the village or Warwick Parkway Station it prevents access out of the village.

The overall effect is that traffic congestion and delays are experienced at peak times. If there is a traffic incident in a nearby motorway this causes huge traffic build up in areas surrounding Hampton Magna

which further exacerbates the situation. Traffic flows and congestion will increase very significantly for both peak morning and evening if there are additional housing allocations.

The development assessment for the Hampton Magna Site, upon which the original and modified proposals rely, is set out in the SA Report 2014, Appendix VI (pages 26- 29) (Objective 2). It recognises the increased volumes of traffic and traffic congestion at A46/A4177/A425 Stanks Junction as a having a major negative impact. This applied in respect of the original housing allocation for 100 houses. The proposed increase to 245 houses significantly increases this major negative impact. The assessment states, "the sites are likely to increase traffic (in both the short and long term) at the A46/A4177/A425 Stanks Junction which ...experiences high traffic flows. ... There is also the potential for major cumulative negative impacts if all the sites were taken forward. There could also be negative cumulative effects on A46/A4177/A425 junction if the sites at Hampton Magna are developed as well as Hatton Park."

Despite this assessment, the Plan still proposes not only the original 100 houses but a further very significant increase of another 145 houses.

An alternative access route **to Warwick** is through Hampton on the Hill and on to the Hampton Road but this is subject to two narrow access points in Hampton on the Hill with priority give way lane control arrow signals and this results in potential choke points in and out of Hampton on the Hill. In addition, Hampton Road is subject to busy traffic travelling down the hill into Warwick thus forming an impediment to exit. Traffic (particularly at peak times) also uses this route for access into the village down the Old Budbrooke Road and under the railway bridge for journeys to the Birmingham Road and to Stanks Island. All of this will create additional congestion and pollution for local residents and the risk of accidents.

There is a Strategic Transport Assessment (Feb 2016) which proposes changes to Stanks Island to alleviate traffic congestion due to increased traffic flow to and from destinations served by Stanks Island (A4177/A46/A425) by allowing extra road access to the roundabout. The Infrastructure Delivery Plan (Appendix 6, Transport Infrastructure: A425 Birmingham Road, page 27) states, "Signalisation of the four entry arms to the junction with associated widening on each approach to the junction (but with the bridges retained to 2 lanes). The scheme also incorporates capacity improvements either side of the junction, particularly towards Warwick and associated cycle/pedestrian improvements between Wedgenock and Stanks Island"

This assessment fails to address and demonstrate how the scheme will enable safe and suitable access to and from Hampton Magna at peak times. Adding population to an area that is only just coping will result in a situation where traffic cannot adequately cope.

There is a separate technical study (Old Budbrooke Road/Warwick Parkway Station Access Junction – LinSig Assessment) which considers the potential impact of the railway bridge on traffic in and out of Hampton Magna. This shows that the peak morning assessment is near to or exceeding The Degree of Saturation shown and states it is likely that congestion will develop. We contend that the cumulative impacts of traffic from the proposed 245 extra homes at Hampton Magna, the additional proposed housing at Opus 40 and Hatton Park, the growing commuter capacity and increasing vehicle use at Warwick Parkway station and the increasing use of Hampton Magna as a cut through route from the Hampton Road are likely to be severe.

Also, the peak morning period is taken as 8am to 9am. It does not show the effects on traffic flows if the peak times are increased, as is the case for many motorists needing to reach their destination on time given increasingly lengthy journey times which result from increased traffic flows in the Birmingham Road/Stanks Island vicinity.

The theoretical modelling study has failed to properly consider the above problems adequately.

The additional traffic will also adversely impact on public transport at peak times and could result in

emergency services vehicle access being delayed or prevented from reaching its destination. The SA Report 2014, Appendix VI (pages 26- 29) (Objective 2) stated potential allocations to public transport as a major positive aspect but if journey times at peak times are delayed this will become a major negative one.

So the proposal does not enable the delivery of sustainable development or show with certainty that suitable transport access can be achieved for all people.

Therefore, it is not consistent with NPPF transport policy.

Infrastructure

The NPPF (paragraph 162) states that local planning authorities should **work with** other providers to **assess the quality and capacity** of water supply, waste-water and its treatment, energy, health and education, **and its ability to meet forecast demands**. It covers other matters not listed here.

We consider the plan must clearly show how WDC have worked with providers to properly assess how they are able to meet forecast demands at Hampton Magna.

General and superficial assurances given in the Infrastructure Delivery plan for water supply, waste-water and its treatment and energy are not adequate.

No assessment appears to have been made in respect of health, re the GP surgery.

More details are given in the “Not Effective” section.

Therefore, it has failed to meet the requirements in respect of the infrastructure policy.

NOT POSITIVELY PREPARED

To be Positively Prepared the plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

One of the key requirements is promoting sustainable transport (NPPF paragraphs 29 – 41).

In particular, the plan should:

- encourage solutions which support reductions in greenhouse gas emissions and reduce congestion (NPPF policy 29 and 30).
- ensure that developments which generate significant movement are located where the need to travel will be minimized and the use of sustainable transport modes can be maximized (NPPF 34).

For the reasons detailed elsewhere in this response the additional proposed housing allocation at the sites in Hampton Magna with restricted access to and from Hampton Magna will result in significant increased traffic flow and congestion which is not sustainable and conflicts with these policies.

NOT JUSTIFIED

The Local Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. To be justified the Local Plan “needs to be founded on a robust and credible evidence base involving research/fact finding demonstrating how the choices made in the plan are backed up by facts.” Reference: Soundness Self – Assessment Checklist (March 2014) prepared

by AMEX and URS of the Planning Advisory Service.

Indicative Village Capacity

In our submission, the Local Plan in respect of Hampton Magna fails to do this because the proposed figure of 245 additional houses has not been robustly demonstrated as justified even as measured against the Indicative Village Capacity proposed in the Plan.

The Village Profile and Housing Allocations February 2016 document includes the profile for Hampton Magna and contains The Indicative Village Capacity section. This gives a total figure of 180 additional houses for Hampton Magna. It concludes that 180 is indicative and it is reasonable to exceed this “to a degree”. However, an increase from 180 to 245 is not “a degree”. The proposed 245 is not backed up by facts in the assessment and not justified.

To justify the increase from 180 to 245 houses it uses “the range of services within the village, its sustainable location close to urban area and good quality transport links.” However, no account has been taken of the negative sustainability impact on certain amenities which will result from the significant proposed number of additional houses, e.g. doctors surgery, primary school and local public and private transport access delays out of the village at peak times.

Specifically with regard to transport, paragraph 8.7 of the profile for Hampton Magna states that WCC have undertaken a “focused piece of work to consider the potential impacts of the railway bridge. The technical note prepared as a result of this work indicates that at least 150 additional dwellings (over and above the initial 100 houses) would be manageable. However, the actual study does not say this. It recognises the additional houses will create saturation and congestion at peak times.

Sustainability Assessment

The plan is also defective in assessing sustainability.

The SA Addendum, Appendix II – Growth Villages in respect of H27 (land south of Arras Boulevard) says although there is a 30% expansion suitable mitigation is provided. We submit that this is not correct nor has it been adequately demonstrated.

The plan (SA Addendum, Appendix II) says a Sustainability Assessment for the H51 site for Hampton Magna (land south of Lloyd Close) is not needed because the site has not been subject to change since 2015 when it was originally appraised but not allocated.

However this H51 site has clearly changed since 2015 from 0 houses allocation to 145 houses allocation! So there is a huge fundamental change and hence a new Sustainability Assessment (SA) ~~is~~ was essential to revisit this. The fact it has not been performed shows no attempt has been made to satisfy the sustainability criteria of justification.

We appreciate that the Local Plan needs to find additional houses in total but it is not justified to allocate another 145 (an increase of 145% to the original 100 houses) simply because Hampton Magna is a village with some amenities. The plan needs to demonstrate precisely how the total figure will be accommodated based on a revised Sustainability Assessment which fully addresses the real problems such an increase will entail.

It does not do this and for these reasons 245 houses in total is Not Justified.

NOT EFFECTIVE

To be effective the Local Plan **needs to be deliverable over its period, requiring evidence of sound infrastructure delivery planning** by showing:

- clearly identified policies and proposed solutions
- a schedule setting out who will deliver and when and how it will be funded.
- support for the above by the providers and how it will be achieved.

Reference: Soundness Self – Assessment Checklist (March 2014) prepared by AMEX and URS of the Planning Advisory Service.

The Distribution of Development document paragraph 28 states:

“Infrastructure: Ensuring that sites can be brought forward in locations where the infrastructure impacts can be mitigated is a key element in selecting locations. For instance where the highways network or education requirements are unable to support growth and the impacts cannot be effectively mitigated, sites have not been allocated or capacity has been capped.”

However, it is our contention that the Plan has failed to clearly show that the original and revised proposal for Hampton Magna achieves this.

The document continues: “Conversely, some locations provide opportunities to provide viable infrastructure improvements. The Infrastructure Delivery Plan sets out the infrastructure requirements associated with the proposed level of growth and distribution of development”

The Infrastructure Delivery Plan does not do this. The table (5. Schedule of schemes, costs and sources of funding) in the Infrastructure Delivery Plan, Appendix 6, shows responses from physical Utility providers in very general terms:

U3 – Water and Sewerage assessment says Severn Trent Water’s investment plans for drainage, sewerage and sewerage treatment mean that the development proposals can be accommodated.

U1 High Voltage Electricity Transmission System Electricity assessment says the transmission system will have the capacity to accommodate the additional demand.

However, there have been serious and frequent problems with Water and Sewerage systems and the poor state of existing water drainage and sewerage systems in Hampton Magna is well known and is acknowledged by Severn Trent Water. There is no current detailed assessment of what work will be required and how and when it will be performed to enable the existing systems to adequately cope if additional housing is built.

Much of the existing electricity distribution system in respect of Hampton Magna is low voltage and has also been subject to problems for many years, such as damage in adverse weather conditions and power outages at regular occurrences. Only the high voltage is recognised not the low voltage system and there is no assessment even in general terms as to how the existing electricity system might be affected by the additional housing and how and when any problems arising will be resolved.

It makes no attempt to demonstrate sound infrastructure delivery planning.

Paragraph 1.3 of the Infrastructure Delivery Plan says that “at this stage the Infrastructure Delivery Plan requires some refining in specific areas, particularly in relation to costs and timing of delivery”. Far from needing some refining, there appears to be no clear evidence produced to show how the key requirements above have been satisfied in respect of Hampton Magna. Vague assurances are inadequate.

Social Infrastructure

– Health GP Services, there is no assessment or proposal in respect of how the GP practice at Hampton Magna will cope with the additional patient numbers, whether expansion will be necessary and if so how it will be funded.

- Education.

The January 2016 census recorded 266 pupils against a capacity of 315.

WDC estimate that the total additional proposed homes for Hampton Magna and Hatton Park will generate in the region of **110** primary age pupils. This is based on a formula, the outcome of which allocates one primary school pupil for every about 4 new additional houses allocated. Given the likely ages and demographics of new householders this might appear to some to be a conservative assessment.

Taking this 110 assessment, when added to the 266 pupils it would create a total of 376 pupils which is 61 pupils over the 315 capacity.

This would entail an expansion of the school from the time the extra housing is built. It does not take account of a future growth in numbers of pupils.

However, in respect of such expansion, there is no current detailed assessment of what work will be required, how and when it will be performed and how it will be funded with certainty. The Infrastructure Delivery Plan in respect of the “Expansion of the existing school at Budbrooke” states that it will be expanded from 1.5 form entry to 2 form entry to cater for the additional demand in respect of the new allocations for Hampton Magna and Hatton Park. However, there is no Scheme Grading, no Total Cost New Estimate, no Estimate of Funding Type (in fact no funding amounts stated at all). Possible funding routes have been indicated by WDC but there is no clear certain assessment and allocation. Again this fails to demonstrate sound infrastructure delivery planning by the means stated above.

Therefore, we believe the plan for Hampton Magna fails to satisfy the key requirement to show ~~it is~~ the proposal is Effective

This “it will be alright on the night” approach is inadequate.

8. Modifications necessary to make the Local Plan legally compliant or sound.

LEGALLY COMPLIANT AND SOUND

As the Plan has failed to satisfy Legal Compliance and Soundness then the allocation of 245 houses should be denied on the basis that such allocation has failed a proven sustainability assessment and the other failures in the Plan as stated in this response.

If the Inspector concludes that the Local Plan is Legally Compliant and Sound in some respects, then at the very least it is proposed that there should be a significant reduction in the number of houses allocated for Hampton Magna. How this is achieved is a matter for the Inspector. For instance, he could deny the proposal for the additional 145 houses, or reduce the total 245 number in some other way.

There is potentially a more suitable site nearer to Coventry which should be considered as an alternative, e.g. Bubbenhall, given that meeting Coventry’s housing is the focus of the Plan. This would also better meet the Positively Prepared key requirement in respect promoting sustainable transport in accordance with NPPF.