



## Budbrooke Parish Council

Clerk to the Council: Mrs Alex Davis

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### Representation on Warwick District Local Plan - 21<sup>st</sup> April 2016

Modification or SA - **Both**

The Modification in respect of Hampton Magna

The Sustainability Appraisal Report (SA) and SA Addendum in respect of Hampton Magna Site.

Mod Number: H27 and H51

Mod Policies Map:

H27 and H51

Table of Proposed Modifications January 2016, Appendix C Changes, Policy Map 20.

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

#### **DETAILS OF WHY THE LOCAL PLAN IS CONSIDERED NOT TO BE LEGALLY COMPLIANT:**

In preparing the plan the local planning authority must have regard to national policies and advice. The Local Plan in respect of Hampton Magna should be consistent with the principles and policies set out in the National Planning Policy Framework (NPPF) and 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**

Bold underlined highlights have been included within texts for emphasis.

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.

This has not been achieved due to the reasons below.

##### **Transport**

By the NPPF paragraph 32, 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.



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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.

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 which are subject to priority give way lane control arrow signals resulting 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 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). The proposed mitigation to alleviate standing traffic already happening at peak periods is for an increase in lanes to and from the A46 and the introduction of traffic lights to the island. These modifications were planned before the local plan or its modified version were published and are to allow an extra road to access the roundabout. This assessment fails to address and demonstrate how the scheme will enable safe and suitable access to and from Hampton Magna at peak times. Once again adding population to an area that is only just adequately coping will give rise to creating a situation where the infrastructure cannot 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 their destination.

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.



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### 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 they 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, energy are not adequate.

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

### Housing Density

The WDC Local Plan – publication draft April 2014, Section 5 Sustainable Communities states in Paragraph 5.5 that “appropriate housing density, suitable vehicle parking and plot sizes” should be one of the main thrusts of Sustainable Communities.

Paragraph 5.207 states “The Localism Act 2011 and NPPF provide the framework for town or parish councils within the District to engage in community and neighbourhood planning. The Council will help support neighbourhood planning in the District and work with communities to achieve their planning aims, where these are in conformity with EU obligations and human rights, the NPPF and the strategic policies of this Plan.” It also indicates that “Planning applications that accord with the policies set out in this Plan, other Development Plan Documents, and where relevant, with policies in neighbourhood plans, will be approved without delay, unless other material considerations indicate otherwise.”

Paragraph 47 of the NPPF states that local planning authorities should “set out their own approach to housing density to reflect local circumstances.”

Nowhere in WDC Local Plan Publication does it specify a housing density other than by appropriateness, presumably to indicate the need to reflect local circumstances, indicating some discretion to accommodate Neighbourhood Plans.

In the 2016 modifications all sites have a defined housing density of 35 dpha. No document issued to the public as part of the consultation in 2014 gave a figure for housing density.

To specify a density that applies to all housing development fetters the discretion of councils, planning authorities, to adjust housing density to reflect local circumstances.

In Hampton Magna the existing housing in areas that only include houses is 25 dpha. This figure is used in the Budbrooke Neighbourhood Development Plan which covers Hampton Magna and on which, during its consultation stage, WDC made some suggestions. However, it made none in respect of



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housing density. Restricting new build to 35 dpha increases the housing density in such a way to destroy any reflection of the immediate neighbourhood contrary to NPPF.

Therefore the imposition of 35dpha makes no attempt to reflect local circumstances at Hampton Magna) and is not consistent with Paragraph 47 of the NPPF.

### **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 and conflict with these policies.

In addition, the premise of the Local Plan seeks to increase the population of those villages regarded as having “good” infrastructure and to avoid those with “poor” infrastructure. Thus a so called “growth villages” such as Hampton Magna has been selected on this basis and allocated a very considerably greater number of houses. However, in Hampton Magna the plan allocates significant extra housing into a village with existing poor infrastructure resources. This negative impact on the sustainability renders the modified plan not positively prepared and hence not sound.

### **NOT JUSTIFIED**

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.”

#### **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



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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.

### **Sustainability Assessment**

The plan is also defective in assessing sustainability.

The plan says a Sustainability Assessment (SA) 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 essential to revisit this.

The fact that it has not been performed shows no attempt has been made to satisfy the sustainability criteria of justification.

### **Site Selection**

There is a failure to adequately demonstrate the reasons which justify proposing Site H51 – Land South of Lloyds Close.

In the Village Housing Options and Settlement Boundaries Consultation of November 2013, page 44, the sites review clearly states site H51 is a "highly visible site with significant impact on residential properties".

However, the Table of Proposed Modifications to the Publication Draft Local Plan (Part 1) simply adds site H51 without any explanation or consideration to justify why this site merits being taken out of the green belt and allocated such a huge number of houses. This appears therefore to be a matter of expediency, a look through sites already rejected, much like finding the right colour Smartie in a mixed bag. There is nothing sound about this approach.

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.



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### **NOT EFFECTIVE**

To be effective the Local Plan needs to demonstrate 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.

The Infrastructure Delivery Plan does not do this. The Table in the Infrastructure Delivery Plan 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, the poor state of existing water drainage and sewerage systems in Hampton Magna is well known and is acknowledged by Severn Trent Water. The existing Sewerage arrangements were added to the MOD Barracks sewerage system when the site was developed into Hampton Magna from its previous use as the Budbrooke Barracks of the Royal Warwickshire Regiment. At its completion, the local sewerage was not adopted by the then Severn Trent Water Authority and only adopted, in the main, just before the Authority’s privatisation and the formation of Severn Trent Water. No mention is made in the original or modified local plan of the need to ensure that the capacity of the local and area systems can cope with the significant extra usage. Similarly, there have been no references to the need for enhancing the local water supply capacity.

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 system for Hampton Magna is conducted along lower voltage distribution company overhead cables. These are prone to damage in adverse weather conditions and short and longer power outages are a regular occurrence in the village and in Hampton on the Hill. Once again the local plan and modification document make no reference to the need to enhance or modernise this supply situation.

There is no assessment even in general terms as to how the existing system might be affected by the additional housing and how and when any problems arising will be resolved.

### **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.



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WDC estimate that the total additional proposed homes for Hampton Magna and Hatton Park will generate in the region of 110 primary age pupils.

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.

Generally, the assessments are at a very high level and fail to consider in sufficient detail the actual site status in respect of flooding and buried armaments.

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

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

### **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.

**Agreed at a meeting of Budbrooke Parish Council on 21<sup>st</sup> April 2016**

**Signed: *Mike Dutton***

**Mike Dutton, Chairman**

**Date: 21/04/16**