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|  <p>Nuneaton & Bedworth United to Achieve</p> | <p>Borough Plan Main Modifications Representation Form</p> | <p>Ref:</p> <p>(For official use only)</p> |
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Name of the Local Plan to which this representation relates:

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|---------------------------------|
| Borough Plan Main Modifications |
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Please return to Nuneaton and Bedworth Borough Council by 3rd December 2018 via:

Email: planning.policy@nuneatonandbedworth.gov.uk

Post: Planning Policy Consultation, Town Hall, Coton Road, NUNEATON, CV11 5AA

This form has 2 parts:

Part A – Personal details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

| | 1. Personal details* <small>* If an agent is appointed, only the Title, Name and Organisation boxes in section 1. are required. Agent details should be completed in section 2.</small> | 2. Agent's details (if applicable) |
|------------------------------------|---|---|
| Title | Mr | |
| First name | Karl | |
| Last name | Mayer | |
| Job title (where applicable) | | |
| Organisation (where applicable) | Woodlands Action Group | |
| House number | (Redacted) | |
| Street | (Redacted) | |
| Town | (Redacted) | |
| Post code | (Redacted) | |
| Telephone number | (Redacted) | |
| Email address | (Redacted) | |

3. Which of the following age brackets do you fall within?

| | |
|----------|--|
| Up to 15 | |
| 16-19 | |
| 20-29 | |
| 30-39 | |
| 40-49 | |
| 50-59 | |
| 60-69 | |
| 70-79 | |
| 80+ | |

Part B – Please use a separate sheet for each representation

| | |
|--------------------------------|------------------------|
| 4. Name or Organisation | Woodlands Action group |
|--------------------------------|------------------------|

5. To which main modification does this representation relate?

| | |
|---------------|-------|
| MMC reference | MMC14 |
|---------------|-------|

6. Do you consider the Borough Plan is:

6.(1) Legally compliant

| | |
|-----|---|
| Yes | |
| No | x |

6.(2) Sound

| | |
|-----|---|
| Yes | |
| No | x |

Please mark with an 'X' as appropriate

7. Please give details of why you consider the main modifications are not legally compliant or are unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the main modifications, please also use this box to set out your comments.

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| <p>The Woodlands Action Group feels the main modifications are not legally compliant and sound for the following reasons :</p> <p>MMC14 – MM60</p> <p>The Action group is very worried about the at least 689 dwellings phrase surely this examination has been about the figure of 689 and the (at least) changes the goalposts which is very worrying especially regards the work put in by everyone from groups and residents alike.</p> |
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MMC14 – MM61

It's just the site map with a vague grey circle and lines on it, the concept of it seems to have escaped NBBC. Gives no clarity of access and it's implications at all making it Not sound.

MMC14 – MM62

The phrase 'Where Possible' which has been added makes a complete mockery of the whole process, especially given regards to the (the ECUS heritage assessment 2016). The ECUS heritage assessment 2016 was quite clearly part of the evidence NBBC used when submitting the plan. It recommended that the ridge and furrow SHOULD be retained (fig 9 of document j7.1 appendix 3). So how on earth have they have decided to put a traffic island on it is quite simply barbaric. When the action group first heard of this decision, Karl Mayer contacted NBBC's Katherine Moreton via email with our concerns and said surely the council will not go against their own evidence base (ECUS 2016), Katherine's reply clearly stated that it was something officers would NOT be recommending (Attachment 3). What made NBBC and Katherine change their minds and put it in as a main modification given the fact Inspector Spencer had quite correctly said about it being retained and that it was his quote "My emphasis" (INS34 note from inspector 29th May 2018). This main modification phrase 'where possible' to the action group is a complete failure of following their own evidence base from NBBC due to the fact that they have been backed into a corner regarding traffic measures for HSG4 as this is their third attempt (if it is such a good idea why did they not submit it in the first place). In the ECUS heritage assessment 2016 from page 53 onwards (7.3.2, 7.3.31, 7.3.32, 7.4.3, 7.4.7) and on page 63 it clearly shows the importance of this particular piece of medieval ridge and furrow and begs the question what other secrets does it hold regarding archaeology. Also on page 65 of the ECUS report (7.5.1) in the second bullet point it states 'Development to avoid well preserved ridge and furrow earthworks areas' Can you imagine Wiltshire council entering a policy in their main modifications saying 'where possible' save some of the stones at Stonehenge? Well what's the difference to the people of Bedworth? This medieval ridge and furrow is our Stonehenge in heritage terms. It should also be pointed out again that this particular piece of ridge and furrow where the traffic island is proposed is the pinnacle example of ridge and furrow within the site. While researching I came across an appeal decision from the inspectorate, dated decision date 13th March 2015 (App/j3720/A/14/2215276)(Attachment 4) which speaks at length about ridge and furrow and its standing regarding historical importance (points 25 to 35). The medieval ridge and furrow and its close association with Sparrows farm is unique to this borough and certainly should not be overlooked for a road and begs the question why in the first place did HSG4 get selected by NBBC, even Terra strategic picked up on it in matter 6 issues 3 – 3e (point 1.6) and went as far in (1.7) by saying HSG4 is not a 'justified' and 'effective' allocation upon which to include within the borough plan. It is quite clear now that Hawkesbury should've been included from the start and the woodlands could've been omitted and added to the green belt as an extension to existing green belt by a boundary change as promised by NBBC for 7 years. It could also be suggested that the landowner the Nicholas Chamberlaine trust who does fantastic work regards the schools they own, could maybe make great use of this heritage treasure. They could maybe do projects on the rare Arden landscapes

and maybe do a field study in the big field in front of Norwood farm and return the ditches and hedgerows, which were brutally filled in and removed in the 1960's.

MMC14 – MM63 (inspectors recommendations)

The action group totally agree with this modification by the inspector, but could it possibly go further regarding hedgerows, mature trees, ridge and furrow and other parts of the site regarding biodiversity, ecology and ridge and furrow highlighted in this examination by Warwickshire Wildlife Trust and Natural England.

MMC14 – MM64

The Action group believes this is impossible at HSG4 (protecting the existing ecological network) by building 689 houses.

MMC14 – MM65

The concept plan gives no conception in real terms and looks like it would have taken no more than 5 minutes to compile, more detail is needed to make it sound surely.

MM14 – MM66

This modification is of grave concern to the action group and local residents. It firstly must be pointed out that since its introduction to these main modifications some months ago, NBBC have not informed any residents of Bedworth woodlands regards this new access road (even ones that's back gardens back onto its route). NBBC sent letters apparently to all residents (and rightly so) at Hawkesbury and because of its very late inclusion in the plan, but not Bedworth woodlands even though this access road was post hearings and very late in this process. It is the action Groups view that both Hawkesbury and Bedworth Woodlands require more hearing dates set to give fairness to all concerned. This new access to the site is the third attempt from NBBC and certainly the worst. Just before the plan was sent to the inspectorate (I think it was 2015) NBBC held a series of exhibitions showing their ideas, at this stage they were showing a new road running parallel alongside the existing slip road of the A444 which faces the children's play area/park. The costing's were in the region of £4.5 million (NBBC STA modelling report 2015 page 37 costs and page 108 ref 33). This modification also with the proposed new south bound off slip from the A444 and access point suggested at Buttercup Way will both have to cross over the River Sowe making the costing's even more unsustainable if NBBC cannot get anyone to pay for them. At the hearings on March 14th 2018 all parties sat down with the inspector to discuss traffic measures regards HSG4 it came to light that Mr Ben Simm from WCC was discussing a route onto the A444 at the Sutherland drive junction which was not within the site boundary which amongst other facts lead inspector Spencer to say that he found the evidence before him regarding the STA unsound, he then gave them a few weeks to come up with something else. This leads us onto where we are now. This latest attempt has also been put together by someone who in the action group view is also unfamiliar with the area and site boundary. This new access road delivers absolutely nothing for the existing residents of the woodlands and if

anything, creates more noise and pollution given the fact it is only yards away from the extremely busy A444. Another point we feel compelled to make is the fact that this new access road will add to pollution which could have a major effect on Bedworth sloughs nature reserve which is directly on the opposite side of the A444. The other vehicular access points also are also strange given the fact Buttercup Way and Bedworth Lane are not within the site boundary. Judd Close is also farcical given that it is a cull de sac manly occupied by elderly people's bungalows where the road is very narrow making access for lorries totally impossible. The Action group aired these concerns to the local MP Craig Tracey which resulted in him writing to county councillor Jeff Clarke who is the cabinet member for transport at WCC regarding this new road proposal (Attachment 5). County councillor Clarke's response letter (Attachment 6) also confirms that this project would need to be consulted on as regards to the highways act 1980. County councillor Clarke's letter also casts doubt over the local shop and Doctors surgery, it also states that it is not a committed scheme until it becomes part of the IDP. It seems what Arbury estate said at the March 14th hearing about not being financially tied to any major road scheme within the site was not passed on to him by Ben Simm. At the start of the examination both landowners who in the past (1997 public inquiry) could not get along told of their new friendship and desire to forge ahead with the site this soon changed at the hearings on March 14th when the legal team representing Arbury Estate told the inspector that they would not be making any major contribution to any major road schemes at the site due to it not being sustainable and told how they planned to produce a smaller application on their land which I believe involved a school. This is proof that time has not healed the rift between the two landowners which is not encouraging for the future. This new access road also does not address the problem of existing traffic (north Nuneaton) which cuts through the area at peak times manly coming down Bedworth Lane seeking manly access to the south bound A444. I myself and local Councillor Kyle Evans did our own traffic surveys to get some idea of the volume of traffic which exits the area between 7am and 9am. This survey was done on 15th November 2018 where we recorded 639 vehicles in a two hour spell and again on 29th November 2018 between the same times 7am to 9pm with this time 646 vehicles this time. That gives us a total of 1,285 vehicles of which we worked out 85% of which were heading for the south bound A444 to M6 J3. The cars which included a queue of traffic at its peak from the junction of Newtown/Heath road backing up to the Doctors surgery on the corner of old Newtown road of (over 50 vehicles) This in turn makes a complete mockery of the Vectos report NBBC62_hsg4 which on page 18 (Queue impact plots) has the predictions of Queues around the HSG4 network of between 10-25 vehicles for 2031 how laughable this is because in reality it is double that in 2018 (Action group and councillor Evans surveys) without a single brick being laid of the 689 dwellings proposed . In the action groups view this queue of traffic would just be move onto the new access road which from woodlands road would still have to turn left under the A444 bridge and then a sharp right to access the south bound A444 on slip road. The addition of the traffic at peak times 689 houses would bring is worrying and would only make the problem worse. In the action groups view this new road layout regarding the new north bound A444 will also not do anything regards traffic coming back to the woodlands in evening peak times as at least 85% of this traffic is heading for Bedworth Lane with the purpose of getting back to the North of Nuneaton/Atherstone etc. they will not stop on the north bound A444, to Nuneaton due to the Griff island and Hospital island and the route into

Nuneaton via Greenmore and Arbury road being at standstills at peak times. In document NBBC62_HSG4 page 12 (point 50) it must be pointed out that the traffic exiting the Woodlands, 85% of which will want to get on the south bound A444 on slip will also be joining traffic backing up from the notoriously gridlocked M6 J3 some 500 yards ahead. On page 14 (point 62) we asked the question, how will HGV's service the site for these 170 dwellings? We went over the width of these roads and the double parking issues on old Newtown Road/Woodlands road at the examination in which ward councillor Sebastian Gran gave excellent accounts of road dimensions. In point 63 we would like to point out that the path of this new road is not within the site boundary and may incur compulsory purchase orders for some of the properties in its path, one of which has just been sold. In point 64, the action group would like to know if there is a revised IDP and with what Arbury Estates said at the examination regards funding, how it can be viable or sustainable. Also In this modification, NBBC have tried to defend their new stance against their own evidence base

(See our response to MM62) by claiming that the loss of the ridge and furrow in this area is 'regrettable' which in the dictionary definition describes as 'undesirable' 'woeful' and 'distressing' how true these three meanings are in this case. The fact that NBBC have come up with this at such a late stage is certainly regrettable for local residents as this road scheme will certainly be very distressing given this area is the finest example of tranquil medieval ridge and furrow within the whole site. This can be explained by the wonderful Judy Vero (Attachment 7) from 2003 when the action group and NBBC were waiting for a local plan to return Bedworth Woodlands to the green belt. What is particularly interesting from this document is the reference to the ridge and furrow, novelist George Eliot and the Sparrows Farm (Attachment 7A). Speaking to the current residents of Sparrows farm, Janet Sparrow and her partner Jeff Langbridge, they told how they can trace the Sparrow family living at the farm back to 1702 but have documents going to 1636 this farm was clearly the only building at that time in this area and maybe could be classed as the heritage monument that supports the ridge and furrow especially given the age of Sparrows farm. One thing for sure is that the Sparrows farm and ridge and furrow are of very important heritage value to the area which NBBC do not seem to give a hoot about as things stand. It must also be pointed out that if permission is granted for HSG4 the Sparrow legacy is over according to Janet and Jeff.

At the NBBC full council meeting on the 12th September 2018 local ward councillor Kyle Evans asked the portfolio holder for planning councillor Neil Phillips a question regards the new access road and the impact it would have on the ridge and furrow (Attachment 8). In his response councillor Phillips said and I quote "the inspector has not said we can't put this in although to be fair the ridge and furrow and access point is a concern to me as it is to the people of the woodlands". I find this unbelievable with Katherine Moreton stating officers will not be recommending it (emails) and now the portfolio holder for planning who is in charge of the plan says it is a concern to him, the action group find the whole situation with NBBC baffling to say the least.

Summary:

On behalf of the woodlands action group I would like to say as a window cleaner I have found this whole process difficult. I fully understand that planning and its rules are very difficult for NBBC and all concerned. The thing I have found hard to grasp

is when NBBC/WCC were given another chance regards traffic measures for HSG4, especially when they had had nearly 3 years to get their case water tight, it seems unfair to me that the authorities with ample experts and resources can get things wrong and be given another chance. When members of the public like ourselves are trying our best under very difficult circumstances to understand at times. I cannot say it has been an enjoyable process staying up until 3am looking at laborious documents. I must say I did really relish the examination days that I attended and thought Inspector David Spencer made it a very fair and an enjoyable occasion for all. It must be stressed again that if this road is still being considered after the consultation, the action group think it is only fair another hearing date is set due to such a massive addition being added only after the original hearings had ended. The action group feels that with all the evidence presented by all parties from when the plan was sent off to the hearings and now the modifications consultation HSG4 should be removed from the plan because of its biodiversity, heritage and ecological value to Bedworth for future generations and be returned to the green belt as promised by NBBC.

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(Continue on a separate sheet / expand box if necessary)

8. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified at 7 above where this relates to soundness. You will need to say why this modification will make the Borough 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.

See above.

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support and justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations.

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.

9.

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| Signature: (If you are filling in an electronic copy, please just type your name) | Karl Mayer |
| Date: 3/12/2018 | |

Guidance notes for Representation Form

1. Introduction

1.1 The Planning and Compulsory Purchase Act 2004 (as amended) (PCPA) states that the purpose of the examination is to consider whether the plan complies with the legal requirements and is sound. The publication of the Schedule of Proposed Main Modifications to the Borough Plan Publication (2017) document is a formal stage in the Examination process. Representations should relate specifically to the legal compliance and soundness of the proposed main modifications. The Council has prepared a schedule setting out the proposed Main Modifications it considers necessary in order for the Borough Plan to be found sound. This document, along with an updated Sustainability Appraisal Report and Habitats Regulations Assessment have now been published for public consultation, alongside other updated documents that helped inform the modifications.

2. Legal Compliance

2.1. The Inspector will first check that the plan meets the legal requirements under s20(5)(a) of the PCPA before moving on to test for soundness.

2.2. You should consider the following before making a representation on legal compliance:

- The plan in question should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the Local Development Documents (LDDs) it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for independent examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement (SCI) (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of LDDs (including plans) and the consideration of planning applications.
 - The plan should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations, and make them available at its principal offices and on its website. The LPA must also notify the various persons and organisations set out in the Regulations and any persons who have requested to be notified.
- The LPA is required to provide a Sustainability Appraisal Report when it publishes a plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.

3. Soundness

3.1. Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF, 2012). The Inspector has to be satisfied that the plan is positively prepared, justified, effective and consistent with national policy:

- **Positively prepared:** This means that the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified:** The plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
- **Effective:** The plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
- **Consistent with national policy:** The plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

4. General advice

4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should make clear in what way the plan or part of the plan is inadequate having regard to legal compliance and the four requirements of soundness set out above. You should try to support your representation by evidence showing why the plan should be modified. It will be helpful if you also say precisely how you think the plan should be modified. Representations 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 submissions based on the original representation made at the main modifications 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.

4.2. Where there are groups who share a common view on how they wish to see a plan modified, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases, the group should indicate how many people it is representing and how the representation has been authorised.