

## Representations by Mr Howard J Dawson FRICS to the Stage 6 Hearing Session

### SDS2 (Birchall Garden Suburb)

Docs: EX154, EX157, EX158 and EX159

1. Documents EX154 – 159 are very detailed technical and scientific reports, prepared by the land promoter, dated in the period April 2019 to August 2019, but not made available to the public until October 2019.
2. On 6<sup>th</sup> October 2019, the Programme Officer brought these new documents to the attention of the public and Regulation 19 participants and requested “comments” to be submitted by 4<sup>th</sup> November 2019. As the Programme Officer acknowledges, the new documents are in addition to EX105 to EX153 (all relating to SDS2) which were the subject of consultation in the period 20<sup>th</sup> July to 21st August 2019. In each case, the public and Regulation 19 participants have been given only four weeks to read, consider and respond to voluminous, complicated, technical and scientific evidence. This has caused very severe prejudice to the public and to Regulation 19 parties. None of this evidence should be admitted by the Inspector, 2.5 years after the WHBC Local Plan was submitted for Examination.
3. I do not have the time, resource or expertise to fully consider the new evidence that the Council now seeks to submit in a desperate attempt to justify the allocation of SDS2 in its submission Local Plan. Indeed, the vast amount of the new evidence and its complexity simply underlines the fact that the Council was not sufficiently well-informed to conclude that SDS2 was suitable, available and deliverable or that it could possibly satisfy the Sustainability Appraisal at the time when the site was approved for allocation in June 2016. That circumstance alone makes the submitted Plan unsound.
4. It is not acceptable for the Council to allocate sites which it cannot justify at the time of submitting its Plan for Examination and to then drip feed complex new evidence into the Examination, at short notice, over a period of years.
5. The simple facts about SDS2 are:
  1. SDS2 has no connection to an urban settlement;

2. SDS2 requires vast amounts of open land to be released from the Green Belt, whereas only a very small proportion of that land is actually required for the housing;
  3. The proposed housing allocation on SDS2 sits adjacent to a huge unregulated landfill tip where there are no records of the historic materials or chemicals tipped and where, due to the steep topography of the land, surface and ground water (which is known to be contaminated) will flow, by gravity, into and under the proposed housing and primary school area;
  4. The site is adjacent to the Burnside Waste Facility, which crushes vast amounts of concrete, causing noise and dust (with the prevailing wind blowing across SDS2 from west to east) and;
  5. The A414 (a busy dual carriageway) runs along the southern boundary of SDS2 causing noise and pollution.
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6. The Examination should therefore focus its attention on why SDS2 (and SDS6 – Symondshyde) were ever considered suitable for allocation by the Council ahead of the many alternative suitable and sustainable sites, which are adjacent to existing urban areas, which could provide many thousands of new homes within the first five years of the Plan period and achieve a more sensible and sustainable housing distribution strategy.
  7. The fundamental problem with the WHBC submission Local Plan is that it is a political, not a planning document. The Council has repeatedly refused to even seek to meet its housing need and will not contemplate site allocations in the four large villages, despite the sustainable characteristics of those villages. Policy SP3 confirms this strategy. Until this fundamental issue is addressed and resolved, the Examination will continue to go round and round in circles, wasting public and private sector time and money.
  8. The Council has now appointed Land Use Consultants to produce new Green Belt, Green Gap and Landscape Sensitivity reports, all of which contradict the Council's existing evidence base at the time of submission. All of the Council's "new" evidence is negative, with the aim to fabricate reasons not to allocate sites adjacent to existing urban areas, which the Council itself has found suitable, available and deliverable, but did not allocate.
  9. The objectivity and independence of LUC is now in serious doubt and their new reports should not be admitted to this Examination because they will (i) create

conflict and confusion with the Council's existing evidence base (upon which the Plan was submitted) and (ii) potentially undermine the legal soundness of the Examination process.

10. The allocation of SDS2 ahead of other more suitable and sustainable housing sites is irrational. This makes the WHBC submission Local Plan unsound and exposed to legal challenge.

**Howard J Dawson FRICS**  
**3<sup>rd</sup> November 2019**