

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REPRESENTATIONS TO THE WALBERTON NEIGHBOURHOOD PLAN (2015-2035)

Pre-Submission Plan (Autumn 2015)

Land at Toppers Field, north of Walkerton

*On behalf of:
Hanbury Properties Ltd*

*Prepared by:
Amanda Sutton BA (Hons) DipTP MRTPI
Director*

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WALBERTON NEIGHBOURHOOD PLAN 2015-2035

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1.0 Introduction

- 1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by Hanbury Properties Ltd to submit representations in respect of the Walberton Parish Neighbourhood Plan 2015-2035, Pre-Submission version (Autumn 2015).
- 1.2 These representations relate to land at Tuppens Field, north of Walberton, in response to the Parish Council's Call for Sites, as set out in a letter dated 11th October 2014.
- 1.3 The site is being promoted by Hanbury Properties on behalf of the Landowner.

2.0 Areas of Concern for the Soundness of the Neighbourhood Plan

- 2.1 The Localism Act 2011, introduced neighbourhood planning to give local communities the opportunity to take a more active role in shaping their future by setting out a vision for their community. Neighbourhood Plans should establish general planning policies for development and the use of land as part of the Government's growth agenda, and should not be seen as a mechanism to constrain future growth.
- 2.2 Neighbourhood Plans must meet a number of basic conditions in order to comply with legislation (paragraph 8 (1)(a) of Schedule 4B to the Town and Country Planning Act specifically refers), tested by an Independent Examiner.
- 2.3 In order to meet the basic conditions, a Neighbourhood Plan must:
 - Have regard to national policies;
 - Contribute to the achievement of sustainable development;
 - Be in general conformity with the strategic policies contained in the development plan; and
 - Be compatible with EU obligations and human rights requirements.
- 2.4 It is considered that as currently drafted, there are unresolved issues which affect the soundness of the Neighbourhood Plan, as follows:
 - (iii) *Whether proposed housing allocations located outside of Walberton village can be proved to support the requirement of sustainable development?*
- 2.5 Hanbury Properties recognise the intention of the Neighbourhood Plan system is to allow a community led approach to produce policies for its village, including where development should be located, but this has to be achieved within a framework of general conformity with national and local planning policy, and not driven by which sites attracted the least amount of objection.

2.6 As currently drafted, with the exception of HP7 (Land adjacent to the Red Cottage), which is within the defined built up area boundary for Walberton, HP2 (Land east of the Old Policy House), which abuts it, and HP6 (Land at Sunny Corner), which is allocated as a rural exception site, the remaining majority of the Parish Council's proposed allocations are located within the countryside where development is strictly controlled. These comprise:

HP3 for 28 dwellings	S&G Motors
HP4 for 2 dwellings	Land at the rear of Woodacre
HP5 for 2 dwellings	Land at the rear of Woodcroft
HP8 for 6 dwellings	Progress Garage

2.7 This approach, which seeks to deliver 70% of its housing requirement by allowing isolated new dwellings to come forward in rural areas not adjacent to the defined settlement policy boundary, conflicts with national and local policy for new housing.

2.8 It is relevant to note that the Parish Council's own evidence confirms the unsuitability of these locations for housing within the Walberton SHLAA Site Appraisal, August 2014, which stated that in relation to land to the rear of Woodcroft (Policy HP5), *"the site is not adjacent to a study settlement, is poorly related to facilities, and is therefore not in a sustainable location for housing development"*. This conclusion can also be drawn in relation to the adjacent proposed allocated sites of HP3 and HP4.

2.9 Paragraph 55 of the NPPF states that *"Local Planning Authorities should avoid isolated homes in rural areas unless there are special circumstances, such as they are essential for rural worker, make optimal use of or enable a heritage asset, would reuse redundant buildings, or be of an exceptional design"*.

2.10 Furthermore, Saved Policy GEN2 of the 2003 Local Plan also restricts development and states that outside the built-up area boundaries, *"development or redevelopment will not be permitted unless it is consistent with other Local Plan policies"*.

2.11 This policy wording is being carried forward in the emerging Arun Local Plan under Policy SD SP2, and in the context of Neighbourhood Plans, notes that boundaries can be altered by a Neighbourhood Development Plan. In this instance, the proposed approach to housing does not enable Walberton Parish Council to adjust the existing defined built up area boundary by redrawing it to include peripheral sites, and would instead result in isolated pockets of development unrelated to the village.

2.12 In this regard, we note that the emerging Arun Local Plan which seeks to allocate housing allocations to Parish and Town Council's under Policy HSP1, has allocated 50 units as a Parish allocation and not a settlement allocation. However, an Independent Examiner will need to be satisfied that in allowing Walberton to deliver the majority of its housing outside of the key local service centre does not set a precedent allowing other plans coming forward to the point where it runs the risk of compromising the ability of Arun District Council to meet national policy requirements in achieving sustainable development.

2.13 In this respect, the Pre-Submission Neighbourhood Plan has failed to provide any justification in how such an approach will meet the Basic Conditions set out above, particularly the need to have regard to national policies, contribute to the achievement of sustainable development and be in general conformity with the strategic policies contained in the development plan.

(iv) Whether the Plan adequately meets the local housing needs over the next 20 years?:

2.14 Hanbury Properties acknowledge that the Pre-Submission Neighbourhood Plan, as currently drafted, makes provision for a total of 54 dwellings to come forward on a total of 7 sites.

2.15 In addition, to those already consented on Turnpike Motors (6 dwellings) and Hanbury Properties rear of Holy Tree development (1 additional dwelling), the Neighbourhood Plan on the face of it exceeds the strategic housing requirement of 50 dwellings by 11 units.

2.16 Notwithstanding Hanbury Properties concern that the proposed housing strategy for the village is fundamentally flawed, it also has concerns regarding the delivery of some of the proposed allocated sites, and that the strategic housing requirement for Walberton may also be subject to change.

- *Uncertainty regarding the delivery of some of the proposed allocations*

2.17 It is noted that a number of the proposed housing allocations have been phased, as follows:

Policy HP3 28 dwellings on S & G Motors are to be delivered in two phases, yet fails to indicate how many dwellings will be delivered in the 1st phase and the timescales for the 2nd, which itself is dependent upon the relocation/closure of the existing garage that would appear to be unknown.

Policy HP4 2 dwellings on Land at the rear of Woodacre cannot be delivered until HP3 has been delivered and therefore has been phased to come forward in 5-10 years.

Policy HP8 6 dwellings on Progress garage are "*likely to become available*" within 2-5 years. The delivery of this allocation is clearly uncertain and should not be relied upon.

2.18 In addition, it is not clear whether HP5, land at the rear of Woodcroft, which is required to take its access from Arundel Road, is dependent on the adjacent allocations to come forward, and if so is therefore unlikely to be delivered until HP4 has come forward in 5-10 years time.

2.19 The proposed phasing has the effect of unnecessarily constraining development. The allocation of sites means that, theoretically their development is regarded as sustainable, and as such, to hold back the delivery on such sites would be contrary to paragraphs 14 and 15 of the NPF which requires positive planning and the bringing forward of land for sustainable development without delay.

- 2.20 Consequently, the proposed phasing fails the basic condition of consistency with national policy.
- 2.21 In addition, it is not clear in relation to proposed allocation HP3 (S&G Motors), which proposes a total of 28 dwellings, 12 of which are to be units of sheltered accommodation and 8 for age related affordable/starter homes, whether this places additional burdens on the development that as yet appear to be untested for viability.
- 2.22 Having regard to the advice in paragraph 173 of the NPPF, which states that plans need to be deliverable and that sites should not be subject to a scale of obligations and policy burdens which may mean their ability to be delivered viably is threatened, the Pre-Submission Plan needs to demonstrate, with evidence, that the site can come forward as proposed.
- *Strategic housing requirement is subject to change:*
- 2.23 Following the Inspector's conclusions regarding the emerging Arun Local Plan, the Council (ADC) agreed at the Full Council meeting on 9th September 2015 to the principle of a suspension of the Local Plan Examination process for a period of 12-18 months to work towards meeting the higher Objectively Assessed Need (OAN) requirement of 758 dwellings per annum.
- 2.24 The emerging Local Plan had previously been formulated on the basis of 580 dwellings per annum, and it is this lower figure that the requirement for Walberton to accommodate 50 dwellings was derived. The increase to 758 dwellings per annum results in a need to accommodate an additional 2,670 dwellings over the plan period to 2031.
- 2.25 How this additional requirement will be met is currently unresolved, but it could result in an increase to the parish and town allocations, including Walberton.
- 2.26 It is important that the Walberton Neighbourhood Plan is sufficiently flexible so as to ensure that it is not rendered out of date by the Adoption of the emerging Local Plan, which in such circumstances would take precedence.
- 2.27 Having regard to the above, there is a demonstrate need to positively plan for Walberton's future growth over the plan period to 2031, which can only be achieved by the inclusion of additional sites allocated for housing.
- 2.28 Paragraph 184 of the NPPF states that "*Neighbourhood Plans should not promote less development than set out in the Local Plan*". Indeed, the emerging spatial strategy for the District which requires 50 dwellings to be located within Walberton is expressed as a minimum.

2.29 One of the Government's intentions in introducing the Neighbourhood Planning system is that it allows local communities to bring forward additional housing over and above that which may be planned by the Local Authority.

2.30 In addition, such an approach helps to ensure that the Neighbourhood Plan is able to demonstrate that the future vitality and viability of Walberton is not stifled by the failure to meet the communities local housing needs.

3.0 The promotion site represents a more suitable site than that proposed to be allocated under Policy HP3 (S&G Motors), HP4 (Land at the rear of Woodacre), HP5 (Land at the rear of Woodcroft), and HP8 (Progress Garage) of the emerging PNP:

3.1 It is evident from the above that there is a strong case for allocating land at Tuppens Field, north Walberton for residential development. The site is not only suitable but also available and achievable, as follows:

Suitability

- The site is immediately adjacent to the defined settlement policy boundary for Walberton;
- The site occupies a sustainable location and is well located to benefit from a number of community facilities and services within a 600m walking distance. These local services include a convenience store, Post Office, primary school, pub, village hall and local sports facilities;
- The large field in one land ownership offers the opportunity to accommodate the 50 dwellings either in a single cluster or two smaller parcels;
- The site offers a unique opportunity to provide additional school parking/drop off area to alleviate congestion on The Street;
- The site offers the ability to expand the existing recreation ground to the north and provide additional recreational facilities for the young community population, which the Pre-Submission Neighbourhood Plan acknowledges is lacking within the village;
- The site offers the ability to extend the existing primary school;
- There are no overriding constraints to prevent this site coming forward; and
- The site can be readily assimilated into the environment in a sensitive manner.

Availability:

Hanbury Properties are the promoters and developers of the site and are committed to delivering a high quality residential scheme the local community can be proud of. This has been demonstrated by their development Holy Tree Grove on land to the rear of the Holy Tree pub which was designed to a high standard utilising locally sourced, traditional materials that has enhanced the conservation area of the village. This has been acknowledged recently as the site won the prestigious Large Scale Residential Award by Sussex Heritage.

This development enabled the refurbishment of the public house, which was once an unoccupied and unviable business. The pub is now thriving and back at the heart of village life.

Achievable:

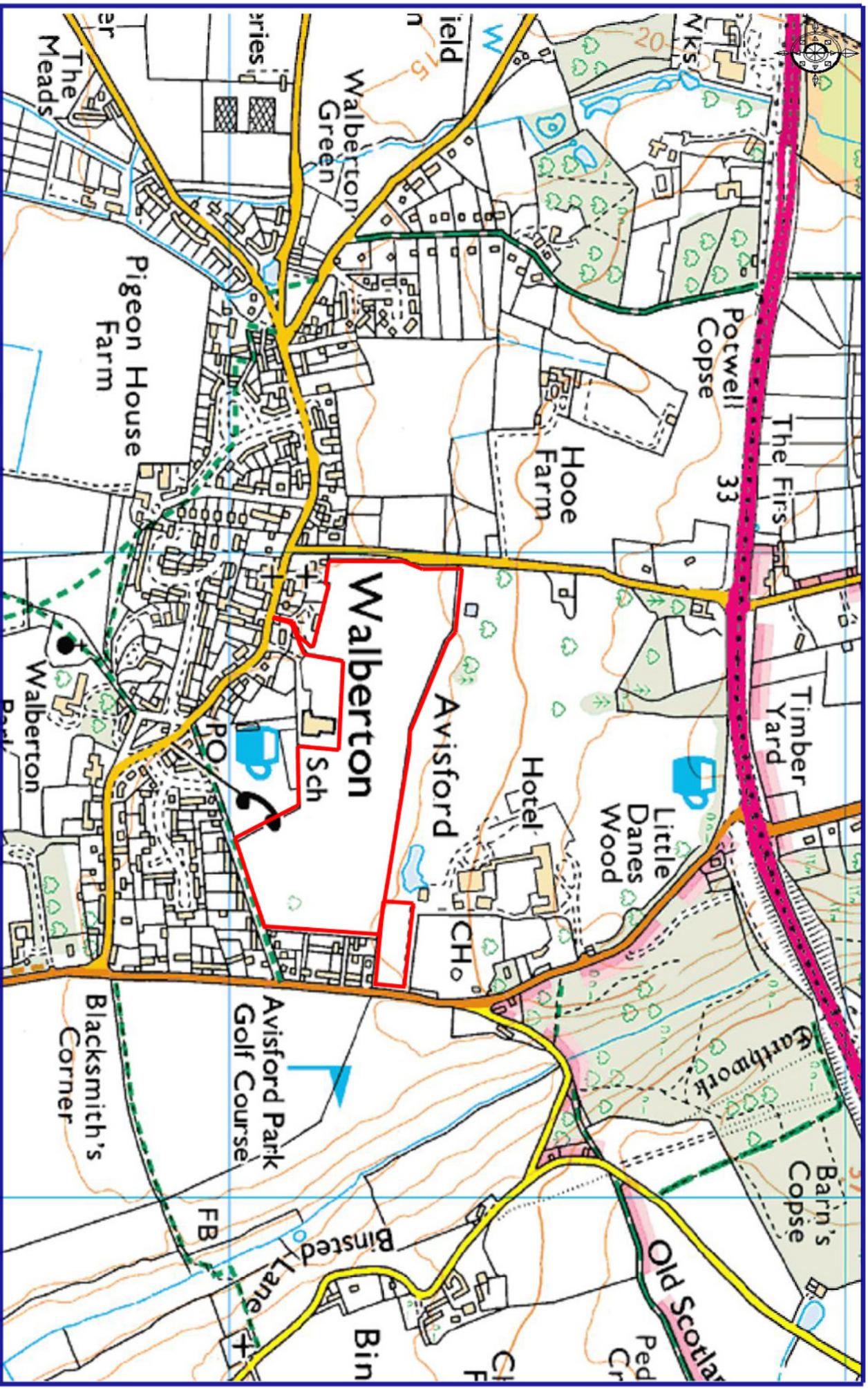
There are no technical constraints to preventing this site from coming forward for residential development immediately, and in this respect, if allocated, Hanbury's are keen to progress its proposals for the site in full consultation with the Parish Council and community.

- 3.2 Land at Tuppens Field, north of Walberton, should therefore be included in the Neighbourhood Plan as a housing allocation, in addition to, or instead of, existing proposals and the overall housing allocation for Walberton increased to meet local housing need for the period up to 2031.
- 3.3 In addition, the proposed designation for the site as a Local Green Space under emerging Policy VE1 and identified in Schedule 4 should be deleted.
- 3.4 The reasons given to support the sites inclusion, namely that it was highly valued by respondents to the survey, does not warrant protection and fails the criteria against which sites are to be assessed, set out in Schedule 4, ie, it does not hold a particular local significance in terms of natural beauty, historical significance, recreational value, tranquillity or richness of wildlife.
- 3.5 Hanbury Properties contend that the survey results demonstrate the level of opposition to developing the site for housing and does not reflect any real meaningful contribution that the site makes. The site comprises an arable field and is not of local significance in that it does not perform a vital function that warrants protection.
- 3.6 Consequently, land at Tuppens Field, north of Walberton should be deleted from Schedule 4 of the Pre-Submission Neighbourhood Plan and not designated as Local Green Space under emerging Policy VE1.

4.0 Conclusion:

- 4.1 The Pre-Submission Neighbourhood Plan has been drafted as a tool to restrict development that has proved to be unpopular resulting in a dispersed strategy in the rural hinterland of the village, and as a consequence has failed to recognise, or justify, why such a departure is acceptable in planning terms, particularly when alternative options, such as land at Tuppens Field, are available that represent the most sustainable option for development.
- 4.2 This is contrary to central Government's national policy requirement to achieve sustainable development and boost significantly the supply of housing to meet objectively assessed housing needs.
- 4.3 Furthermore, the Plan has failed to consider how small scale allocations dispersed throughout the parish will be able to help support local services in the way that targeting larger allocations may be able to achieve.

- 4.4 In addition, the implications of a reduction in developer contributions as the economies of scale applying to larger sites will not exist if the housing in the area is delivered on smaller sites. This is at odds with the Plan's aspirations to achieve improved services such as health care, public transport and facilities for young people to meet the changing dynamics of the population (paragraph 4.1 specifically refers).
- 4.5 Land at Tuppens Field offers a unique opportunity by virtue of its location immediately adjacent to the village's primary school and recreation ground to expand and therefore safeguard these key community assets for future generations.
- 4.6 In order that the Plan may withstand scrutiny by an independent Examiner, it is recommended that the Parish Council:
- 1) Increase the overall housing requirement for Walberton for the period to 2031 to meet the objectively assessed housing need by allocating Hanbury Property's promotion site for 50 dwellings; and
 - 2) Remove the proposed designation for the site as a Local Green Space under emerging Policy VE1.



Land North of Walberton

Not to Scale

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Unit 16, Broadmarsh Business Centre, Harts Farm Way, Havant, Hampshire. PO9 1HS

T. 02392 449727 E. admin@neamesuton.co.uk