

Walberton Neighbourhood Plan Review 2020 Regulation 14 Consultation

Representations on behalf of LandQuest UK
(Southern) Limited

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Town Planning ► Development Consultancy



1 Introduction

- 1.1 Henry Adams LLP act on behalf of LandQuest UK (Southern) Limited (Client) in respect of Land west of Yapton Lane, Walberton (the Site).
- 1.2 These representations respond to the Regulation 14 Consultation version of the Neighbourhood Plan Review (2020). The Neighbourhood Plan is being reviewed to ensure that its policies are aligned with the Arun District Local Plan that was adopted in 2018.
- 1.3 There are a number of modifications to previously made policies in order to ensure they align with the Arun District Local Plan. However, the main modifications relate to five additional housing allocations which would equate to the provision of an additional 68 dwellings. Within the following sections we intend to set out our thoughts on this matter alongside the consideration of other policies within the draft plan.

2 Approach to new residential development - object

- 2.1 Paragraph 2.4 and 5.4 of the draft plan note that Walberton Parish have been advised that they may be required to allocate site(s) for up to 60 dwellings. This figure was identified as part of the draft strategy paper which was presented to the District Council's Local Plan Sub-Committee to inform a non-strategic sites allocation document. This strategy has not progressed, it was not consulted on, and it was not justified or formally agreed by Arun District Council.
- 2.2 We are unable to locate any supporting note that has been used to inform this figure within the evidence base to the Neighbourhood Plan, nor the date at which this information was issued and agreed following public consultation.

Planning Practice Guidance

- 2.3 The National Planning Practice Guidance provides very clear advice on matters of housing numbers, where it states:

The scope of neighbourhood plans is up to the neighbourhood planning body. Where strategic policies set out a housing requirement figure for a designated neighbourhood area, the neighbourhood planning body does not have to make specific provision for housing, or seek to allocate sites to accommodate the requirement (which may have already been done through the strategic policies or through non-strategic policies produced by the local planning authority). The strategic policies will, however, have established the scale of housing expected to take place in the neighbourhood area.

*Housing requirement figures for neighbourhood plan areas are not binding as neighbourhood planning groups are not required to plan for housing. However, there is an expectation that housing requirement figures will be set in strategic policies, or an indicative figure provided on request. **Where the figure is set in strategic policies, this figure will not need retesting at examination of the neighbourhood plan. Where it is set as an indicative figure, it will need to be tested at examination** (bold italic text is our emphasis).*

(NPPG: Paragraph: 104 Reference ID: 41-104-20190509)

Where strategic policies do not already set out a requirement figure, the National Planning Policy Framework expects an indicative figure to be provided to neighbourhood planning bodies on request. However, if a local planning authority is unable to do this, then the neighbourhood planning body may exceptionally need to determine a housing requirement figure themselves, taking account of relevant policies, the existing and emerging spatial strategy, and characteristics of the neighbourhood area. The neighbourhood planning toolkit on housing needs assessment may be used for this purpose. Neighbourhood planning bodies will need to work proactively with the local planning authority through this process, and the figure will need to be tested at examination of the neighbourhood plan, as neighbourhood plans must be in general conformity with strategic policies of the development plan to meet the 'basic conditions'.

(NPPG Paragraph: 105 Reference ID: 41-105-20190509)

- 2.4 It is clear that the adopted Local Plan does not set a clearly defined figure or even an indicative figure for the parish. It is therefore a matter that must be tested at examination having been informed by appropriate evidence.

Basic Conditions Statement

- 2.5 The Basic Conditions Statement, published March 2020, sets out within a table (paragraph 4.1) that the proposed housing allocations and housing numbers are based on a number of Policies contained within the adopted Arun Local Plan (July 2018). It then quotes specific Local Plan Policies against each of the proposed 'new' housing allocations in the draft Neighbourhood Plan.
- 2.6 In reviewing the Local Plan, it is clear that this does not set a specific figure or housing requirement for Walberton. Instead, it sets a minimum requirement for at least 1,250 homes to be allocated either through a Non-Strategic Sites Development Plan Document (allocations of less than 300 homes) or Neighbourhood Plan review. At this stage, Arun have not progressed any further work on a Development Plan Document. Accordingly, the reference and very limited justification of conformity with the Basic Conditions Statement is incomplete at best, and therefore fails to demonstrate how the

Neighbourhood Plan conforms with the Local Plan Strategy, or in the absence of an up to date strategy, its own evidence.

- 2.7 Given the current district housing land supply calculations, it is clear that Arun District Council are currently unable to demonstrate a 3 year housing land supply, let alone the 5 years required by National Planning Policy. Whilst Walberton village may have taken additional dwellings in recent years, these are committed and will already be counting towards this housing land supply. Additional site allocations will therefore be needed to make up this shortfall and boost the supply of housing, as required by National Policy.

Proposed Housing Allocations

- 2.8 When considering the draft site allocations, there are five new sites to be allocated for housing development. Only one of these sites comprises a major development proposal (Policy HP18 2020 Fontwell Field (National Trust Field NEW) that will provide community benefits such as affordable housing, which is much needed within both the immediate area and district as a whole.
- 2.9 Policy HP16 2020 Sussex Business Park NEW, seeks to combine both commercial units and residential dwellings within one site proposal. However, there are no references to the type of commercial use being provided and whether this would be compatible with a residential use. Considering this is currently a commercial site with a number of units being lost to residential, further clarity should be provided to ensure that there would not be any issues with retaining or creating appropriate commercial space to meet demand, when considered alongside residential amenity. The demand for commercial space and employment should be given priority on an existing commercial site.
- 2.10 Arun District Council have an open call for sites procedure. This means that whilst the HELAA is generally only updated once a year, new sites can be submitted at any time. We are also aware that Arun District Council have recently requested landowners update their site details to ensure that the HELAA and Local Plan evidence base is up-to-date. With this in mind, our Client is of the opinion that if the Parish Council are not choosing to run a new call for sites, then an updated list of available sites should be obtained from the District Council. This would mean that all available sites can be considered appropriately.
- 2.11 Considering the above factors, a formal, updated response should be obtained from Arun District Council setting out the number of dwellings that need to be provided within the Parish. This should form part of the evidence base. If not forthcoming from Arun District Council, this should be prepared on behalf of the Parish Council to inform the headline figure, which is not evidenced at present. The Neighbourhood Plan should also be mindful that providing slightly larger development proposals as opposed to the sporadic

allocation of minor proposals (less than 10 dwellings) could actually provide a number of benefits to the community whilst also addressing and supporting other aspirations and policies within the Neighbourhood Plan.

3 The site and its suitability

3.1 Our Clients site has recently become available and thus has not been assessed within the Strategic Housing Economic Land Availability Assessment (SHELAA) or previously been put forward for consideration within the Neighbourhood Plan process. This section therefore sets out the background to the site and outlines the initial feasibility conclusions.

3.2 The site is approximately 6.4 hectares in size, comprising an agricultural field to the west of Yapton Lane. Yapton Lane runs along the entirety of the eastern boundary. There are limited views of the site from the highway as the site is set back behind a flint wall and sporadic tree planting/self-seeding saplings. Village allotments, which have been designated as a Local Green Space, are located to the south of the site, agricultural/open countryside lies to the west whilst the main village is located to the north.

3.3 The site is located within the Barnham/Walberton Gap between settlements. It is located outside but partially adjoining the Conservation Area to the north. This part of the Conservation Area comprises a paddock/small grazing field which also separates the site from the settlement boundary.

3.4 In terms of connectivity, there is a permissive footpath located within the site, running along the eastern boundary and connecting the site into footpaths further north on Yapton Lane, into the main village.

3.5 Initial feasibility studies and landscape assessment determine that approximately two thirds of the site could be suitable for residential development. The area for development would be focused towards the north whilst the southern portion would comprise informal open space. Additional planting and landscaping would also wrap along the western boundary, aiding biodiversity and green infrastructure connectivity with the wider area. The provision of this open space would also ensure that both views north to the Church and views from the care home south would be retained.

3.6 The allocation and development of this land would provide a number of benefits to the local community;

- The site is well-connected to local services and facilities, within walking distance of the corner shop, doctors surgery, school and village facilities;
- Being located on Yapton Lane minimises additional traffic through the village;

- Development would not comprise back land development;
- The site is not subject to any environmental designations or constraints and its development would not impact the South Downs National Park;
- A suitable mitigation and landscaping strategy would ensure any proposal would not have any detrimental impact on the function of the gap;
- Retention of existing boundary treatments alongside the provision of additional landscape features and open space will ensure net biodiversity gain and retain a level of separation from horticultural development to the south;
- Retention of the trees on the eastern boundary and improvements to the flint wall will retain the rural setting when approaching the main village;
- The site is not constrained and does not rely upon significant infrastructure improvements in respect of delivery;
- Development proposals would include a mix of high-quality homes, including affordable to meet the varying needs of the community; and
- Any future development would make contributions to local facilities and infrastructure.

4 Other Draft Policies

- 4.1 The following section seeks to respond to other policies that would be in the interest of our client and their landholdings.

Policy VE10 2020 Biodiversity Corridors NEW - Support

- 4.2 Policy VE10 seeks to ensure that proposals have a positive impact on the local ecology, in line with the environmental objectives set out within the National Planning Policy Framework.
- 4.3 Biodiversity Corridor 5; St Marys Church and Walberton Park, runs along the southern boundary of our Clients site, as denoted in Schedule 5. Policy VE10 supports development that does not give rise to significant harm to the integrity or function of the corridor, expecting developers to demonstrate how any impact would be mitigated alongside a management plan that demonstrates enhancements to the corridors. Our client supports this approach.
- 4.4 If the site were to be developed, only the northern portion of the site would comprise built form, whilst the southern portion would allow for open space and a landscape buffer with additional planting and enhancements. The tree corridor along the eastern boundary of the site would be retained linking into the proposed corridor further enhancing green infrastructure connectivity throughout the Parish.

Policy VE 12 2020 Flint Walls NEW – object

- 4.5 This Policy states that *'Development proposals which would seek to remove or replace the flint walls located within the BUAB and in the following locations will not be supported...'* Location 2 comprises the west side of Yapton Lane between Walberton Place and Spindlewood.
- 4.6 The supporting Flint Walls Survey 2007/2008 is quite difficult to navigate; there are no page numbers that follow through the document and it is not possible to search the document for specific places. It is therefore not clear, where Spindlewood is. We can only assume that the section being referred to within the Policy is *'Yapton Lane, Western Side'* within the Survey.
- 4.7 This survey is now 12/13 years out of date and should be updated if a new policy is to be introduced. Areas of flint wall have fallen into disrepair, some sections missing altogether and thus in order to improve the flint wall both aesthetically and from a safety point of view next to a highway, sections of the wall will need to be repaired and may need to be replaced. The Policy should make reference to the fact that this may be necessary and that specialist expertise should be used to do so. In addition, the Policy needs to be mindful that as some of the walls which are up to 1m in height are not listed and are not within the Conservation Area, works can be done to them without the need for planning permission.
- 4.8 A further point to note is that this report was in existence at the time of the adoption of the current Neighbourhood Plan. As this document comprises a review, it is not understood how a survey of this age can be relied upon to inform the drafting of a new Neighbourhood Plan policy. The purpose of the review is to update a current Neighbourhood Plan to accord with newly adopted National or Local Plan policy requirements or any up-to-date evidence that has become available which may affect the continuing relevance of the policies set out in the neighbourhood plan (NPPG: Paragraph: 103 Reference ID: 41-103-20190509). Relying on data prepared in advance of all current or most recently adopted planning policy documents and advice would not accord with the Planning Practice Guidance.

Policy HP6 2020 Housing Mix and Construction NEW - suggestions

- 4.9 This Policy refers to a proportion of housing being required to meet the needs of the ageing population who wish to downsize, however, we would suggest that this is not prescriptive enough. It is not clear as to what is an appropriate proportion alongside suitable evidence to support this. In addition, whilst small units can be provided, there is nothing to prevent these properties from being purchased by first time buyers or young couples wishing to enter the property market.

- 4.10 The second paragraph of this policy uses the phrase 'Any development proposal that includes measures...' and this is misleading. This section should refer to the need to be in accordance with other policies in the development plan.

5 Summary

- 5.1 In summary, whilst our client supports the Parish in their approach to devising a Neighbourhood Plan for the area, we do not feel that the plan as a whole reflects the needs and opportunities of the area.
- 5.2 We are of the opinion that further evidence should be provided to justify the provision of only 68 new dwellings at a time when the District are falling significantly behind on housing delivery. In addition, the District run an open call for sites and thus we feel that an updated list of available sites should be obtained from the District Council if the Parish are not looking to complete this exercise.
- 5.3 In addition to housing provision, further clarity should be provided on other policies within the plan such as, the updating of the flint wall survey and the ability to repair and replace flint walls to a good standard outside of the Conservation Area. Further clarity should also be provided in respect of what would be an appropriate proportion of properties needed to meet the needs of the elderly population and how this provision would be secured.