

BY EMAIL & POST: damian.mooncie@plumptonpc.co.uk

Mr Damian Mooncie – Parish Clerk
Plumpton Parish Council
Little Talland
The Street
Firle
East Sussex
BN8 5UR

19554/A3/LD
28th June 2016

Dear Mr Mooncie

**PLUMPTON PARISH NEIGHBOURHOOD PRE SUBMISSION PLAN REPRESENTATIONS
REPRESENTATIONS ON BEHALF OF GLENBEIGH DEVELOPMENTS LTD**

We write on behalf of Glenbeigh Developments Ltd in response to the publication of the Draft Neighbourhood Plan (PPNP) for Regulation 14 consultation and in respect of their landholding at Little Inholmes Farm.

My client is highly disappointed that the Draft Plan excludes the land at Little Inholmes Farm as a residential allocation. The site represents a sustainable opportunity to assist in meeting the future housing needs of the village. Lewes District Council have assessed the impact of developing the Site and confirm through their SHLAA that the site is suitable, available and achievable for development. The site could deliver a range of new homes over the Plan period with a number of benefits to the community provided alongside including play area, open space and affordable housing. The site is in a sustainable location in the heart of the village close to existing amenities and public transport links. Development would be in keeping with the village form.

Response to the Draft Neighbourhood Plan

We set out below our detailed response to the policies set out in the PPNP and enclose the same on the duly completed response forms:

Policy 1/2

The PPNP's Vision set out at Paragraph 5.1 is for Plumpton in 2030 to have retained its character and identity as a rural village with a strong sense of community and strengthened its relationship to the landscape setting through improved public access. The PPNP as drafted is not in tune with this proposed Vision.

Policy 1 of the Draft PPNP recognises that the existing settlement boundary of Plumpton Green will need to be redrawn to incorporate future growth. Whilst proposed sites are identified, there is no overall map included in the Draft PPNP that identifies the extent of the revised settlement boundary. Without this, it is difficult to fully assess the extent of overall impact of the proposed distribution of development on the village.

Proposed Policy 2 deals with new housing in the Parish. We believe the PPNP's spatial vision to distribute development in a linear nature to the north and south of the village is misconceived. Whilst Plumpton has evolved in a linear form, the village Hall and residential development at Westgate established a heart of the village for the community. Rather than extend the linear form we believe the development should be concentrated in this area, the land at Little Inholmes Farm being as we see it as being an appropriate second phase of the West Gate development. We strongly disagree with the PPNP's spatial vision to distribute development in a linear nature to the north and south of the village for the following main reasons:

- The railway line forms a physical defensible southern boundary for development as has been the case since the village planning boundary was established. With the opportunities which exist for development being concentrated closer to the heart of the village we do not consider there is any justification for breaching this long established boundary. Development south of the railway line would have a serious detrimental impact on the character and setting of the countryside and South Downs National Park (SDNP).
- Allocating sites beyond the railway line to the south would be remote from and would damage the character of the existing village, creating a highly unsustainable pattern of development.
- The sites to the north and south of the existing settlement boundary are remote from the existing village centre. Development here is wholly unsustainable and would detract from the PPNP's vision to create a strong village centre.
- Allocating sites to the extreme north and south of the village could be detrimental to the green gaps between the village and development beyond.
- Development on land to the south of the railway line would set a dangerous precedent for further uncontrolled development south of the railway line.

My client accepts that the Parish wish to distribute new development over a number of sites and we have previously clarified to the Parish that Land at Little Inholmes Farm could in this context contribute 20 units to 2030. However, we have expressed concern about distributing development over many small sites if the parish is to secure community benefits and address local affordable housing needs. Fewer larger sites are more likely to achieve those aspirations.

Policy 2.1

My client fully supports the local racecourse but do not want to see residential development south of the line. Allocating land for station parking that will provide the racecourse with a healthy revenue in perpetuity is supported. This way the racecourse achieves an annual income, the Parish supports the commuters and ensures a continued train service for the village.

The suggested location for residential development here is disconnected and illogical. Access can only be achieved via the Racecourse which would require realignment of the race track and a lengthy stretch of road required through the countryside. Noise impact from the adjacent railway line has not been addressed, nor has how development would protect the setting of the SDNP. Development here would not be sustainable, with residents likely to rely upon the private car to access the main village centre, causing traffic and parking issues within the village. Further, the Policy fails to set out a requirement for the site to provide 40% affordable housing in line with Policy.

We would have concerns that this site has serious environmental constraints including impact on the SDNP and flood risk. Further, the need to provide utilities would need to be addressed.

Overall, we would argue that it has not been demonstrated that this site is deliverable or viable for development. We would suggest Policy 2.1 is omitted.

Policies 2.2 / 2.3

The inclusion of Land South of Inholms Farm and Land North of Old Police Station for development are not supported for the following reasons:

- Development here would be wholly unsustainable and remote from the existing village centre;
- Development could lead to loss of green gaps;
- Small development of less than 10 units at Land South of Inholms Farm will fail to deliver affordable housing

On the basis of the above, Policies 2.2 and 2.3 should be omitted.

Policy 2.5

Similarly to Policy 2.1, we do not support the allocation of Land South of the Railway for future development. In summary, the main reasons for this are as follows:

- Impact on the SDNP;
- Development remote from the existing village pattern and centre;
- Sprawl into the countryside;
- Unsustainable development;
- Environmental issues; and
- Development could lead to further uncontrolled development.

We would suggest Policy 2.5 is omitted.

Policy 9 – Local Green Spaces

In respect of proposed Policy LGS1, no residential development should take place south of the railway line and therefore LGS1 is not required and should be omitted. This is disconnected from the village and therefore not in close proximity to the community it serves.

Policy 9 designates 8 areas within the village as 'Local Green Spaces & Open Spaces'. This includes Land at Little Inholms Farm (LGS5). We would object to this allocation.

It is difficult to see how Land at Little Inholms Farm is regarded as special by the community. This is private existing farm land with no existing community use. The owner of this land is NOT offering the land for community use nor will public access to it be granted. The existing footpath will remain but the fields could be fenced.

Further comments on this matter are set out in the response to the Local Green Spaces Study below.

Similarly to LGS1, LGS7 and LGS8-are too disconnected from the heart of the Village to be of any value.

Response to the Evidence Base

Sustainability Appraisal (SA)

The Draft PPNP is supported by Sustainability Appraisal incorporating Strategic Environmental Assessment (SA) dated May 2016. Having reviewed the SA, we would argue that this document is flawed for the following reasons:

Appraisal of Neighbourhood Plan objectives:

- The SA claims that the PPNP will have a 'significant positive effect' on the delivery of affordable and sustainable homes (SOC1). However the Draft PPNP fails to reference delivery of affordable homes on most of the sites identified for development. Further, the distribution of development across a number of smaller sites will deliver less affordable homes than if fewer larger sites were chosen.
- The SA claims a 'positive effect' on enhancement of new community facilities and accessibility to community facilities (SOC2). However, how this will be achieved is not clear in the Draft PPNP and new developments on smaller sites are unlikely to be able to assist in enhancing facilities. Further the distribution of proposed development to the extreme north and south of the village will have a negative impact on accessibility to existing facilities.
- In terms of SOC3 the distribution of proposed development away from the existing village envelope will have a negative not a positive impact on sustainable travel within the village, increasing the need to travel by private car.
- Overall the appraisal fails to give adequate explanation to support the level of effect attributed to each objective.

Appraisal of Neighbourhood Plan options:

- Policy 1 sets out that the SA considered 2 options for future growth in the Parish over the Plan period. These are (1) to direct growth within the existing planning boundary or (2) to allow sporadic development. The text states that Option 1 is the only reasonable approach as (2) would not conform with national policy. However, this conflicts with the approach taken in the Draft PPNP which recognises that growth cannot be met without review of the existing planning boundary. Further, this assessment of alternatives can only be robust with a third middle alternative included (3) to direct future development in sustainable locations immediately adjacent to the existing planning boundary.
- The Parish then score Options 1-3 which have not previously been discussed earlier in the Report.
- In terms of SOC1 Option 1 (expanding the village centre) scores + for ensuring delivery of affordable and sustainable homes. However, option 2 (Continuing the Linear Pattern) and option 3 (A combination of small scale pockets) both score ++. There is no explanation given as to why the linear approach would score higher other than simply that the community prefer it. This is NOT a planning response and does not address the questions that ought to be considered in accessing acceptability. Option 1 when assessed properly is in fact likely to score higher than options 2 and 3 as it will deliver homes in more accessible and sustainable locations. Further, the opportunity to deliver a larger site rather than smaller sites will enable greater delivery of affordable homes and a varied mix of dwelling types. We would therefore argue that this scoring is fundamentally unsound.
- We agree with the SA's assessment that Option 1 would provide greater community enhancements (SOC2) and promote a more sustainable pattern of development (SOC3).
- In terms of ENV4, there is no justification for the SA's assessment that Option 1 would have a negative effect on the risk of flooding. As stated in the SA, there is land available in the Village Centre within Zone 1, in the same way there is for Option 2. There is therefore no reason therefore why the scoring between the options should be materially different.
- Option 2 fails to take into account the environmental impact of development close to the SDNP, which will have serious negative effects.
- Option 2 fails to take into account the environmental impact if development to the north encroaching on the green gap, which will have serious negative effects.
- Despite Option 1 scoring higher in many regards, Option 2 is chosen as the preferred option simply on the grounds that it is the most acceptable to Parish residents, and not on the basis of any evidence at all. We would therefore argue that the SA is seriously contrived and wholly unsound.

Appraisal of Sites Considered:

- The Assessment of Little Inholmes Farm considers two options (1) 20 units and (2) 40 units. Both options should score ++ in respect of SOC1-3. In respect of ENV1, the assessment for the site sets out a neutral impact in terms of impact on wildlife habitats. In fact, development could enhance the biodiversity at the site. Nevertheless, we would argue that if accepted that there is a neutral impact, development of the site should not be restricted on this basis.
- There is no landscape and visual evidence supporting the assessment of sites and therefore the assumptions made against ENV2 for the Little Inholmes site cannot be relied upon. Further, the assessment simply provides a question mark against ENV2 suggesting the PPNP is unclear what impact development here would have.
- The assessment of Site 2 states that the fact that a listed building exists adjacent to the site will generate negative effects. There is no explanation for this or consideration of how any negative effects could be mitigated.
- Despite being largely in Flood Zone 1, the assessment against ENV4 suggests development on Little Inholmes Farm will have negative effects. This is completely without supporting evidence or justification.
- Overall, the land at Little Inholmes Farm scores higher than many of the other sites assessed. The scoring is contrived and lacks supporting evidence.

In summary, we would argue that the SA is wholly unsound for the reasons set out above.

Local Green Spaces Study

The Local Green Spaces Study in the second paragraph defines Green Spaces as “such as parks and allotments, and water courses”. The land at Little Inholmes Farm does not fit within this definition and is not a Green Space by definition. Private Farmland cannot be designated under Policy LGS.

Further, Green Infrastructure is by Natural England’s definition set out in the Draft PPNP strategically planned and delivered networks comprising the highest quality green spaces and other environmental features. We would argue that Land at Little Inholmes Farm does not meet this definition given it is non-accessible farmland. Designating land as ‘Local Green Space’ simply as a tool to sterilise the land from development without justification should be resisted. Planning Practice Guidance makes it clear that designation should not be used where the green area concerned is an extensive tract of land. The Planning Practice Guidance states that: “... blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a “back door” way to try to achieve what would amount to a new area of Green Belt by another name.”

Paragraph 77 of the NPPF sets out that Local Green Space designations will not be appropriate for most green areas or open space. Paragraph 77 requires the local community to demonstrate why proposed designations are demonstrably special and hold particular significance due to their beauty, historic significance or recreational value or tranquillity or richness of its wildlife. Importantly, paragraph 77 states that Local Green Spaces should not be extensive tracts of land. Land at Little Inholmes Farm is extensive. The Draft PPNP fails to demonstrate why the site is demonstrably special and designation of Land at Little Inholmes Farm as a ‘Local Green Space’ not supported by NPPF policy.

The brief assessment of the site (LGS6) within the Local Green Spaces Study cites a number of reasons for designation including the presence of ditches and small ponds; hedgerows and biodiversity. The report does not provide detailed assessment or justification for inclusion and is therefore flawed. It makes a number of claims in relation to ecological species present at the site, without reference to where this evidence was derived (it does not feature within the Biodiversity report forming part of the evidence base). In fact, our own ecology report enclosed sets out the actual findings of species on site, and sets out how the site overall is of low ecological value.

Higher value areas within the site such as the woodland, hedgerows and ponds would all be retained and opportunities for biodiversity enhanced through development. This survey was carried out by Ecology Solutions in October 2011. Ecology Solutions re-visited the site in May 2016 and have confirmed that there are no material changes to the habitats present.

Biodiversity Report

The Draft PPNP is supported by a desk-based ecology report generic to the Parish as a whole which refers back to a Phase 1 Habitat Survey carried out by the Parish in 2004. This survey is 12 years old and cannot possibly be relied upon in assessing the Parish today. The assumptions made within the report are largely observational or based on historic records. This report does not assess each of the sites either accepted or rejected for development specifically and its findings cannot therefore be used as evidence in assessing each site on its own merits. We would argue that the Biodiversity report is therefore unsound.

Housing Site Assessments

The published Assessment for Little Inholmes Farm provides little justification for site rejection. The main issues that are cited as reasons for rejection appear to be:

1. ***Covenant on the Land:*** The previous S106 Agreement for the Westgate development limited development on the land under the terms of *that* permission. This is not a restrictive covenant on the land *per se* and any new permission would override it. Both Lewes Council and ourselves have made this clear on a number of occasions.
2. ***Flooding & Drainage:*** Reference is made to serious flood and drainage issues. The site is in Flood Zone 1 and our consultants have advised that a series of SUDs ponds would be required to address drainage. Please see attached letter from Capita dated 7th June 2016.
3. ***Recreation and Open Space:*** The Proforma states that the recreational and park areas proposed would be maintained at the cost of the Parish. This is not necessarily the case. These areas can either be maintained by a private management company or if the Parish wished to take ownership of these areas, contributions would be made to ensure the Parish are funded for future management. This is the same for any site and Little Inholmes Farm should not be rejected on this basis.
4. ***Biodiversity:*** Please see attached ecology report which concludes that there are no ecological constraints to development. The site would not have a detrimental impact on designated sites or Riddens Wood Ancient Woodland. Overall the site is of low ecological value with higher value areas being the woodland, hedgerows and ponds all of which would be retained and opportunities for biodiversity enhanced through development.

On the basis of the above, there are no sound reasons why Land at Little Inholmes Farm should not be included for development in the Neighbourhood Plan or indeed, in undertaking a comparative assessment of the 'options' for development, it would appear that the rejection of the site is not soundly based.

A 'scoring assessment' has also been published by the Parish Council which is a little confusing and lacks any actual reasoned justification.

Further, the above assessment contradicts the findings of the LDC evidence base produced for the SHLAA which finds development assessed against these matters acceptable. The Draft PPNP fails to give consideration to the work carried out by LDC in producing the SHLAA.

Conclusion

The rejection of Land at Little Inholmes Farm for development and the attempts to designate it for use as Local Green Space is in our view contrived based on the fact that, by virtue of its central location within the village, the site has the largest number of neighbours that will be affected by development. Attempting to stifle sustainable development to protect personal interests is not in the best long term interests of the village. We would question whether pushing development away to the extreme north and south of the village would create a prosperous village in the long term.

The Land at Little Inholmes Farm represents a sustainable opportunity to assist in meeting the future housing needs of the village which would provide much-needed affordable housing and contribute to community facilities at the very heart of the village. As concluded by Lewes District Council in their SHLAA assessment, the site should be included as an allocation for future development in the PPNP.

Please do not hesitate to contact me with any queries.

Yours sincerely



LAUREN DOOLEY

Associate

cc: Mr C Kelly – Glenbeigh Developments Ltd
Mr C Whelan – Glenbeigh Developments Ltd

Enc. Completed Response Forms
Ecological Assessment, prepared by Ecology Solutions dated October 2011
Letter from Capita dated 7th June 2016