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MATTER 1 HEARING STATEMENT

Hart District Council Local Plan Examination

SUBMITTED ON BEHALF OF WATES DEVELOPMENTS LIMITED

October 2018

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1 INTRODUCTION

- 1.1 This statement has been prepared on behalf of Wates Developments Limited ('Wates'), the promotion party and developer relating to the potential development of up to 700 residential dwellings, site for primary school, Suitable Alternative Natural Greenspace (SANG) and community facilities at Pale Lane, Fleet.
- 1.2 This Statement is made following the submission of the Hart District Council ('HDC' or 'the Council') Local Plan to Secretary of State for examination. We note and approve of the scope of examination as detailed by yourself in the 'Schedule of Matters and Issues for the Examination'. This Statement covers those questions posed within Matter 1 – Legal requirements.
- 1.3 For the submitted Local Plan, Wates has submitted duly made representations to each stage of the Local Plan production. This includes submissions to the Council's Regulation 19 consultation on the submission draft plan, where comment was made on the soundness of the Plan, the Sustainability Appraisal and Strategic Housing Land Availability Assessment. This submission must be read in the context of, and in conjunction with, these earlier representations.
- 1.4 In accordance with the transitional arrangements of the 2018 National Planning Policy Framework (NPPF) and as stated within the 'Guidance Note' to this Examination, the Plan will be assessed against the policies of the 2012 NPPF. Unless specifically stated, where the NPPF is made, this will be referencing the 2012 iteration.

2 MATTER 1 – LEGAL REQUIREMENTS

Is the Sustainability Appraisal (SA) adequate? Has the Plan's formulation been based on a sound process of SA and testing of reasonable alternatives?

- 2.1 The starting point of the SA is examining the appropriate growth quantum options from which potential strategies are formed. As is detailed within our submissions to Matter 3, the Council has been informed throughout its Plan-making by a deficient evidence base which has under-calculated the full Objectively Assessed Need (OAN) of the District.
- 2.2 The Council ultimately decided the standard methodology for calculating housing need as introduced by Government as the appropriate starting point in setting its housing target. However, with the Plan examined against the 2012 NPPF, and given the transitional arrangements set out in Annex 1 of the 2018 Framework, the Plan falls to be tested against an 'Objective Assessment of Need' as set in the 2012 NPPF and the previous PPG. Given impending changes and consultation ("before Christmas"¹) we do not yet know what the standard method will be, so it is not a justified approach to use it – even utilising an artificial uplift as HDC has. At minimum, it is premature to proceed to examine a plan which is founded upon an approach to determining housing need

¹ MHCLG Chief Planner Steve Quartermain in a speech to the Planning for Housing conference on 9th October 2018

(the standard method) that is in a state of flux and is likely to be the subject of material changes in the near future. We note that precisely this point was made by the Inspector determining one of the first s.78 appeals under the revised NPPF concerning housing needs. See APP/F2360/W/18/3198822, Land of Brindle Road, Bamber Bridge, Preston PR5 6YP (31 August 2018) per Martin Whitehead LLB BSc(Hons) CEng MICE at para. 44:

“Finally, Government guidance indicates that the new methodology for assessing the housing needs is incomplete and so it would be premature to make and rely upon such an assessment”

2.3 The same reasoning applies with equal force in the present context. If the Council is to follow through the logic of its decision to apply new standard method rather than an OAN assessment pursuant to the 2012 NPPF, then the application of the standard method will necessarily be informed by the anticipated changes to it.

2.4 Even were the Council to utilise its previously produced SHMA, the resulting figure of 382 dwellings per annum for 2014-2032 is not robust. Based on the scale of housing which could reasonably be expected to improve affordability, a defensible OAN is likely to be in excess of 500 dwellings per annum, adopting a stock-based approach. A further uplift would then be appropriate if the significant affordable housing needs is to be addressed, as well as the necessity to accommodate unmet need from Surrey Heath District Council.

2.5 The proposed uplift to the Council's own assessed need figure covers a range of factors²; this does not include the potential for meeting unmet need from Surrey Heath Borough Council. In fact, the SA states within Box 6.1 that it is the hope is the current anticipated need within Surrey Heath will disappear by the time its Plan comes to Examination, or that any remaining shortfall is to be taken by surplus planning within the Rushmoor Local Plan. This is despite no reference within that Plan, or its Main Modifications to specifically accommodating the unmet needs of Surrey Heath.

2.6 These flawed foundations undermine the robustness of the SA. Of the eight options presented, ignoring for the moment their own deficiencies detailed below, the highest housing yield within the Plan period is 525 dwellings per annum³. This is the sole option that could deliver sufficient housing to meet even the low end of the assessed need figure detailed within our Matter 3 Statement. It cannot sensibly be suggested that there are no higher figures that amount to “reasonable alternatives” for the purposes of SA/SEA and therefore the legal requirement (under the Environmental Assessment of Plans and Programmes Regulations 2004 and the SEA Directive 2001/42/EC) to subject reasonable alternatives to SA/SEA has not been complied with.

2.7 The treatment of Hartland Park as ‘constant’ is supported in principle given it benefits from a planning permission and therefore represented a committed scheme. However, as is detailed within our Matter 4 Statement, the delivery of 1,428 dwellings represents an overly ambitious and unrealistic delivery target. In failing to assess any

² Appendix 2 to the Plan

³ Table 2.2 Option 8 which includes Pale Lane as a development option

reasonable option which accounts for its anticipated under-delivery, the SA fails to provide any understanding to the impacts of this scenario occurring.

2.8 This shortcoming of the SA is particularly pertinent given it was carried over from the 2017 SA, which apportioned Hartland Park as a 'given' for 1,500 dwellings despite it not yet benefiting from a planning permission.

2.9 The assessment afforded to the site options, and specifically Pale Lane, bares question to the weight that can be attributed to the findings of the SA.

2.10 The assessment of Pale Lane in the SA shows indicators marked in red against 'SINC' and 'Ancient Woodland/Forest'⁴. However, at the point of assessment, an application for 700 dwellings had already been progressed and incorporating a full EIA. This demonstrated the site not to have any adverse impacts on these assets. Furthermore, the reasons for refusal relied upon by the Council when refusing planning permission do not include any contention that there will be adverse impact on a SINC or on ancient woodland/forest. The failure to reflect the assessment of the planning application here is inconsistent with elsewhere in the SA e.g. page 30 of the August 2018 when assessing the potential impact of development at Pale Lane on the historic environment.

2.11 An amber rating is marked against 'SPA', despite the site being demonstrated as capable of delivering 14 hectares of SANG with a circular walk of approximately 2.3 kilometres. This provision of on-site SANG exceeds statutory standards and resulted in Natural England holding no objection to the application. As a result, the assessment set out in the SA cannot stand and needs to be reconsidered.

2.12 These inaccuracies translate into the option assessments. It is generally accepted that the 'Do-minimum' option would result in less environmental impact, and therefore can be expected to score more favourably. However, the option is also arbitrarily ranked as the best performing against 'Accessibility' and 'Transport and Accessibility' despite no analysis to support this conclusion aside from stating "*it is fair to conclude that Option 1 (do minimum, i.e. allocate Hartland Park only) is best performing*". The absence of development cannot be considered the best strategy for improving accessibility of local people to services/amenities. At best, it should be recognised that the impacts of Option 1 are unknown against these criteria.

2.13 Similarly, the SA fails to make any strong conclusions on forming a community. It is recognised that Pale Lane has good pedestrian accessibility to existing services in Fleet, as well as proposing its own community hub and primary school. It is recognised by the SA that noise impacts from the railway line and M3 can be suitably mitigated in order to ensure a sense of community is created. The 'Do-minimum' scenario will have potentially negative consequences for communities by reducing the provision of market and affordable housing, thereby:

- Restricting the ability of people to form additional households;
- Reduce the number of elderly downsizing to free up homes for families; and/or

⁴ Page 118 Table A of the February 2-18 SA

- Preventing younger people to live in the District due to chronic unaffordability.

2.14 These each and in combination result in a less balanced community, a key objective of the NPPF (para 50).

2.15 Similarly, the SA in relation to strategic options takes a narrow assessment against employment and the economy factors, discounting any significance on strategic options unless they involved the direct delivery of employment land i.e. the new settlement options. This is despite a robust assessment being undertaken of individual sites⁵

2.16 The alignment of housing in proximity to employment is a contributing component to sustainable development and sustainable plan-making. This is recognised within the SA discussion on employment but does not translate into any robust assessment of the strategy options. There are clear advantages to aligning sustainable urban extensions adjacent main service centres in the District, compared to sporadic development within villages.

2.17 Furthermore, the significant economic benefits to the local and wider economy from boosting the supply of housing cannot be understated. Labour force mobility is reduced in circumstances where the price of housing makes it difficult for people to move and there is a negative overall economic impact of high houses prices and lower levels of house building. This is clearly an issue with HDC where median workplace based earnings to house price affordability ratios exceed national averages by close to 33%.

2.18 The creation of new households generates further spending within the local economy. A HBF report 'The Economic Footprint of House Building in England and Wales' estimates that residents of the additional 224,000 homes built across the UK in 2017/18 generated £38 billion of economic output. Of this £5.9bn (or £26,339/dwelling) is spent in local shops and services with an additional one off spend of £5,350 per dwelling to make a new house 'feel like home'.

2.19 Given these combination of factors, we would expect to see options which seek to deliver a greater quantum of housing in sustainable locations to have scored significantly higher than a 'Do-minimum' scenario.

2.20 Overall, the scope of 'reasonable alternatives' assessed by the Council fails to meet the legal requirements in the production of the SA/SEA. Those alternatives that have been assessed have been subjected to inaccurate and inconsistent assessment.

2.21 The only way that the issue can be rectified is for the Council to prepare a further iteration of the SA for consultation. Subject to the outputs from that assessment, there may be soundness implications for the Spatial Strategy of the Plan.

⁵ Table A of February 2018 SA

Does the SA suitably consider reasonable alternatives to the delivery of a new settlement at Murrell Green/Winchfield in terms of potential growth options in the long-term?

- 2.22 Given our conclusions on the actual OAN within Hart as detailed in our Matter 3 Statement, the rationale stated at paragraph 2.4.2 for not including potential options 5b, 6b, 7b and 8b is unsound.
- 2.23 The assessment of the Murrell Green/Winchfield new settlement is unclear. Paragraph 3.2.6 states that for the purposes appraisal, it is assumed that the new settlement would deliver “perhaps” 1,500 dwellings in the Plan period. However, these figures have not been translated into Table 2.2, where the total housing yields do not reflect any delivery within the new settlement.
- 2.24 The inconsistencies in assessment highlighted for Pale Lane above are repeated and magnified when considering potential strategic options that incorporate the new settlement.
- 2.25 A high accessibility score is largely conditional on the provision of a new secondary school. Whilst the timing and viability of this provision is questionable, its contribution results in Option 1b (‘Do minimum and New Settlement’) being the sole option rated with a significant positive impact, this is clearly an overstatement. Whilst the provision of 1,500 dwellings creates a critical mass capable of providing some community facilities, it is not proposed⁶ for the new settlement to have a significant degree of self-containment. The new settlement will rely highly on the services and amenities of larger service centres in the District, namely Fleet, and beyond.
- 2.26 This is compared to Pale Lane which comprises a sustainable urban extension to the largest settlement in the District, is recognised⁷ as having pedestrian links to day-to-day services, and included obligations for a new bus-link and enhanced services within the s106 accompanying its current application. Furthermore, a 2FE primary school is proposed for delivery onsite, and Hampshire County Council has confirmed obligations proposed to contribute to the expansion of Calthorpe Park School were suitable to accommodate future secondary pupil yields. This school lies within 1km of Pale Lane, anticipated to be more accessible for residents than some within a potential new settlement.
- 2.27 There is an inconsistent approach to the assessment of biodiversity too. As stated at paragraph 2.11 to this Statement, the provision of SANG at Pale Lane whilst recognised, is underplayed when compared to the theoretical provision within the new settlement. Similarly, whilst the presence of SINC’s within the Pale Lane site raises concern to potential negative impacts, the same constraints within the new settlement area is seen as an opportunity for new gains. As stated at paragraph 2.10 of this Statement, the Council did include any contention that there would be adverse impacts on a SINC or other localised biodiversity asset within its reasons for refusal. Therefore, it is not considered sound for the SA to conclude that significant negative effects would arise from the Pale Lane site but would not for an untested 1,500 dwelling new settlement.

⁶ As is stated within the assessment on page 22 of the August 2018 SA

⁷ Assessment on page 21 of the August 2018 SA

- 2.28 A similar favourable bias is applied to the assessments against 'historic environment', 'landscape', 'water', and 'land and other resources'. Here, there are recognised sensitives/constraints for the potential new settlement on par or to a greater degree than at Pale Lane; however, an assumed mitigation has been applied despite the infancy in which the proposals remain.
- 2.29 This skewed assessment only accounts for the potential benefits of the delivery of 1,500 dwellings. This is despite no evidence to support this figure and no delivery is included within either the Housing Trajectory at Appendix 2 to the Local Plan or at Table 2.2 of the August 2018 SA. Furthermore, despite accounting for the potential benefits, the SA fails to apply any of the potential negative environmental impacts associated with a development of 1,500 dwellings and associated infrastructure that the SA has applied to the sustainable urban extensions.
- 2.30 The inconsistencies and inaccuracies of the SA suggests an 'ex post facto' rationalisation has been undertaken to support the decision to pursue a new settlement option. Given a fair assessment, it would be concluded that the long-term development needs of the authority can be met through sustainable urban extensions.