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Neighbourhood Planning,
Corporate Services,
Hart District Council,
Harlington Way,
Fleet,
Hampshire, GU51 4AE.

8th July 2019

Our Ref: BH/97/30

Dear Sir/Madam,

**CRONDALL NEIGHBOURHOOD PLAN, 2017 – 2032 SUBMISSION PLAN, JUNE 2019
REPRESENTATIONS ON BEHALF OF MR N. FINN AND RIO HOMES AND ESTATES**

I write on behalf of my Clients and in support of the Submission Neighbourhood Plan (NP) draft Policies and Strategy as it relates to:

- a. Policy 1: Spatial Plan
- b. Policy 2: Housing Site Selection
- c. Policy 2b: SHLA179 Mill Lane
- d. Policy 3: Housing Design.

In addition, support with clarifications are made to:

Policy 8: Community Facilities
Community Services and Facilities Table Page 62.

The details are set out below, including the background to the site promotion and inclusion of Site 2b.

A. BACKGROUND

The Crondall NP is promoted by Crondall Parish Council (CPC), a long-established, democratically-elected corporate body, that represents the whole of the Parish community, across a range of local and community services.

This is an important distinction from community interest groups like Neighbourhood Forums that are often constituted simply to promote the preparation and delivery of a NP in a very specific geographical area or neighbourhood and cease to exist thereafter.

The Crondall NP therefore is designed to be durable and address and manage the needs and aspirations of the whole of the Parish community until 2032. Its preparation was prompted in response to the emerging Hart District Local Plan.

It is fair to say that Site 2b has been before CPC since the decision in 2016 to prepare the NP, first as SHLAA Site 179 and later promoted by the landowner as a potential NP housing site, which it currently is as Site 2b. It has therefore been rigorously assessed through exposure to the community consultation process, RAG and SEA testing each step of the way.

CPC has been able to consistently retain Site 2b throughout this process because of its alignment with NP objectives to:

1. support the provision of a more balanced community at Mill Lane currently weighted heavily to commercial and industrial land uses,
2. the provision of a better balance of family homes for all age groups including the disabled,
3. a single site of sufficient size to deliver a mix of housing,
4. outside of the centre of the Crondall village settlement area, which is constrained by traffic and pressure on the fabric of the historic core,
5. affordable housing for rent and shared ownership in line with Local Plan policy.

In consequence, support for Site 2b (then called Mill Lane East) was the most popular location of any housing site in the Parish, *'...that ... could reasonably be used for development ... broadly spread across the Parish ... Mill Lane with mixed housing was a highly popular choice...'* (Source: Crondall NP Local Survey Process and Results, September 2017).

B. HART LOCAL PLAN

The Hart Local Plan Strategy and Sites DPD is currently going through the examination process to adoption. Minor and Major Modifications have been published in December 2018 and July 2019 (current at the time of this letter).

Published Spatial Strategy Policy SS1 stated that: *'...provision is made for the delivery of at least 6,208 new homes (388 new homes per annum) between 2016 and 2032...'*

'Development will be focused within defined settlements, on previously developed land in sustainable locations, and on allocated sites as shown on the Policies Map...'

...d) Supporting the delivery of new homes through Neighbourhood Plans; ...'

Para.102 as amended by MM19 and MM22 has increased that provision further from December 2018 to: *'...At least 7,384 homes are expected to be built over the plan period from a combination of sources set out at Table 1...'* (Our emphases).

(Mod. No.6) to Policy SS1d) supports: *'...the delivery of new homes through Neighbourhood Plans...'* and para.103 (MM24): *'...Settlement policy boundaries will be reviewed through a future Development Plan Document and in some cases through Neighbourhood Plans.'*

This is broadly consistent with advice in the revised NPPF, which says at para.21 about strategic policies: *"Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies."*

The overall conclusion is:

1. the housing provision in the new Local Plan is a minimum and the trend is progressively upward i.e. a higher provision than the 7,384 new homes is expected,
2. housing allocations are not exclusive to sites within settlements, with extant permissions but include those defined in Neighbourhood Plans as well,

3. in line with the NPPF, settlement policy boundaries will be reviewed, including through Neighbourhood Plans.

Given the Local Plan is intended to cover the period to 2032, it is right that it should not prescribe the Neighbourhood Plans to which it should apply. Once adopted, Crondall NP, along with its site allocations and settlement boundaries, can be added to Policy SS1, in full accordance with the Plan.

This is relevant to the consideration of NP housing Site 2b. It currently lies outside, but immediately abuts, the Mill Lane settlement boundary. In light of the analysis of the objectives of Policy above, it is clear that the adjustment of the Mill Lane settlement boundary to accommodate this Crondall NP allocation, which has been through an extensive consultation and testing process and has local community support, is four-square with the Submission Local Plan and Proposed Main Modifications.

A Draft Local Plan Policy objection to Site 2b would not therefore stand up to objective analysis given the overriding lack of objection for the site allocation and the planning benefits it brings to the NP (and the Local Plan) in boosting the supply of housing, including the supply of 40% affordable housing in full compliance with Draft Local Plan Policy H2, for which supporting para.179 (and MM38) acknowledges there is a '*significant need*'.

There is therefore clear Policy support for the allocation of Site 2b in accordance with the emerging District-wide Local Plan spatial strategy. The adjustment of the Mill Lane settlement boundary to recognise this by the incorporation of Site 2b in the NP, which has passed a detailed site sustainability analysis and a community testing process, can be ratified as necessary in a Site Allocations DPD in due course.

My Clients support the spatial objectives of Policy 1: Spatial Plan.

1. Site Area and Plan

The site area is 1.33 ha. It is uninterrupted, open land with a gentle slope to the south. There is a belt of trees on the eastern boundary, none of which are included in a TPO. On the western side are stables buildings, manege and hardstandings.

The site forms part of a substantially developed road frontage to the A287 and is immediately obvious as a settlement. It is fully serviced, with vehicular access, foul and service water drainage and electricity. It adjoins the functional settlement area and shares the same means of access with other properties comprising Mill Lane.

Being situated at Mill Lane, the site neither suffers from, nor further impinges on the problems experienced by Crondall village centre; through-traffic being a principal concern.

2. Ownership

The site is in the un-encumbered freehold ownership of Mr. Finn. There are no legal or other constraints, nor any utilities crossing the site other than those controlled and installed by the owner. The landowner also controls the local foul disposal system on the adjacent Finns Industrial Park.

Site 2b is therefore constraint-free, available and deliverable for development in accordance with the NP Proposed Site Allocation. Mr Finn, the landowner has a development agreement

with Rio Homes. In addition, two Registered Social Housing Providers have indicated their desire to provide the affordable housing.

3. Site Reference

The site has SHLAA, November 2016 Reference SHL179 Bowenhurst Lane Crondall and is included in Appendix 7 as an *included* and *available* site, fulfilling the appropriate SHLAA criteria.

4. Location

a. Facilities

The site lies immediately adjacent to the eastern side of the defined settlement of Mill Lane and broadly equidistant between the main settlement of Fleet/Church Crookham and the Main Villages of Crondall (south) and Crookham Village (north). NPPF, 2019 para.78 supports village networks to provide support services for each other. The Submission NP recognises the advantages to the Parish of new development at Mill Lane to meet the needs of the wider community.

The Hart District Settlement Hierarchy 2010, which is based on superceded policy guidance, is flawed and out of date. Appendix 1 to the Hierarchy ascribes no facilities to Mill Lane and is clearly erroneous.

As confirmed at page 29 of the Submission NP, Mill Lane had and still has, a (brand new replacement) M&S convenience store of 212sqm in the petrol station, the Plough Garage car sales and a variety of Business Use Class employment floorspace in Finns Industrial Park (a Protected Employment Site) as well as in Terra Nova storage depot and Bowenhurst Golf Centre a public golf course, flood lit driving range and Peppone's restaurant/clubhouse.

Should there be any doubt as to whether a petrol filling station, shop and car sales does not constitute a community facility then reference can be made to an appeal decision, Land at NGR 303159 110133 & Willand Service Station, (PINS ref. APP/Y1138/W/18/3197492), where the appeal was dismissed precisely on grounds of loss of such a community facility.

The Golf Centre clubhouse includes Peppone's, a café and restaurant that serves snacks, cooked food and meals that is open to the general public in the same way and with the same opening hours as a public house.

This gives Mill Lane a minimum category rating of 3 and puts it in the Main Village Tier 4, along with Rotherwick, Ewshot, RAF Odiham, South Warnborough, Eversley Centre and Eversley Cross/Up Green, which are similarly provided.

My Clients support but request the inclusion Policy 8 Community Facilities and the Table on page 62 to incorporate the above.

b. Schools

There is a Primary School in Crondall village and there may be some concern that erecting new dwellings at Mill Lane may give rise to further traffic in the village centre.

However the location of the Mill Lane outside of the village centre and equally close to Church Crookham means that there are equal, if not better, alternatives available for children of primary school age, so that any new families that might come into the area of the

development cannot be said to place direct, if any at all, demand on Crondall Primary School.

Within the same travel distance of 1.2miles (not necessarily the state-school catchment but regard must be had to the policies of some schools to allow children from outside the area – for example where there are already siblings at those schools) there is:

- St Nicholas' School (which takes boys and girls from 3 – 7 years),
- Crookham Infant School,
- Tweseldown Infant School,
- Church Crookham Junior School.

It does not follow therefore that development at the site will place additional pressure on Crondall village in terms of school journey traffic and parking. Instead, because of dispersal to other local schools, the overall impact is likely to be minimal; whilst the obvious benefits of locating new housing for Crondall residents at Mill Lane, outside of the historic centre are clear.

5. Planning Status

The planning policy status is countryside, being currently outside of the defined Mill Lane settlement area. Aside from that it is constraint-free. The site immediately adjoins the eastern edge of the current Mill Lane settlement boundary and is not only easily integrated into this already substantially developed road frontage but will provide a logical completion or rounding off on the east side of Mill Lane settlement.

The following are also relevant to compliance with the requirements of Submission MP Policy 2b:

a. Physical Factors

The site is located within Flood Zone 1 (the lowest level of risk) and has a minimal risk of groundwater and surface water flooding. Any risks are capable of management by reason of the landowner's ownership and control of measures for disposal.

A Drainage Report prepared by Simon Jones-Parry demonstrates that satisfactory and suitable foul and surface water arrangements already exist and can be improved as necessary to accommodate the proposals within land owned by the landowner and relevant authorities as required.

A Transport Assessment prepared by Bellamy Roberts demonstrates there is adequate capacity in the local highway network to accommodate the scheme. Highways improvements are proposed to Mill Lane carriageway that will provide wide benefits to other road users in the area, including residents and businesses of Mill Lane.

b. Landscape, nature and heritage

There are no Scheduled Ancient Monuments, Listed Buildings, Historic Parks and Gardens, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, National Nature Reserves or Local Nature Reserves upon, in the setting or in the vicinity of the site or close enough to be affected by development at this site.

An area on the eastern boundary is subject to an area-based TPO but none are located on the site. It is within 5km of the Special Protection Area (SPA) but outside the 400m buffer.

c. Environmental/amenity impacts

The site is of no identified ecological value or in special landscape amenity terms. Moreover, as the planning history below shows, since 1992 the Council has consistently supported development on this site.

It is integrated with residential properties comprising Mill Lane by the petrol station, convenience store and Plough Garage car sales, but separate from commercial/storage/business uses on the Business Park. Health and Safety standards recommend a minimum 50m separation from a petrol station. The nearest proposed dwelling would be 55m from the forecourt, with the majority separated by the M&S shop.

d. Other

The majority of the site is given as Grade 4B agricultural land. However, in 1992 the land was used to store top soil and other material from the golf course construction. Accordingly, this designation cannot be confirmed or relied upon as a constraint.

In any event, the site is not, and has not formed part of any agricultural unit. Further, at 1.33ha, it would not make a meaningful contribution to any agricultural unit were there to be any. In this context, it is essential to note that no other adjoining land is in agricultural use or production, all being part of the highway network, the golf course and private properties.

6. Planning History

Permission HDC19817 for a golf course, petrol station, residential and 90-bed hotel was granted permission in 1992 and completed, with the exception of the hotel, which was to be situated over all of the subject site. The hotel development was not implemented. However the services, infrastructure and vehicular access were put in place and are present. The hotel would have had an area of 3400sqm, over 3-storeys, with parking for 200 cars.

A new junction of Mill Lane with the Farnham Road (A287) was constructed to support the development, including the hotel. It has sufficient design capacity to accommodate an alternative residential development without requiring upgrading.

In June 1999, the Council supported a tennis racquets and sports centre of 13,590sqm on the site, including parking for 240 cars. The application was called-in but subsequently dismissed by the Secretary of State on the grounds primarily that such a scheme should form part of the development plan process.

The lawful and authorised use of the land is for equestrian purposes, comprising stable, tackroom and manege, along with the adjacent paddocks, for which planning permission 12/02380/FUL was granted on 14th January 2013. All necessary pre-commencement conditions were complied with and the permission was lawfully implemented and completed. The permitted use of the site for change of use of paddock to a mini-golf course with parking and access (ref 18/02644/FUL) was renewed in February 2019.

7. Previously Developed Land

The site is previously developed land, as defined in the NPPF Annex 2: Glossary for the following reasons:

- 1) An equestrian use is not a use excluded by the definition,
- 2) The land of which it forms a part has permanent equestrian buildings,

- 3) The manege, stable yard and associated access is a permanent hard surface and is a form of associated fixed surface infrastructure,
- 4) The manege has been used expressly in association with the equestrian use and buildings. It is not, for example, a former agricultural use,
- 5) The land use is not agricultural, forestry or related to minerals extraction or waste disposal, and
- 6) The land comprising the manege has not been in use as a private residential garden, park, recreational or allotment and is not ancillary to any residential use.

The conclusion that an equestrian land use is previously developed land has been confirmed in an appeal at Mount Pleasant Farm, Well Lane, Gillow Heath, Staffordshire (PINS ref. APP/B3438/A/14/2217581).

The historical permissions granted by Hart District Council have not seen any reason to keep the land open or undeveloped. If the mini-golf use was implemented this would further emphasise the previously developed land status.

8. Suitable for residential use

Crandall Parish comprises, inter alia, two identified settlements – Crandall and Mill Lane.

A sustainability assessment of Site 2b has been carried out using the same criteria employed by the Council's consultants Adams Hendry in assessing the sites put forward into the Draft Local Plan.

It immediately adjoins the current settlement area, does not affect any heritage assets, is in an established developed frontage to Mill Lane that was previously permitted for substantial built development. It is previously developed land that requires no loss of trees or hedges. New development will in enhance the setting with new planting. Legal obligations will secure delivery of on-site affordable housing, open space and highways improvements.

The site is suitable for sustainable residential development in accordance with the three dimensions set out in the NPPF:

- **Economic role** – the development will provide construction jobs and enhance the local economy through provision of market and affordable housing in the right place that contributes to the provision of infrastructure,
- **Social role** – it will help to supply an identified need for family and affordable housing for the benefit of Crandall residents and the wider community as identified in the Submission NP, helping to maintain a high-quality built environment through good design that complements the character of the area. Consultation is taking place with Registered Housing Providers either of whom wish to deliver the affordable housing provision on this site. The Hart Housing Strategy Manager supports the scheme and dwelling mix, which has been the subject of extensive consultation. In short, the scheme put forward conforms to the locally defined mix, SHMA, Submission NP and identified affordable need.
- **Environmental role** – The site is previously developed land. The dwellings will be constructed to sustainable building standards, helping to mitigate the effects of climate change on the environment and without harmful impacts on environmental or biodiversity conditions.

There are no land uses on, or adjoining the site that presume against a residential use of the land. On the other hand, development here to meet the Parish needs will assist in preserving the heritage character of the historic village centre as a Public Benefit.

In addition, the site is a sustainable location in terms of accessibility, recognising the advice in the NPPF. There is a national policy presumption in favour of sustainable development.

My Clients support Housing Site Selection Policy 2 and site allocation Policy 2b SHLA 179 Mill Lane.

9. Consultation

Mr Finn has conducted nearly three years of positive consultation with CPC in the promotion of this site. The Parish Council expressed support as follows: *'In general councillors expressed conditional support for this scheme in an area which is perceived as 'waste ground', close to a number of amenities and with a proposed good mix of property types and sizes.'*

10. Deliverable within 5 years

The SHLAA concludes in respect of the site: *'No significant market, cost or delivery factors have been identified, development at this site is considered to be economically viable, therefore site considered to be achievable'*. It goes on to confirm deliverability within the minimum 0-5 years' band. No reason is seen to disagree with this conclusion.

11. Affordable Housing

The proposal has, since May 2017, been the subject of consultation with Crondall Parish Council, the Council's Strategy and Development Manager and with Vivid Build (formerly Sentinel and First Wessex Housing Associations) and Thames Valley, both of which are Preferred Housing Providers.

Mr Finn has sought in this process to strike the right balance between the competing objectives of the SHMA and the emerging Neighbourhood Plan, as well as the Affordable Housing Informal Development Guidance, March 2017. The scheme provides a mix of 2, 3 and 4 bed dwellings, in the form of flats, bungalows and houses including for disabled persons. Parking provision complies with current Council Policy.

The scheme is compliant with the Policy objective to achieve 40% affordable housing provision on site. Of the 33 dwellings proposed, 13 are proposed as social rent/intermediate housing with the 65:35 tenure mix ratio sought by Policy. It has also been possible to include 'pepper-potting' as the designs will be tenure blind.

Dwelling sizes reflect the requirements of the Housing Officer and the market/affordable dwelling mix has been informed by the Crondall Neighbourhood Plan Parish Survey. In this regard, there are no three-storey or 5 bed dwellings.

12. Market Housing

Mr Finn has a Development Agreement with Rio Homes and Estates to secure the delivery of the site within 5 years of a grant of permission. A full application will be made to ensure certainty of house types, high quality design in accordance with Policies 2b and 3 and early delivery.

The dwelling mix indicated reflects the SHMA expectations again taking into account the feedback obtained from CPC to the NP evidence base, giving greater emphasis to smaller dwellings, particularly 2 and 3 bed units and a variety of typologies to support the needs of younger and older persons and down-sizing, such as flats and bungalows. All meet National Housing Standards.

My Clients support the objectives of Policy 3 to secure high quality housing design.

13. Foul and Surface Water Drainage

The infrastructure is in place to manage both foul and surface water. Foul water will discharge to the treatment plant at Finns Business Park owned by Mr Finn.

Surface water will be split between an underground storage tank in the north-west corner and a balancing pond to the south, taking account of the shallow ridge that runs east-west through the site.

14. Highways

The site will use the existing vehicular access on Mill Lane adjoining the petrol station that was to have provided the access to the approved hotel. There is adequate capacity in the highway network and the AS287 junction to accommodate the proposal.

CPC requested in NP consultation that opportunities be explored to address local concerns in relation to:

- a. traffic queuing at the A287 junction,
- b. the condition of Bowenhurst Lane road surface as a result of damage caused by large vehicles using the Terra Nova site (NB. This is not in the ownership of Mr Finn),
- c. the opportunity to ease the passage of vehicles including vehicle passing on Mill Lane.

These measures will be incorporated into the layout without affecting site capacity. The widening of Mill Lane up to the A287 junction is on land owned by Mr Finn and will be incorporated in, and be shown to be delivered, as part of a planning application.

Resurfacing Bowenhurst Lane is the responsibility of Hampshire County Council (HCC) as Highway Authority. On site discussion with the County Rights of Way Officer has drawn support for the repair/restoration of Bowenhurst Lane surface, which is a Byway Open to All Traffic (BOAT).

As part of a planning application, provision will be made in the design and layout to re-lay and resurface that section of the Lane in conjunction with the widening up to the point equivalent with the northern boundary of his site along with the associated road widening up and kerbing to the A287 junction.

15. Summary

In summary, my Clients support the following Policies as they stand:

- a. Policy 1: Spatial Plan
- b. Policy 2: Housing Site Selection
- c. Policy 2b: SHLA179 Mill Lane
- d. Policy 3: Housing Design.

In addition, they support with clarification the following:

a. Policy 8: Community Facilities

Add to the list:

- Mill Lane Petrol Filling Station and Plough Garage
- Mill Lane M&S convenience store
- Peppone's Restaurant and Bar

b. Community Services and Facilities Table Page 62, add:

1 Food and Drink (Peppone's Restaurant and Bar)

I await acknowledgement of receipt and please keep me notified of your intention to make the Plan.

Yours sincerely,

Gregory Gray

cc Clients

Crandall Neighbourhood Plan Working Party