

Crandall Neighbourhood Plan

Hart District Council Response to the Examiners Clarification Questions

Question 1:

Please can Hart District Council confirm that it is satisfied (or it is not satisfied) that the Neighbourhood Plan is compatible with European obligations.

Hart District Council can confirm that it is satisfied that the Neighbourhood Plan is compatible with European obligations.

In supporting the progress of all neighbourhood plans in the District, the Council has been mindful of the *People Over Wind & Sweetman v Coillte Teoranta* (“People over Wind”) case. Following this judgement, Crandall Parish Council were advised of the need for a full Appropriate Assessment to be undertaken on the Neighbourhood Plan. This was undertaken in August 2018

Having regard to the content of the Neighbourhood Plan and the Appropriate Assessment, the Council remains satisfied that the Plan is compatible with European Obligations. This is because:

- The Appropriate Assessment concluded that subject to the inclusion of reference to the need for financial contributions to the Thames Basin Heaths SAMM strategy an adequate policy framework is in place to ensure no adverse effects on the integrity of the Thames Basin Heaths SPA. Reference to the need for SAMM payments is included within submission Policy 2e.
- Natural England has raised no objections about the Crandall Neighbourhood Plan (subject to a minor amendment in Policy 2e).

Question 2 to 5 – Directed to the Parish Council

Question 6:

Is the allocation of the site in general conformity with the adopted strategic policies of the development plan?

The allocation of the site is contrary to adopted Local Plan Policy RUR2, although RUR2 pre-dates the Neighbourhood Planning process.

The emerging Local Plan Strategy and Sites (which has just gone through the Proposed Modifications consultation) does enable additional housing to be allocated through Neighbourhood Plans (see Policy SS1). However in this case the allocation would be contrary to emerging Policy I3 Transport (a strategic policy for NP purposes, as set out at Appendix 4 of that Plan). Please see the question below for further information.

The draft Local Plan is at a very advanced stage and therefore significant weight should be applied to its policies.

Does the allocation of the site contribute to the achievement of sustainable development?

The proposed allocation would result in a significant increase in built form, disproportionate to the size of the existing settlement within the open countryside.

The site is located at Mill Lane which has very limited facilities/services. It is a Tier 5 settlement - i.e. it is in the lowest tier of settlements in the district; it is neither an urban area, a service centre nor a main village (see para 42 of the emerging Local Plan). Public transport and safe walking/cycling access to villages or towns in the surrounding area with key facilities/services (such as Crondall) is also limited. In practice, residents of the development would be heavily car dependent – more so than they would be at a site on the edge of Crondall village (a Tier 4 settlement with a school and several other facilities). Policy 13 (as proposed to be modified) states that “Development should promote the use of sustainable transport modes prioritising walking and cycling, improve accessibility to services and support the transition to a low carbon future.” An allocation of this size at this site, at the edge of a small built up area with very few facilities is contrary this policy. Given there are choices of sites at the edge of the main village it seems perverse to provide housing, including affordable housing, beyond the reach of key facilities within Crondall village.

Page 22 of the Neighbourhood Plan states that protection of the open countryside “was a clear priority identified by respondents to the initial questionnaire.” Given that the Neighbourhood Plan does not need to allocate any housing land, how does the allocation of Site 2b meet this “clear priority” identified by the community?

In the Council’s view the allocation of this site, a predominantly greenfield site located in the countryside, does not meet this priority.

Page 23 of the Neighbourhood Plan states that any development “should be appropriate in scale and density.” The site appears to support development at a higher density to that of the rest of Mill Lane. It also appears to support the development of a large number of houses relative to the size of Mill Lane. Why is the site appropriate in scale and density to Mill Lane?

The Council is not aware of any evidence which assesses appropriate scale and density in relation to the Mill Lane allocation. It would appear that the proposed scale and density is contrary to the statement that any development should be appropriate in scale and density.

The site scored positively in respect of social contribution as it would provide affordable housing. Can Crondall Parish Council point me to evidence of the consideration of options for the provision of affordable housing sites and/or rural exception sites around Crondall? Would Hart District Council like to comment in this regard?

The Council is not aware of any evidence in this regard. Affordable housing could, subject to viability, also be provided on site allocations at the main village, or through rural exception sites, which would be a more sustainable option than a mostly-market housing option at Mill Lane.

The site was scored positively as a brownfield site, yet the majority of the site comprises green field land with a rural character set within the open countryside. The landowner/developer considers that the whole site comprises previously developed land. Does Hart District Council agree that land

within Hart associated with equestrian use necessarily comprises previously developed land and does it consider that in this case, the whole of the site comprises brownfield land? The assessment of the site at Broden Stables scored that site negatively in respect of comprising brownfield land – please can CPC point me to information that supports this apparently conflicting approach?

The Council does not consider that all land within the district associated with equestrian use comprises previously developed land nor does it consider that whole site covered by Policy 2b comprises previously developed land. The site as a whole therefore falls outside the definition of previously developed land. (See recent appeal decisions: APP/N1730/W/18/3210487 and APP/N1730/W/18/3210488)

Please can you point me to evidence that the site is capable of delivering around 13 affordable homes (as referred to on page 24 of the Neighbourhood Plan) as well as providing for safe access and egress and any related/appropriate highway infrastructure?

The Council is not aware of any evidence in this regard.

Hart District Council refers to the “adjacent Conservation Area.” The site is not adjacent to Crondall Conservation Area. Is there another Conservation Area that the site is adjacent to?

This is an error. The reference to the ‘adjacent conservation area’ refers to Policy 2c CRON 21 The Bungalow, not the Mill Lane site.

Please can Crondall PC and Hart District Council provide any comments on the following:

The site was scored positively as a sustainable location, although Mill Lane lacks a range of services and facilities and relies on Crondall and other settlements for these. A number of sites in/on the edge of Crondall were scored neutrally or negatively in respect of being within a sustainable location.

The Council can offer no justification for the scoring criteria adopted by the Parish Council. Sites in or on the edge of Crondall should perform better in terms of ‘sustainable location’ than the Mill Lane site.

The site scored neutrally in respect of being in the settlement area. The site is outside the settlement boundary of Mill Lane and requires a change to the settlement boundary. Sites outside of Crondall were scored negatively, but like this site, could have been incorporated into an altered settlement boundary.

The Council can offer no justification for the scoring criteria adopted by the Parish Council. It would appear that in respect of the settlement area, this site should be treated in the same way as sites adjoining Crondall village.

The site would comprise a large (relative to Mill Lane and Crondall) housing site in the countryside on the edge of a hamlet and it would appear inevitable that building 32 homes would have a rural impact. However, the site scored neutrally in this regard.

The Council can offer no justification for the scoring criteria adopted by the Parish Council. It would indeed appear that there would be a negative rural impact.

Question 7:

Please can you point me to substantive evidence that this site can be developed safely, taking into account its location within the Flood Zone? Please can you clarify why no Sequential Test has been carried out in respect of this site, taking into account its location within the Flood Zone?

The Council is not aware of any Sequential Test that has been undertaken for this site.

The Council has undertaken a Sequential Test to supplement the Council's Strategic Flood Risk Assessment, in support of the draft Hart Local Plan Strategy and Sites 2016-2032. In this regard, please see the Council's Sequential Test:

https://www.hart.gov.uk/sites/default/files/1_Residents/Sequential%20Test-Final%20Jan%202018.pdf

Question 8:

The site comprises employment land and is not located within any settlement. The Mill Lane example above is indicative of concerns raised in representations that the site assessment process was subjective and inconsistent. Please can you point me to substantive evidence to demonstrate why an existing employment site outside any settlement boundary is more sustainable than other potential sites within or adjacent to Crondall village? Could Hart District Council please comment in the above regard?

The Council is not aware of any substantive evidence that has been produced by the Parish (or the Council) in this regard. The allocation would be contrary to emerging Policy ED2 of the emerging Local Plan Strategy and Sites (as proposed to be modified – see MM65 below):

3. Other Employment Sites:

The regeneration and intensification of other employment sites for B-class uses will generally be supported subject to compliance with other development plan policies. Development which would result in the loss of an existing employment use within the B use class, outside of the identified Strategic or Locally Important Employment areas, will only be permitted where the loss of that use can be justified having regard to the following considerations:

- market signals indicate that the premises / site are unlikely to be utilised for employment use; or***
- the site is not appropriate for the continuation of its employment use due to a significant detriment to the environment or amenity of the area.***

Although the Council notes that there are a number of PRIOR approval applications given, which if implemented would provide the change from light industrial use to residential.

Please can you point me to evidence that it is viable for the commercial buildings to be converted to residential use and that this can be delivered in a manner that would be in keeping with neighbouring properties?

The Council is not aware of any evidence in this regard.

Please can you point me to information in respect of what kind of housing is suitable to a “small household” and why the size of a household, as opposed to say, the size of a house, is relevant to this policy?

The Council is not aware of any evidence in this regard. The District Council considers that reference to dwellings sizes would be more appropriate, and that reference to small households is open to interpretation and will raise implementation difficulties.

Questions 9 – 16 – Directed to the Parish Council

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