

West Berkshire Housing Sites Allocation DPD: Draft Response

[Response Form Section 2b]

1 Hungerford Town Council objects to proposed Policy HSA19 on the grounds that it is neither justified nor consistent with national policy.

Justification

2 We consider that Policy HSA19 does not meet the second criterion of soundness set out at National Planning Policy Framework (NPPF) paragraph 182. We believe it is not justified.

3 For the avoidance of doubt the Town Council does not support Policy HSA19; nor did it support Preferred Option 18, involving sites to the north of the town, as set out in the July 2014 version of the Housing Site Allocations Development Plan Document (HSA DPD). Instead, it promotes an alternative distribution of development which is summarised in the response to Question 3.

4 West Berkshire Council's detailed reasoning, set out in Appendix 9(D) of the Sustainable Appraisal / Strategic Environmental Assessment (SA/SEA), for rejecting some sites contains in our opinion a great deal of misleading and inaccurate information, to an extent that it undermines the Council's case and does not support its proposed option in the shape of Policy HSA19. Sites are dealt with below in numerical order.

5 Before that, we make the general point that there is also little to show how WBC moved from its assessment of individual sites to making a choice between sites. A crucial stage of the process appears to have been missed out, or at the very least, not properly documented.

Smitham Bridge Road (Site HUN 001)

6 As the SA/SEA acknowledges, this is one of the sites which the Town Council has consistently supported as an appropriate allocation for housing.

7 West Berkshire Council states that this site cannot be allocated because of flood risk and highway constraints. In the opinion of Hungerford Town Council, neither issue prevents its allocation.

8 About a quarter of the site falls into Flood Risk Zone 3. The remainder is in Flood Risk Zone 1. Agents for Donnington New Homes have prepared an illustrative master plan or equivalent which avoids the part of the site in Flood Risk Zone 3, and shows how 35 dwellings could be satisfactorily accommodated on the remainder of the site. The SA/SEA acknowledges this.

9 West Berkshire Council exaggerates the difficulties arising from the width of Smitham Bridge Road. There is a narrow section in the vicinity of Church Street, Parsonage Lane and Church Way, about 10 metres long where Smitham Bridge Road is 4.5 metres wide. At this location where Smitham Bridge Road becomes Church Street eastwards, there is a priority given to traffic from the east. This creates minor inconvenience for motorists, no more than two on

street parked cars, but at the same time has the positive benefit of providing effective traffic calming. WBC has produced no accident statistics in support of its assessment.

10 The site is about 800 metres from the centre of Hungerford represented by the junction of High Street and Church Street, compared with 1,250 metres in the case of West Berkshire's preferred site HUN007. In addition the route to the town is largely flat from HUN001 compared to a significant hill for HUN007. We consider these differences to be significant, in that future residents on the Smitham Bridge Road site would be more likely to walk or cycle to the town centre than from Site HUN007.

11 The revised comment on landscape states that in these terms the development of this site would be acceptable.

12 On close examination, HTC considers that the SA/SEA says relatively little about the drawbacks of this site. Besides the traffic impact issue (already addressed here), the SA/SEA states that the site attracted a number of objections in earlier responses. This cannot be given any weight unless those responses addressed relevant planning issues; if that were the case, these issues would appear in the overall assessment.

Folly Dog Leg Field (Site HUN005)

13 Pages 2602 and 2603 of the full set of West Berkshire Council's notes refer to the site as having an area of 5 hectares. This is an incorrect interpretation of the Town Council's position; it is proposing only 0.65 hectares of the site for development. WBC has taken into account the whole site in making comparisons, which is incorrect. Brownfield land makes up 70% of the northern (Eddington) group of northern sites by area including as it does sites HUN003, HUN015 & HUN020 (100% brownfield) and a small part of HUN005. In terms of dwelling numbers, are 29 on the brownfield sites and 20 are on part of HUN005, 59% and 41% respectively.

Garden Centre (Site HUN020)

14 West Berkshire Council considers that this site is not deliverable, on the grounds that it not available. This is not the case. The planning consultant acting on behalf of Wyevale Garden Centres has confirmed that the site is being promoted through the HSADPD.

The Oakes (Site HUN023)

15 West Berkshire Council included this site in the SHLAA with a potential capacity of 17 dwellings. It was subsequently excluded from further consideration primarily on the grounds that it is located in a protected employment zone site, however, the St John's Hall which is the adjacent plot has been granted planning permission for 6 residential flats

16 Also, the site has been vacant for about ten years and is currently a temporary car park. It has been the subject of a Draft Development Brief produced by the Town Council. This identified it as residential and the owners are keen to promote it for residential development.

17 The extent of this inaccurate information on all these sites is significant and casts doubt on the Council's claim that Policy HSA19 is justified in terms of NPPF paragraph 182.

Transport Assessment

18 HTC has examined the document entitled 'Broad Assessment of Transport Impact'. We have serious concerns about this work, and in particular the conclusions drawn from it. Our concerns can be summarised as follows:

19 The opening paragraph states that it considers only preferred options 17 and 18. This excludes the HTC alternative strategy.

20 The analysis is dated November 5th and appears to have been prepared not to inform the decision process, but as an afterthought, presumably to try and justify the decision.

21 It says that it is a 'basic analysis of potential transport impacts on the local community'. It certainly seems to be basic. It is nowhere near substantial enough to enable an informed choice to be made between two options, neither of which is in any case the best option in terms of traffic.

22 In respect of preferred option 17, the report states that *"due to the sites location, and with easy access to services, facilities and the open countryside, there is good potential to encourage walking and cycling"*.

23 There are two points here: first, this is one example of the failure to properly consider HTC's alternative strategy, which would be superior in terms of access to services and facilities; secondly, the reference to the open countryside confuses walking and cycling for leisure or exercise with travel by these modes for other purposes.

24 The characteristics of each development option as shown in Tables 1 and 2 - for example households, car ownership, population, cars per household and children by age range - vary by each site. This is not a conventional approach; indeed, it is wholly inappropriate. Much detailed work has clearly been done in compiling these tables, but we consider this to be a misuse and misunderstanding of Census data for this fundamental reason: **it does not follow that the demographic characteristics of development in an area will match the characteristics of the existing population in that area**. Any assessment should make the same assumptions about the areas compared. We believe this methodological unsoundness undermines the conclusion drawn.

25 There is a further important point. Even if the Council's approach were methodologically sound, the differences in impact it identifies between the two options is statistically insignificant and in our opinion overridden by the issues arising from impact on the AONB. This matter is taken up again in the context of consistency with national policy and in particular the Core Strategy Inspector's observations on the AONB Policy Area.

26 The report has more detailed and specific shortcomings:

a) There is some reference to potential traffic generated by each site in the AM peak period, south (drive to work 74 and rail to work 6) north (drive to work 72 and rail to work 7). But there is no assignment or reference to potential traffic on the High Street, nor how much traffic is on it already;

b) No reference is made to the fact that the journey to work trips do not all take place during the morning peak hour from 0800 to 0900. The peak is spread over about two hours, and for example many journeys take place earlier so that travellers can catch the 6.37 or 7.34 trains out of Hungerford.

c) The impact appears to be based on 106 passenger journeys by car for the south site and 108 passenger journeys from the north site. This assumes that all trips over 1km are by car, i.e. to the station and work and for the north site all trips to the schools, but none from the south. To assume all trips to the Hungerford schools will be by car from the north site is not likely as:

- a significant proportion of secondary school pupils living in and around Hungerford does not go to John O'Gaunt secondary school, but instead to St Barts, Park House or Newbury College in Newbury, St Johns in Marlborough or private schools. The effect of this would be to add to the number of car trips through the High Street from the Salisbury Road site and reduce them from the north;
- John O'Gaunt sixth form has closed;
- It is not very far to walk or cycle and there is plenty of opportunity to encourage these modes of transport, unlike journeys to work which tend to be longer and more difficult to transfer.

d) If the same analysis were applied to the HTC alternative strategy, then the reduction in the number of dwellings to the north, and the additional dwellings by the railway station would certainly compensate for the suggested 2 passenger journeys difference. Thus it can be concluded that the development of site HUN007 would have more impact on the High Street than the HTC alternative strategy.

c) The analysis does not consider the PM peak hour, or other times of the day. The PM peak excludes school traffic. At other times of the day, travel for purposes other than work will dominate, such as shopping, leisure and personal business. For these purposes many likely destinations are in Newbury, the nearest higher order centre to Hungerford. Traffic impact on the High Street would be greatest from Site HUN007 in this context.

d) There is no specific reference in the assessment to the High Street which is a very sensitive environment and yet the WBC assessment repeatedly suggests the impacts would be greater from the northern site than the south.

e) The analysis cannot be relied upon as being statistically significant. Notably the small census areas are very suspect to factor up for such small sample sizes.

31 In summary, this is a flawed analysis and it is not reasonable to draw the conclusion that the impacts on the High Street will be greater from the sites on the north side of the town than from Site HUN007.

Consistency with national policy

27 Hungerford Town Council also considers that Policy HSA19 does not meet the fourth criterion of soundness set out at NPPF paragraph 182. We believe it is not consistent with national policy.

28 First, it is inconsistent with the eighth of the 12 core planning principles set out at paragraph 17 of the NPPF, which encourages the effective use of brownfield land. The proposed allocation east of Salisbury Road consists entirely of greenfield land. In contrast, Hungerford Town Council's preferred option for the distribution of housing in and around the town includes a significant amount of brownfield land. At the same time, none of that brownfield land is of high environmental value, so the qualification in the eighth principle does not apply.

29 Making effective use of brownfield land, as opposed to greenfield land, is important in any circumstances. In our opinion it is even more important when any greenfield land, as in this case, is located in an Area of Outstanding Natural Beauty (AONB). AONBs are one of the examples in footnote 9 to paragraph 14 of the NPPF which qualifies the presumption in favour of sustainable development.

30 This leads directly to the second issue: Policy HSA19 is inconsistent with paragraphs 109, 115 and 116 of the NPPF.

31 Policy HSA19 is not consistent with the first bullet point of paragraph 109, which requires the planning system to protect and enhance valued landscapes.

32 It is also inconsistent with paragraph 115, which states that great weight should be given to conserving landscape and scenic beauty in (among other areas) Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

33 Paragraph 116 is directed at the treatment of planning applications. In our opinion it could equally be applied to proposed allocations in development plans, since there is no merit in allocating land for housing (or any other use) where later at the planning application stage a proposal is likely to fail basic tests such as this.

34 Paragraph 116 begins by stating that *"planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated that they are in the public interest"*.

35 First of all, we consider that although the NPPF does not define "major" in this context, a proposal for 100 dwellings falls firmly into the category of major development. Development management as carried out by the majority of local planning authorities defines proposals for

housing development of 10 dwellings or more as “major” development, wherever it is located; this proposed allocation would result in ten times as many dwellings, moreover in an AONB.

36 In this case, exceptional circumstances have not been shown; nor has the public interest been demonstrated. Exceptional circumstances cannot be shown as there are alternative sites available and deliverable whose development would have less adverse impact on the AONB. It follows that since there are reasonable alternatives to Policy HSA19 in its present form, it cannot be shown that the public interest is served by major development in the AONB.

37 To the extent that the three bullet points in paragraph 116 should be addressed at this stage, the need for the development on this scale in Hungerford (as opposed to the development of this particular site), is not disputed. This need arises from the level of housing provision for the AONB Policy Area as a whole, set by the West Berkshire Core Strategy, which the Town Council accepts. The question of impact on the local economy does not arise, because broadly the same economic benefits from the construction of 100 dwellings would arise wherever those dwellings were located in the town.

38 The issues covered by the second bullet point do not arise, since Hungerford lies at the western end of the District, not far from the boundaries with Wiltshire and Hampshire, and where the closest parts of those counties are also in the AONB. Within West Berkshire, the AONB covers three quarters of West Berkshire District, and of any significant settlement in the AONB, Hungerford is as far from any from areas of the District not so designated. In a situation where the AONB not merely surrounds the town but washes over it, the issue is not whether any harm is caused to the AONB by development, but the degree of specific harm likely to be caused by particular proposals. As already indicated, we consider that the development of land east of Salisbury Road will cause a greater degree of harm to the AONB than any other plausible alternatives for the accommodation of 100 dwellings in and around the town.

39 In respect of the third bullet point, it could not reasonably be argued that that proposed allocation East of Salisbury Road would have a significant detrimental effect on recreational opportunities. The proposed development would have a minor adverse effect on the amenities of users of the public right of way which bisects the proposed allocation from north to south, which Policy HSA19 proposes to retain. However, the much more important issue is that development of the proposed allocation would have a detrimental effect on the landscape.

40 The A338 rises from less than 100 metres AOD in the Kennet valley at Eddington to about 130 metres AOD at Kennedy Meadow, currently the southernmost part of the town on Salisbury Road. Over the next 2.5 kilometres it falls away gently towards the boundary with Wiltshire in the vicinity of Prosperous Home Farm. The landscape is largely open. There is in our view no natural or defensible boundary in landscape terms.

41 The potential mitigation measures for the proposed allocation would not overcome the fundamental objection to development in the AONB, where exceptional circumstances and the public interest cannot be demonstrated. The alternatives proposed by the Town Council

give rise to far fewer adverse effects on the AONB, beside any other advantages it believes those alternatives possess.

42 It is also appropriate to go back to the note of the Core Strategy Inspector dated ** July 2010. The Inspector's comments on the balance to be struck between making suitable provision for housing and protecting the landscape of the AONB are as relevant now as they were then, notwithstanding the issue of the NPPF in the meantime, and are worth quoting at length.

43 The note's section on the AONB begins at 3.19, which states: *"I am satisfied that ADPP5 makes adequate provision to meet identified local needs in accordance with paragraph 21 of PPS7.Additional housing over and above that solely justified by identified local needs can be proposed subject to great weight being given to the conservation of the natural beauty of the landscape.*

I accept that, in principle, built development can have a positive or complementary role in the landscape of the AONB. Whether or not a particular development on a particular site would achieve the policy objective expressed at the beginning of ADPP5 would depend on the existing intrinsic qualities of the site itself; the scale, density and design of new buildings; integration of the new development with the existing built form and the wider countryside; and any cumulative impact with other planned developments. Acceptability will have to be judged on a site-by-site basis and is a matter to be tested further in the Site Allocations DPD. In my view, achieving the landscape objective of ADPP5 on some, if not many, of the greenfield sites in the AONB may be very challenging or impossible. But only some greenfield sites need to be developed to deliver the scale of housing proposed.

Accordingly, there is evidence to indicate that the scale of development could be delivered in a way likely to meet the first policy aim of ADPP5. However, it would not be sound if the stated provision of approximately 2,000 dwellings was to override the landscape objective. The priority between conserving and enhancing the landscape and proposed scale of housing needs to be made clear in favour of the former, given that what is proposed is more than necessary solely for identified local needs.

The following changes to the first bullet point in ADPP5 are required for soundness.

will accommodate ~~approximately~~ up to 2,000 dwellings.

the following sentences to be added to the end of the bullet: Provision of this scale of housing is subject to the overarching objective for the AONB set out at the beginning of this policy. If preparation of the Site Allocations and Delivery DPD indicates that sites cannot be allocated to provide the balance of 2,000 dwellings whilst adhering to the landscape priority of the policy, any shortfall will be provided on sites allocated outside the AONB" [HTC emphasis].

44 West Berkshire Council's complete reliance on a greenfield site to make provision for housing in Hungerford is wholly at odds with the Inspector's approach.

45 For all the above reasons, Hungerford Town Council considers that Policy HSA19 is inconsistent with national planning policy, and for that reason alone the DPD as a whole should not be considered sound without the changes that the Town Council proposes.

[Response Form Section 3]

Proposed Changes

1 In contrast to West Berkshire's proposals, the Town Council's alternative strategy is based on a balanced consideration of the available relevant evidence and is therefore justified. It makes provision for 103 dwellings, the same order of magnitude as Policy HSA19 in its present form. The Town Council's alternative strategy is also consistent with national planning policy with respect to the use of brownfield land, and in its approach to the North Wessex Downs Area of Outstanding Natural Beauty.

2 The Town Council promotes a distribution of development which in summary:

- Spreads the impact of new development between the west, centre and north of the town
- Minimises aggregate distances from the town centre
- Minimises traffic impact on the High Street
- Makes best use of previously developed land, and
- Minimises the amount of development outside the existing settlement boundary and in locations where the landscape impact of development in the AONB would be least.

3 In a little more detail, the HTC alternative extends the town boundary less into the AONB. Only Sites HUN001 and part of HUN005 take greenfield land in the AONB. Almost half (47%) of the dwellings are on brownfield land.

4 The largest single site in HTC's alternative strategy, HUN001, would have significantly less adverse impact on the AONB not only because of its smaller size, but also because of its less obtrusive location.

5 The Town Council has seen no convincing evidence that this strategy as a whole, or the individual components of it, are not deliverable in the timescale of the Plan period.

6 The proposed changes to Policy HSA19 are therefore as follows:

Policy HSA19

The following sites are allocated for housing:

	Dwellings
HUN001 Smitham Bridge Road (Note 1)	35
HUN003 Hungerford Veterinary Centre	5
HUN005 Folly Dog Leg Field (Note 2)	20
HUN015 Land at Bath Road	7
HUN020 Hungerford Garden Centre	17
HUN023 Oakes site	11
Rowlands site	8
Total (Note 3)	103

Notes: (1) 35 units is as identified on the developers plans

- (2) HUN 005 assumes 0.65 of 5 hectares developed*
- (3) 48 of 103 dwellings on brownfield*