Welford-on-Avon Parish Council

**SITE ALLOCATIONS PLAN CONSULTATION RESPONSE**

18th September 2019

Welford-on-Avon Parish Council, in co-operation with a number of residents, has reviewed the new Site Allocations Plan (the ’SAP’) and considers the SAP to be flawed in many ways especially regarding the lack of consultation over the choice of preferred sites and the failure to even try to identify any sites within existing Built up Area Boundaries.

All four allocated sites in the SAP are outside the Built-up Area Boundary of the ‘Made’ Welford on Avon Neighbourhood Development Plan and therefore should be resisted.

The following detailed comments are structured against 1) Duty to Co-operate; 2) National Policy and Sustainability; 3) Housing Distribution and Allocations; 4) Land Use; 5) Infrastructure and Highways and 6) Site Specific comments.

1. **Duty to Co-operate**

Although Stratford District Council have conducted a reasonable consultation process as required under Regulation 22 there has been a significant omission in the process in that the selection of preferred sites was not offered for consultation.

This omission is outlined in the SAP on page 4. *“The Council has not consulted on ‘preferred options’ and has moved straight from scoping and initial options to the proposed submission stage. This is because the Site Allocations Plan is a second-tier plan and does not set strategy or requirements (these have been established by the Core Strategy) but provides further detail to the approach set out in the adopted Core Strategy”.*

A Preferred Options consultation would have allowed the public to comment on which of the SHLAA sites would be allocated as reserve sites or perhaps, how that decision would be made.

As our comments will show, the choice of reserved sites for Welford is flawed and as such local consultation could have corrected some of these errors.

The justification that this is a second-tier plan isn’t right, considering the impact the Plan has on Core Strategy Policy CS15 - housing distribution and CS.16 - housing numbers allocated to Local Service Villages (LSV).

This plays down the significance of the SAP yet the SAP is the first document to identify specific sites for villages. It has a distribution stategy that is far more detailed than the Core Strategy and is a matter that most people would have assumed merited consultation.

In LSV’s where the quota has been reached, this is in effect further distribution over and above that allowed by the Core Strategy Policy CS.15.

During the development of the Core Strategy SDC consulted on distribution options – should they build in Stratford, Main Rural Centres, LSV’s or a new settlement?  This produced the decision for a dispersal strategy as outlined below:

<https://www.stratford.gov.uk/doc/205866/name/ED12%20Focused%20Consultation%202011%202031%20Housing%20Requirement%20and%20Strategic%20Site%20Options%20Feb%202014.pdf>

This approach should have been adopted for this SAP especially given this isn’t a minor adjustment to the existing Core Strategy dispersal strategy. It’s very significant change with Welford alone having 108% additional houses allocated to the village outside the ‘Made’ Neighbourhood Development Plan Built up Area Boundary.

1. **Consistency with National Policy**

**2.1 Welford-on-Avon’s ‘Made’ Neighbourhood Plan has been ignored**

Both the Localism Act 2011 and the National Planning Policy Framework (NPPF) (as revised in 2019) encourage communities to develop their own Neighbourhood Development Plans. According to the Government’s own document “A plain English guide to the Localism Act” (November 2011)”, Neighbourhood Development Plans provide local communities with the opportunity to influence the future of the places where they live. When approved at a referendum, Neighbourhood Development Plans attain the same legal status as a local plan and come into force as part of the statutory development plan.

It can be taken from this that Welford-on-Avon’s ‘Made’ Neighbourhood Development Plan, which has been inspected and approved, has legal significance. It sets out clearly, on page 37, the reasons why the village felt that it should not include Site Allocations in the Welford Plan. This has been ignored in the formulation of the Site Allocations Plan (SAP) and the village is having imposed on it, contrary to its wishes, four sites where development is being encouraged.

**2.2 Lack of consultation**

NPPF paragraph 16.c requires Plans *to be shaped by early, proportionate and effective engagement between plan makers and communities*. Consultation on the SAP with parish councils was late and hurried, particularly given the significant impact of this SAP on local communities. The nature of the response form required to be used, the legal language used and the short timescale for response will exclude the majority of the public from responding.

**2.3 Releasing Reserve sites**

NPPF paragraph 16.d requires that policies make it “*evident how a decision maker should react to development proposals”*. Policy SAP.2 does not make it clear how, in the event of reserve housing sites being released to meet shortfalls in housing in one or more of the areas described in parts B – F of the policy, a decision maker should allocate the shortfall between reserve sites in the many parishes within the relevant HMA.

**2.4 Level of dispersal to Local Service Villages**

Paragraph 35.b of the NPPF requires Plans to be based on proportionate evidence. The explanation of policy SAP.1 at paragraph 2.1.9 refers to the Inspector’s report on the Core Strategy which states:

*“When identifying reserve sites the following principles should be taken into account:*

* *Against the background of concerns about the level of dispersal to LSVs, this aspect of the policy might need to be revisited when allocating reserve sites in the SAP.*
* *Given raised thresholds, dispersal of reserve sites to LSVs might not maximise the delivery of affordable housing*.

There is no evidence that either of these two principles have been considered, even less taken into account.

In fact, despite the Inspector’s comments, there has been a growing trend to allocate proportionally more of the District’s housing to LSVs as shown in the following table:

|  |  |  |  |
| --- | --- | --- | --- |
|  | LSV’s | Total | LSV % of total |
| Core Strategy2016 | 2,000 | 14,600 | 13.7% |
| Actual completions2011/12 to 2017/18 | 1,122 |  4,857 | 23.1% |
| Actual completions2017/18 |  422 |  1,295 | 32.6% |
| Site Allocations Plan2019 | 1,257 |  3,027 | 41.5% |

(All figures taken from SDC published information)

Also, paragraph 2.1.3 of the SAP reminds us that Policy CS.16D of the Core Strategy requires the Council to identify reserve sites capable of accommodating 20% of the housing requirement to 2031, i.e. 2,920 homes.

The Core Strategy targeted 84 houses for Welford on Avon as a LSV2 village and 20% of this figure would indicate 17 houses being required of the village.

It is important to note that these, and more, have already been delivered by Welford on Avon as evidenced in SDC’s document “Housing Completions and Commitments – Settlements (as of 31 March 2019) published in July 2019. But even if they hadn’t already been delivered, the suggested SAP figure of 91 houses for the village (including self-build/custom-build houses) would represent over five times the level suggested by the Core Strategy, a further indication of the growing and disproportionate allocation of reserve sites to LSVs generally and Welford-on-Avon specifically.

**2.5 ‘Sustainable Development’ is a key requirement of the NPPF**

New Housing in Welford on Avon:

* Number of new houses built and committed for building – 124 (as of 31/3/19)
* Proposed Site Allocations Plan figure - 91 (incl 10 self-build/custom-build houses)
* Total of **215** new houses (ignoring any other planning proposals in the pipeline)
* Targeted number of new houses in Core Strategy by 2031 – **84**

This has placed, and will continue to place, a huge and growing pressure on the infrastructure and calls into question whether the proposed SAP sites could be considered ‘Sustainable Development’ in accordance with the NPPF. Yet the SAP fails to provide any reference, thoughts or guidance as to how the infrastructure will cope or how it may be expanded.

The explanation of policy SAP.1 further states at paragraph 2.1.16 that “*the proposed sites have been identified following a rigorous assessment of land parcels in the SHLAA and taking into account various technical evidence including in relation to infrastructure capacity”.*

There seems no evidenceof the process for this rigorous assessment of land parcels, nor of the evidence in relation to infrastructure capacity.

For example in Welford-on-Avon this evidence would show the lack of capacity at the village primary school and in the antiquated and under-capacity sewage system, and the lack of road capacity in supporting the two ‘pinch points’ on the main road through the village.

**2.6 Self & Custon Build Policy – unanswered questions ?**

The Self & Custom Build policy section of the SAP seems not to address the following questions:

* Are the houses built under SAP Policy 3 part of, or in addition to, the 14,600 target for the district?
* Are these houses part of, or in addition to, the 84 homes allocated to Welford by Core Strategy CS.16?
* Why are 100 sites allocated across the district? Is this number supported by any evidence or is it just the total number 'promoted by the landowner' as in section 3.1.7? please provide detailed evidence.

**3) Housing Distribution and Allocations**

**3.1 Housing Distribution**

The Site Allocations Plan does not comply with Core Strategy Policies CS.15 or AS.10. Para 2.1.9 of the Site Allocations Plan says *“Policy CS.15 of the Core Strategy sets out the distribution of development across the District, promoting a pattern of balanced dispersal in settlements which are sustainable locations for development. It is appropriate for the location and nature of reserve sites to be consistent with the distribution of housing development established in Policy CS.15.”*

Policy CS.15 states that in Local Service Villages development will only take place on sites identified in the Neighbourhood Development Plan or through small schemes on suitable sites **within** the Built-up Area Boundary (where defined). The sites at Welford-on-Avon identified in the Site Allocations Plan are all outside the defined Built-up Area Boundary and therefore is not consistent with Core Strategy Policy CS.15.

The sites at Welford-on-Avon are therefore contrary to both Core Strategy Policies CS.15 and AS.10, which seek to ensure that development within the District is distributed in a pattern of balanced dispersal, and should be removed from the list.

**3.2 Strategic allocation of homes**

The Site Allocations Plan is not consistent with Policy CS.16 of the Core Strategy, the Inspector’s recommendations or the NPPF.

Paras 102 and 103 of the NPPF recommend that the planning system should manage patterns of growth to support the objectives of promoting walking and cycling and offering a genuine choice of transport modes.

In his Interim Core Strategy Report the Inspector expressed concern over the large number of houses proposed in local service villages.

In para 201 of his report he says that any increase in the number of houses proposed at LSV’s (ie: 2,000) would have to be robustly justified by the council. He also refers to a statement that *“an over-reliance on dispersing development to smaller villages would not be appropriate due to the impact this would have on their character and the need to travel longer distances, most likely by car, to shops, services, jobs, schools, etc.”*

In the case of Welford-on-Avon, the Site Allocations Plan promotes 91 additional houses in four sites in locations which would lead to an increase in the journeys undertaken by car and where there is little or no choice of alternate transport modes. This does not represent a balanced dispersal across the District and is contrary to Core Strategy CS.16.

1. **Grade 2 agricultural land**

The Site Allocations Plan is not consistent with the NPPF and Policy AS.10. Para 170 of the NPPF says that *“planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land”.*

Policy AS.10 says that **All** proposals will be thoroughly assessed against the principles of sustainable development, including the need to avoid the loss of large areas of higher quality agricultural land.

In the NPPF *‘best and most versatile agricultural land’* is defined as grades 1, 2, and 3a. An inspection of Natural England’s Agricultural Land Classification Map show that for the whole of the West Midland east of the M5 is made up of grade 1, 2 and 3 land. In Stratford District the map shows the best agricultural land as grade 2. It is of vital national interest that this land is protected and preserved to contribute to the country’s self-sufficiency for food.

Appendix VIII of the Site Allocations Plan indicates land quality but does not distinguish between grade 2 and grade 3a land. In respect of Welford-on-Avon a detailed classification was made on the land at site WELF.A and this shows all the land to be grade 2. In addition, the Natural England map suggests that the other sites in Welford-on-Avon are on grade 2 land.

1. **Infrastructure and Highways**

The Site Allocations Plan does not meet the requirements of the NPPF and does not take account of the sufficiency of the existing road network.

Para 20 of the NPPF says that *“strategic policies should make sufficient provision for infrastructure for transport”.* It is only sensible that development be restricted to locations where the road infrastructure is sufficient to cater for the increased traffic.

On the 5th February 2019 in respect of a Planning Application for 35 houses on Reserve Site A in Welford (Milcote Road), WCC Highways stated *“At present the Highway Authority has concluded that there is insufficient capacity to accommodate significant levels of development south of the River Avon without the provision of a further crossing in the form of the South Western Relief Road.”*

Local Service Villages South of the River Avon include Clifford Chambers, Ettington, Halford, Long Compton, Long Marston, Loxley, Quinton, Tiddington, and Welford on Avon.

The Site Allocations Plan identifies 628 houses on Reserve Sites and Self-Build Plots in these villages and is a great deal more than the 35 which caused concern to WCC Highways, who insisted that the applicant undertook considerable further studies to demonstrate that the development would not adversely impact the road network. **This application was however still refused.**

The massive scale of development south of the River Avon will particularly affect the LSVs of Clifford Chambers, Long Marston and Welford on Avon.  all reserve sites and self-build plots in these villages should be removed from the SAP on the ground of lack of adequate infrastructure.

1"'>6A>

 !6(., ( 

()=,

1. **Specific site comments**

The Land Parcels Assessment (LPA) identifies the constraints, restrictions, and considerations that inform the selection of sites for reserve sites or for custom / self-build houses. The baseline for this is the 2018 Strategic Housing Land Availability Assessment (SHLAA).

However, this table does not properly follow the Coventry and Warwickshire Joint Method Statement for Strategic Land Availability Assessment (CWJMS) or the Site Allocations Plan Assessment Criteria (SEC). In addition, there are errors in the LPA, the SHLAA, and the tables in Appendix VIII of the Site Allocations Plan.

When the SEC is properly applied, and the errors are corrected, below, the revised table would strongly indicate that the four sites selected in Welford-on-Avon are not suitable for inclusion in the list of Reserve Site or Custom / Self-Build sites.

Please see the comments below for each site:

**6.1 WELF.04. Land North of Millers Close (Self-Build Plots)**

SAP Policy 3 implies Millers Close is one of the 9 most suitable sites across the entire District. Where is the evidence to demonstrate this given the number of errors in the LPA?

**Achievability**:

The SEC table “Achievability” says that a site with a history of planning refusal or appeal dismissal should be assessed as RED**.** This site was refused planning consent by SDC in 2015 (14/02810/OUT) and an appeal was subsequently dismissed.

It would be perverse for the SAP to go against the Inspector’s decision by including this site as a potential for self-build plots. This should therefore be assessed as **RED** (undeliverable), not **Amber** as shown in Appendix VIII.

The reasons for Refusal and Dismissal of the Appeal will not change and therefore this site is highly unlikely to ever be deliverable.

**Site Access**:

Table ii of the SEC says that if access to the site is unlikely to meet highway standards it should be assessed as RED. **The LPA incorrectly shows this as a Green**. Also, the table in Appendix VIII incorrectly states that the site *“has the potential for access to Millers Close and it is considered that suitable mitigation is possible to minimise any adverse effects.”*

In response to planning application 14/02810/OUT WCC Highways said in their letter of 2nd March 2015 that the access was **unsafe**. Furthermore in Dismissing the subsequent Appeal the Planning Inspector said *“Due to the restricted visibility at the junction with Millers Close and that the junction with the High Street is so severely restricted by the pinch point any additional traffic, however numerically small, would increase the amount of potentially hazardous manoeuvres. This would be significantly detrimental to highways safety.”*

This indicates that even one house on this site would be detrimental to road safety and this was the main reason for the Dismissal of the Appeal. This site is clearly unsafe and should be assessed as **RED**.

**Conservation Area:**

The table in Appendix VIII incorrectly shows a Neutral effect saying that the site *“is approximately 300m from the Conservation Area and any listed buildings, with existing development in between.”* **The site is in fact adjacent to the Conservation Area and there is a Listed Building within 60m of the site.**

**Employment Land**:

The table in Appendix VIII says that the site does not create the loss of employment land. However, the site is an agricultural business that currently supports rural employment and housing development would lead to a loss of employment land. This should be assessed as a **RED** in accordance with the SEC.

**Agricultural Land**:

Table i (Major Planning Considerations) of the SEC says that Grade 2 agricultural land should be assessed as RED. The Agricultural Land Classification Map produced by Natural England shows that this site is wholly on Grade 2 agricultural land. This site should therefore be assessed as **RED** in Appendix VIII.

**6.2 WELF.A (Appendix VIII ref WELF.09) Land North of Milcote Road.**

**Achievability:**

The SEC table “Achievability” says that a site with a history of planning Refusal or Appeal Dismissal should be assessed as RED**.** This site was Refused planning consent (13/0235/OUT) in 2014. Also following an Appeal and a Public Inquiry the Inspector Dismissed the Appeal in December 2014. And further, In June 2019 SDC Refused planning consent for another application at this location (18/03705/OUT).

It would be difficult to reconcile SDC Refusing planning consent twice and defending an Appeal, only to promote the site as a potential Reserve Site now. This site should be assessed as **RED**. However, the table in Appendix VIII does not take this into account.

The reasons for Refusal and Dismissal of the Appeal will not change and therefore this site is highly unlikely to ever be deliverable.

**Coalescence of villages:**

Table ii of the SEC regarding coalescence says that any site which forms an important contribution to defining and maintaining the separate identity of the settlement should be assessed as REDif it is a significant contribution. **The LPA incorrectly assesses this as GREEN.**

One of the reasons given for the District Council’s Refusal for a planning application on this particular site in June 2019 (18/03705/OUT) was that reduction of the area between Welford and Weston *“would intensify the likelihood of coalescence between the two settlements ….and put at risk their individual historic identity and integrity.”*

The reduction in the gap between Welford and Weston was also a reason given in the dismissal of the Appeal in December 2014. And further, the site falls within the area of land covered by Policy HE6 of the Neighbourhood Development Plan which states that *“Development will not be permitted in the land between the villages [of Welford and Weston] so as to preserve the identity and integrity of the settlements and the immediate natural environment.”*

In answering a specific question about NDP Policy HE6; **Planning Aid** said in their response is that *“SDC should avoid “conflict” with the NDP and need good evidence and reasons for its inclusion”*. We think it is fair to say that we haven’t seen any such evidence.

It is also inconsistent with Policies CS.15, CS.16 and AS.10 of the Core Strategy. This site should therefore be assessed as **RED**.

**Grade 2 Agricultural Land:**

Recent soil surveys for this land showed it to be wholly Grade 2 – the best grade available in the District. And development would remove this excellent land from food production forever.

**Public Transport:**

Table ii of the SEC says that if a site is not within 400m of a bus service, the site should be assessed as RED**.** This site is not within 400 metres of a bus service and should therefore be assessed as **RED. Not as amber** as shown in the LPA and appendix VIII.

**Accessibility to Local Facilities**:

The SEC says that if the site is not within 800 metres of local services and facilities (eg. shop, school, doctor’s surgery) it should be assessed as RED. There is a shop within 800 metres of the site; **however, the nearest school is 1300 metres from the site** and the nearest doctors surgery is 6km from the site. This site should therefore be assessed as **RED, not** **amber**.

**Traffic:**

The table in Appendix VIII of the Site Allocations Plan shows that increased traffic will have a neutral effect. That is clearly incorrect; any increased traffic will have a negative effect.

In their letter of the 5th February 2019 in respect of a Planning Application for 35 houses at this particular site, WCC Highways stated *“At present the Highway Authority has concluded that there is insufficient capacity to accommodate significant levels of development south of the River Avon without the provision of a further crossing in the form of the South Western Relief Road.”* WCC were sufficiently concerned about the effect of 35 new houses on the road network to request detailed traffic modelling for this one site.

**Overall Assessment:**

At present the **LPA shows RED against 2 of the 4 criteria; this should be 4 RED’s**. The initial assessment of the site is undeliverable but mitigation is proposed. The mitigation proposed relates **only to landscape** and will not alter the other major factors that would prevent delivery. Achievability, Agricultural Land, Public Transport, Local Facilities and Traffic. **The overall assessment should be RED,** the site is undeliverable.

**6.3 WELF.B (Appendix VIII ref WELF.10) Land East of Hunt Hall Lane**

This location is not consistent with Policy CS.15. Not only is it outside the Built-up Area Boundary, it is remote from the Built-up Area Boundary ie: not adjacent to it.

**Local Services**:

Table ii of the SEC says that if a site is not within 800m of local services the site should be assessed as RED. This site is more than 800 metres from the nearest shop and **should therefore be assessed as** **RED** and **not as green** as shown in the LPA and Appendix VIII.

**Public Rights of Way:**

The SEC says that a site where a public right of way runs along its edge should be assessed as **AMBER**. **The LPA incorrectly shows this as GREEN;** **Footpath SD 32 runs alongside the edge of this site.**

**6.4 WELF.C (Appendix VIII ref WELF.17) Land East of Hunt Hall Lane**

By SDC’s own admission, this site is not consistent with Core Strategy Policies CS.15, CS.16 or AS.10.

**Achievability:**

The SEC table “Achievability” says that a site with a history of planning Refusal or Appeal Dismissal should be assessed as RED. This site was Refused planning consent in 2015 (15/02586/FUL). An Appeal was Dismissed in March 2016 and another application was Refused in 2017 (17/02338/FUL). **The site should therefore be assessed as RED.**

**Agricultural Land:**

Table i (Major Planning Considerations) of the SEC says that Grade 2 agricultural land should be assessed as RED. Natural England’s Agricultural Land Classification Map shows that this site is wholly on Grade 2 agricultural land and **should therefore be assessed as** **RED.**

**<end>**