
Representations on the Regulation 16 Proposed Submission Whitchurch Neighbourhood Plan

On behalf of
Taylor Wimpey, Lands Improvement Holdings and Bovis Homes

June 2017

Representations on the Regulation 16
Proposed Submission
Whitchurch Neighbourhood Plan

Project Ref:	14640/A3	14640/A3
Status:	Draft	Final
Issue/Rev:	A	B
Date:	26 th June 2017	30 th June 2017
Prepared by:	Lauren Taljaard	Lauren Taljaard
Checked by:	Peter Roberts	Peter Roberts

Barton Willmore LLP
101 Victoria Street
Bristol
BS1 6PU

Tel: [REDACTED]
Fax: [REDACTED]

Ref: 14640/A3/LKT/jmm

Email: [REDACTED]

Date: 30th June 2017

COPYRIGHT

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Barton Willmore LLP.

All Barton Willmore stationery is produced using recycled or FSC paper and vegetable oil based inks.

1.0 INTRODUCTION

- 1.1 These representations are submitted on behalf of Taylor Wimpey, Bovis Homes and Lands Improvement Holdings, who are jointly promoting land to the south of Whitchurch for development. This is within the area identified for development in the emerging Joint Spatial Plan (JSP).
- 1.2 Taylor Wimpey, Bovis Homes and Lands Improvement Holdings have been promoting land at Whitchurch for development for a number of years. The land was promoted for allocation through the Regional Spatial Strategy, B&NES Core Strategy and most recently through the emerging Joint Spatial Plan. Whilst the JSP Emerging Spatial Strategy published by the four West of England Authorities proposes a draft allocation for a total of 3,500 homes around the Whitchurch area, our clients land interests are focused on land to the east of the A37 and have the capacity to accommodate about 2,000 homes and associated infrastructure, including a potential Park and Ride, Primary School, Local Centre and Green Infrastructure.
- 1.3 A plan showing the area of land that our clients are promoting for development, together with a vision plan which shows an initial concept of how the area could be developed can be found in appendix 1. The development team are committed to working with the Council and whilst our request to meet with the Neighbourhood Planning Group was declined, we would welcome the opportunity to work with them in the future.
- 1.4 On this point of joint working, we very much support the reference in the Whitchurch vision which states that:

“It [Whitchurch Village] will work with developers and the new communities to achieve improvements and integration for all of its residents”.

- 1.5 The next section of this document sets out our formal representations on the following aspects of the draft Neighbourhood Plan:
- Plan period;
 - Urban extension at Whitchurch;
 - Separation around Whitchurch village;
 - Managing transport impacts;
 - Heritage assets;
 - Broadband;

- Green Belt;
- Objective 3: ensure new developments are integrated within the village;
- Air Quality; and
- Community benefits.

1.6 The legislation is such that the examiner examining the Neighbourhood Plan must consider whether the plan meets the 'basic conditions' as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

1.7 The basis conditions are:

- *having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,*
- *the making of the neighbourhood development plan **contributes to the achievement of sustainable development,***
- *the making of the neighbourhood development plan is in **general conformity with the strategic policies contained in the development plan** for the area of the authority (or any part of that area),*
- *the making of the neighbourhood development plan does not breach, and is otherwise **compatible with, EU obligations,** and*
- ***prescribed conditions are met** in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.*

1.8 Our representations are made on the basis of whether the Neighbourhood Plan meets these basic conditions.

2.0 REPRESENTATIONS ON THE DRAFT WHITCHURCH NEIGHBOURHOOD PLAN

Plan period

- 2.1 The title page of the consultation document states that the draft Neighbourhood Plan will cover the period 2015 – 2042. Strategic Plans normally follow a 20 year time horizon (or a minimum of 15 years from adoption as per the NPPF, para 157). For instance, the emerging West of England Joint Spatial Plan will cover the period 2016 – 2036. The longer timeframe proposed by the Neighbourhood Plan may give false hope to local residents that the scale of change proposed in the Neighbourhood Plan (i.e. just the redevelopment at Horseworld) will be all that will happen in the village up to 2042. The JSP is underway and is planning for new urban extensions to Bristol that includes an urban extension near Whitchurch. The JSP is due for adoption at the end of 2018 and will be reviewed at least 2 or 3 times in the period to 2042 or every 5 years as is proposed in the Housing White Paper (February 2017). Therefore, there may well be additional development to accommodate in or near the village before 2042 which the NP doesn't acknowledge. We therefore object to the time period proposed to 2042, which should be amended to follow the period of the B&NES Core Strategy (i.e. up to 2029) which the Neighbourhood Plan appears to be based upon. The proposed plan period to 2042 does not meet the basic conditions 2e as it is not in general conformity with the emerging Joint Spatial Plan that covers the time period to 2036, which proposes a large urban extension at Whitchurch, which is not recognised in the Neighbourhood Plan.

Urban extension at Whitchurch

- 2.2 Related to the above point, the Neighbourhood Plan does usefully point out in para 7.11 that the Neighbourhood Plan may need to be reviewed to reflect the policies in the JSP, recognising the need to be consistent with the higher tier plan and being clear about this relationship with local residents. However, we object that this does not go far enough and should be more open about the JSP's draft proposals to identify a strategic allocation at Whitchurch. In order to meet the basic conditions 2e, and ensure that the plan is in general conformity with the strategic policies in the emerging JSP, we suggest substituting the final sentence in para 7.11 as follows:

The JSP Emerging Spatial Strategy (November 2016) has identified a proposed strategic allocation to the south of Whitchurch for up to 3,500 dwellings. If this development location goes on to form part of the adopted JSP (due for adoption at the end of 2018), then the Neighbourhood Plan

will need to be subject to an early review. This is because the Neighbourhood Plan needs to be in general conformity with the strategic policies in the JSP.

- 2.3 Furthermore, we are developing our proposals for bringing forward development south of Whitchurch, on land to the west of the A37, and we would welcome the opportunity to work collaboratively with the Neighbourhood Planning Group to inform these proposals and seek to meet local ambitions.

Separation around Whitchurch village

- 2.4 We have noted the points that are made in relation to maintaining some physical separation / green buffer between the village and future growth in the area (e.g. paras 4.6, 7.13, 8.2) as being very important to the local community which they would want to see reflected in any proposals for growth in the area. However, any such buffer should not preclude future development on all land to the south of the village (and hence prevent any future growth of Bristol) and should allow connections from an urban extension in this location into the existing built up area and facilitate integration, rather than segregation, with the new community. Attempting to create a buffer to prevent any further expansion of Bristol would not be in general conformity with the emerging JSP (contrary to basic condition 2e) and would prevent the sustainable growth of Bristol (contrary to basic condition 2d).

Managing transport impacts

- 2.5 We appreciate that local residents have concerns in relation to the impacts of traffic around Whitchurch, and para 7.14 states that “transport proposals need to be delivered as a priority before any major development can be considered reasonable”. New development provides an opportunity to bring about improvements to public transport, the strategic transport infrastructure network, junction capacity / efficiencies, walking and cycling networks as well as increasing the range or capacity of shops and services within walking distance of people’s homes. Clearly this depends on the scale of the development proposed, with larger developments more able to bring about a greater set of benefits through the provision of associated infrastructure, however it is not usually possible to deliver all the required infrastructure to support a development before any housing development. Given how the planning system works, we object to the current wording in para 7.14 which is contrary to the achievement of sustainable development (basic condition 2d) and inconsistent with national policy (basic condition 2a) and suggest it is altered as follows:

To be considered acceptable, proposals for major development will need to include appropriate mitigation to limit the significant impacts of the development. Development will be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- 2.6 This is intended to ensure consistency with the NPPF where the test in para 32 is 'severe'. As new development is the means by which improvements can be made to the transport network, it would be erroneous not to consider any new proposals for development until transport improvements were delivered.

Heritage assets

- 2.7 There are important heritage assets in Whitchurch and the surrounding area that will need to be protected and proposals for new development will need to ensure that there is no unacceptable harm caused to them. The Neighbourhood Plan contains an annotated plan (figure 14) which attempts to identify areas of land around Whitchurch which if developed would be at risk of impacting on heritage assets. We object to the inclusion of figure 14 as this information is taken from the B&NES SHLAA, which is an evidence base report used to inform the Core Strategy and this is not policy nor is it being used to support the implementation of policy. It is a background document that is not meant for inclusion in a development plan document such as the neighbourhood plan. In addition, we note that the West of England authorities are currently looking at a potential urban extension at Whitchurch and if this is identified in the adopted JSP, the inclusion of this map in the Neighbourhood Plan would then be somewhat confusing for users of the plan and is therefore in conflict with basic condition 2e (not in general conformity with the JSP). As figure 14 is not needed to support the implementation of policy WV1.4 (heritage), it should be removed from the Neighbourhood Plan.
- 2.8 The final line to Policy WV1.4 states that "any development must not cause harm or adversely impact on the setting of important heritage sites in the Parish". We object to this policy as it is inconsistent with the NPPF and therefore does not meet basic condition 2a (does not have regard to national policy). To ensure consistency with the NPPF, we suggest this is amended as follows (our additions are underlined):

Any development must not cause substantial harm to the setting of important heritage sites in the Parish. Development proposals that lead to less than substantial harm on heritage assets should be weighed against the public benefits of the proposal.

- 2.9 The protection of heritage assets will be assessed as part of the identification of land for development in the JSP and B&NES Local Plan, and ultimately, impact on heritage assets will be a key issue in the determination of a planning application.

Broadband

- 2.10 Policy WV.1.6 requires new homes, employment premises and education facilities to be connected to the internet with a minimum symmetrical speed of 25Mbps where available. Whilst we support the inclusion of 'where available' (which has been added since the previous consultation version of the Plan), we object to this wording as we consider that this should be made even clearer by replacing 'where available' with 'where the local network and/or existing infrastructure permits', as this is outside the control of developers and capacity and speed will be dependent on what is available from broadband providers and can be serviced from existing infrastructure. Policy WV.1.6 which seek improvements beyond the control of developers are not deliverable and would not meet basic condition 2a as they have not had regard to the NPPF's policy on deliverability.

Green Buffer

- 2.11 Policy WV2.1 seeks to prevent coalescence at Whitchurch Village. An urban extension at Whitchurch has been identified in the JSP Emerging Spatial Strategy (November 2016) which includes an assessment of the Green Belt. It will be for the new B&NES Local Plan to remove land at Whitchurch from the Green Belt which will need to be informed by a detailed Green Belt review. The Council's review of the Green Belt at Whitchurch will consider the impact on coalescence since this is one of the key purposes of Green Belt in the NPPF. Therefore, we object to policy WV2.1 as it is repeating NPPF and B&NES policy and is not necessary as coalescence is already a consideration the Council will need to take into account in making any decisions about revising the Green Belt boundary. In the period of time up to the adoption of the JSP (end of 2018), the NPPF and B&NES Core Strategy policy are suitably protective of Green Belt at Whitchurch which will ensure that inappropriate development will be refused and therefore policy WV2.1 should be deleted.

Objective 3: ensure new developments are integrated within the village

- 2.12 We support the laudable objective 3 which aims to ensure that new developments are integrated within the village, as well as policy WV3.1 which states that proposals for new housing must ensure that the new homes are well connected both within any site and with the wider village. Clearly, well connected developments will enable more trips to be made on foot or public transport, thus reducing traffic impacts. They will also help the

new population to access local services, facilities and community events, enabling them to engage with and become part of the local community and vice versa. This further supports our point 2.3 referencing the need to ensure that any new development is well connected to, and segregated from, the existing community.

2.13 However, we do object to the following in para 13.6:

“The community need to see the impact of the “about 200” houses set out in the Core Strategy (2011 – 2029) to assess pollution, service provision, highways capacity, transport and jobs before any significant further strategic allocations are proposed”.

2.14 Whilst it is wholly appropriate for plans and planning applications to consider the cumulative impacts of developments, it is not within the power of the Neighbourhood Plan to constrain additional strategic allocations coming forward ‘before the community see the impacts of the existing allocation of 200 houses at Whitchurch’. This does not meet the emerging strategic policy in the JSP (contrary to basic condition 2e) and we suggest that this is replaced with the following:

The community do have concerns about the impacts of additional strategic development at Whitchurch which will need to be assessed as part of the JSP process. Applications for development will be expected to demonstrate that the impacts of the development do not exceed air pollution limits, that impacts on the traffic network are not severe and that the benefits of the proposals (e.g. job creation) are assessed.

Air Quality

2.15 Para 124 of the NPPF states:

“Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas”.

2.16 The second part of policy WV4.1 (air quality) states “developments which would result in detriment of Whitchurch Village’s nitrogen dioxide pollution levels will be resisted”. This is not consistent with para 124 of the NPPF which is more concerned with compliance with UK pollution limits, rather than not making nitrogen dioxide levels worse per se. A small increase in nitrogen dioxide levels associated with additional development may not be inappropriate, provided overall levels are still within safe limits. Regard to national

policy is one of the basic conditions Neighbourhood Plans have to meet and so it is important that the Neighbourhood Plan is consistent with and not more onerous than national policy. Therefore, we object to the wording of policy WV4.1 and suggest that the second paragraph of policy WV4.1 is taken out.

Community benefits

2.17 Whitchurch Village clearly has a thriving community and its local facilities are well used. Para 15.2 does recognise that village facilities can benefit from development.

2.18 Para 15.5 of the Plan summarises the benefits sought by the village which includes:

- New shop;
- Local employment growth;
- Improvements to road, junctions and foot paths;
- Village park;
- Increasing long term viability of the existing sporting and recreational facilities;
- New school in safe location; and
- Community hall/office expansion.

2.19 In addition, we have also been through the document and highlight a number of other improvements that the community would appear to be seeking from new development.

- Need for smaller dwellings / downsizing i.e. 1, 2, and 3 bed houses (para 8.3);
- Need for affordable housing (para 8.3);
- Broadband provision (policy W.1.6).

2.20 We acknowledge the priorities identified by local residents and would welcome a discussion with the Neighbourhood Plan group in due course regarding these local ambitions. It may be that Strategic development at Whitchurch could assist in delivery, therefore, feel it is an opportune time to engage with the Neighbourhood Plan Group.

Appendices

2.21 The Neighbourhood Plan contains 13 appendices which serve as evidence base documents rather than policy documents – ie they are informative, background documents, rather than documents that provide more detail to the policies themselves to assist with implementation (eg like a design guide or parking standards). Therefore, we question

their inclusion in a development plan document as appendices which will have development plan status. The evidence base would not normally have development plan status and therefore, including background evidence in the Neighbourhood Plan document itself (as opposed to separate background documents) makes its status confusing.

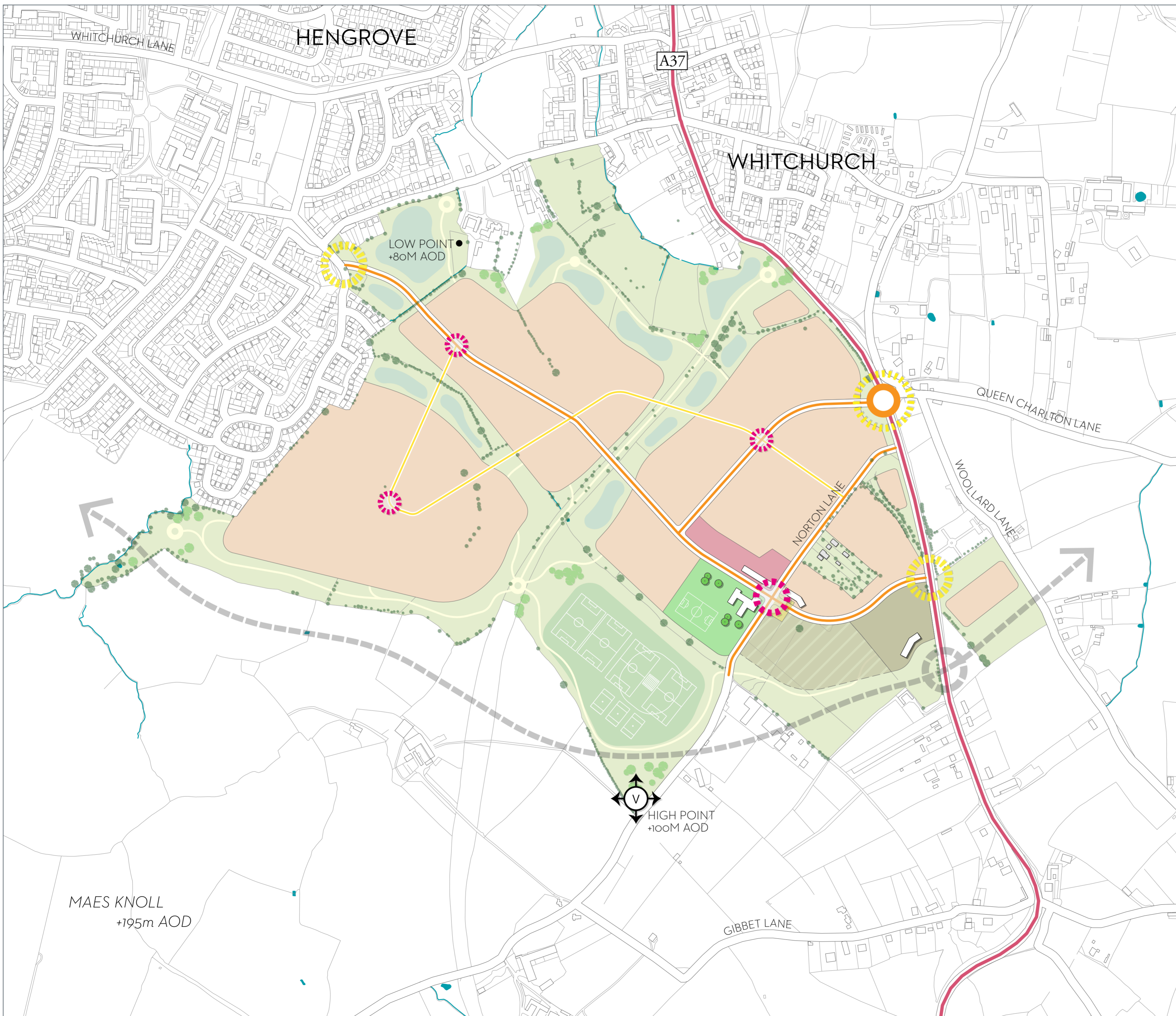
Conclusion












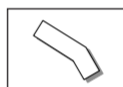


- 2.22 We urge the Neighbourhood Planning Group to consider the inclusion of future development to the south of Whitchurch and engage with developers and stakeholders to have a positive influence on this process.

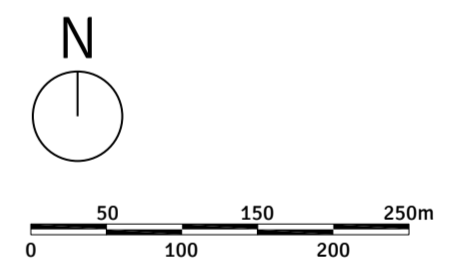
APPENDIX 1

VISION PLAN

The scaling of this drawing cannot be assured



-  Public Open Space
-  Residential Development
-  Park + Ride / Sustainable Transport HUB
-  Local Retail / Community Uses
-  Primary School
-  Playing Fields
-  Indicative Attenuation
-  Primary Access & Movement
-  Secondary Movement
-  Indicative Future Road
-  Neighbourhood Node
-  Key Gateway Space
-  Indicative Built Form
-  Potential Extension to P+R



PROJECT
Land at Whitchurch

DRAWING TITLE
Vision Plan

DATE 21.12.16	SCALE 1:5000@A2	DRAWN BY GR	CHECK BY BW
PROJECT NO 14640	DRAWING NO 9300	REVISION -	

BARTON WILLMORE
bartonwillmore.co.uk

Planning | Master Planning & Urban Design
Architecture | Landscape Planning & Design | Project Services
Environmental & Sustainability Assessment | Graphic Design

Offices at Reading London Bristol Cardiff Ebbsfleet Edinburgh Leeds Manchester Solihull