

Representations to Hurst Green Neighbourhood Plan on behalf of Millwood Designer Homes

These representations have been prepared by Gillings Planning on behalf of Millwood Designer Homes (MDH) whose interests relate to Site HG22/43, Land opposite Hurst Green School/London Road which is currently the subject of a live planning application for 36 dwellings (reference RR/22/1526/P).

Background to the site

The site known as HG22/43 has been the subject of ongoing discussions with both the Local Planning Authority and Hurst Green Parish Council for some time.

A previous planning application was submitted on behalf of Millwood Designer Homes in July 2021 (ref RR/2021/1816/P) for 36 dwellings, however this application was later withdrawn.

The current planning application, also for 36 dwellings, is being considered by the Local Authority. This scheme represents an amendment to the previous proposals in response to the comments from Historic England, the Parish Council and local residents.

In terms of consultee responses, importantly, Historic England have confirmed no objection to the application and state:

“We consider that the current layout of the proposed housing development has succeeded in minimising the previously perceived adverse heritage impact on the significance of Iridge Place through change of its setting”.

The County Landscape Architect has also confirmed ‘no objection’ on the basis of the 10m landscape buffer now provided.

We also understand ‘no objection’ (subject to minor design points) has been raised by the Parish Council. Clarification of this is awaited.

Representations

MDH is generally supportive of the Neighbourhood Plan and its intention to allocate the site however some concerns and objections are raised in relation to the detailed wording of policies and we set out further comments on this below.

Where we have not noted a specific policy then we have no comment to make.

Q1 - Proposed Policy HG2: Housing Strategy – Object / Strongly Disagree

Quantum of Housing

Core Strategy compliance - The housing requirement for the Local Plan is clearly derived from the Core Strategy. However, the Core Strategy is clear in that the overall spatial development strategy is to plan for 'at least' 5700 homes. The use of 'at least' is critical. This should therefore be considered as a minimum.

The figure of 75 is derived from the figure for the Villages of 1,670 in Figure 8 of the plan – which should be expressed as a minimum. This is further expressed in Figure 12 which refers to an allocation of 75 to Hurst Green. However, again, this must be understood as a minimum.

This is not reflected in the Neighbourhood Plan, where references to 75 are expressed either in absolute terms or as a 'target' (particularly at paragraph 5.2, 5.7 and 5.8). This should be corrected

Need for a robust plan - It is accepted by all that the Core Strategy is out of date, being more than 5 years old, particularly in the context of less than 5 years supply of housing. Thus the 'requirement' of 75 is also out of date. It may therefore be appropriate for the Local Planning Authority to provide a revised and updated indicative housing requirement figure to use.

For example, Rother are in the process of preparing a new Local Plan, albeit this is in its early stages. Work on the evidence base has commenced however and the Housing and Economic Development Need Assessment (2020) prepared by GLHearn indicates that the standard method results in a need for 727 dpa in Rother which is a significant increase on the recent average delivery rate of 197 dpa (also noting the significant lack of housing land supply with a 5 year supply of 2.89 years in 2021). Whilst it is acknowledged that this evidence base has not yet been tested, it very likely that the eventual outcome will be an increase (probably significant) in the overall need for housing within the District.

In the event that no new requirement figure is provided, it is critical that the Neighbourhood Plan provides for flexibility – which can be achieved by allocating sites beyond 75 dwellings..

Allocating for above this number will ensure the plan is more robust and ensures greater certainty over a longer period of time and reduces the likelihood of needing additional sites in the near future if/when housing requirements increase

Guidance supports exceeding requirements – This approach is supported by guidance and the Planning Practise Guidance notes:

*“Neighbourhood planning bodies are encouraged to plan to meet their housing requirement, and **where possible to exceed it**. A sustainable choice of sites to accommodate housing will provide **flexibility if circumstances change**, and allows plans to remain up to date over a longer time scale.”.*

(PPG para 103 Reference ID: 41-103-20190509)

As such, we propose that the allocations be increased, as set out below.

Proposed Amendment

Text

- All references to 75 must be prefaced with 'at least'

Policy HG2

- Amend to read “Over the period 2021 to 2039, in addition to consents that pre-date this Plan, new residential development of ~~approximately~~ at least 55 dwellings will be accommodated on the land now allocated as below, with the detail provided in and in accordance with the related Policy as

referenced.... • Site HG 22/ HG 43: Land Opposite Hurst Green School (Policy HGSA2) –at least 36
22-dwellings

Q6 - Proposed Policy HGSA2: Site Allocation – Land Opposite Hurst Green School - Object

Whilst the principle of allocating the site for residential development is supported, MDH has a number of concerns with the wording of the policy and the interpretation of the evidence base.

Estimated Capacity

Following on from comments made in relation to Policy HG2 above, MDH object to the 'estimated capacity of 22 dwellings' of the site as unjustified for the following reasons:

1. 22 appears to be have been calculated on a pure numerical basis and not on evidence ie:
 - Requirement = 75
 - 75 minus existing commitments of 20 = 55
 - 55 minus 7 dwellings (HG11) minus 26 dwellings (HG 6) = 22
(noting that HG45 for 4 dwellings does not contribute as it is below the threshold)

This is not an evidence based nor a true capacity assessment and as such is not justified.

2. 22 would not make best use of the site.

Figure 56 in the High-Level Landscape Assessment prepared by Harper Landscape Architecture broadly indicates the 4 areas of the site that are considered to be 'developable'. These areas cover an area of approximately 1.4 hectares. A development of 36 dwellings would equate to a dwelling density of 26dph across 1.4 hectares. A density of 26dph is appropriate in this location on the edge of the settlement and represents a reasonable balance between the needs of the community and the efficient use of land with the site's edge of settlement location.

A development of 22 dwellings would be only 15dph. This does not represent an efficient use of the land, even taking into account the AONB.

Whilst the Hurst Green Design Code document provides some assessment of existing dwellings densities within the settlement, no assessment is made for the allocated sites. Indeed, this document refers back to the Local Plan and indicates that "*New development should take a design-led approach to density, following requirements for residential density within the Rother District Plan...*". The Rother District Plan advises that density should be appropriate to its context, having regard to key design principles (Policy OSS4).

3. Reflecting the Core Strategy, the allocation should be expressed as 'at least'

Conversely, there is considerable site-specific evidence available to support the 36 dwelling capacity in the form of the current planning application and the supportive responses received to date from key consultees such as Historic England and the County Landscape Architect. It is also understood that the Parish Council voted to support the scheme at 36 homes at the most recent committee (subject to design points).

In addition, the 36 home scheme reflects the Landscape Assessment provided. By way of illustration, the image below provides an overlay of the current proposal and Figure 55 Landscape Appraisal Plan of the Harper Landscape Assessment (with as close an overlay to boundaries as possible). As can be noted, the proposal reflects the areas identified for development (as discussed below below).



As such, and in the absence of any evidence supporting the ‘estimated capacity of 22 units’, it is suggested that the capacity of this site is amended to ‘at least 36’.

In the event that the policy is not amended to reflect the evidence to support 36, then it should be amended to be “at least 22” to reflect the terminology and approach of the higher level policy.

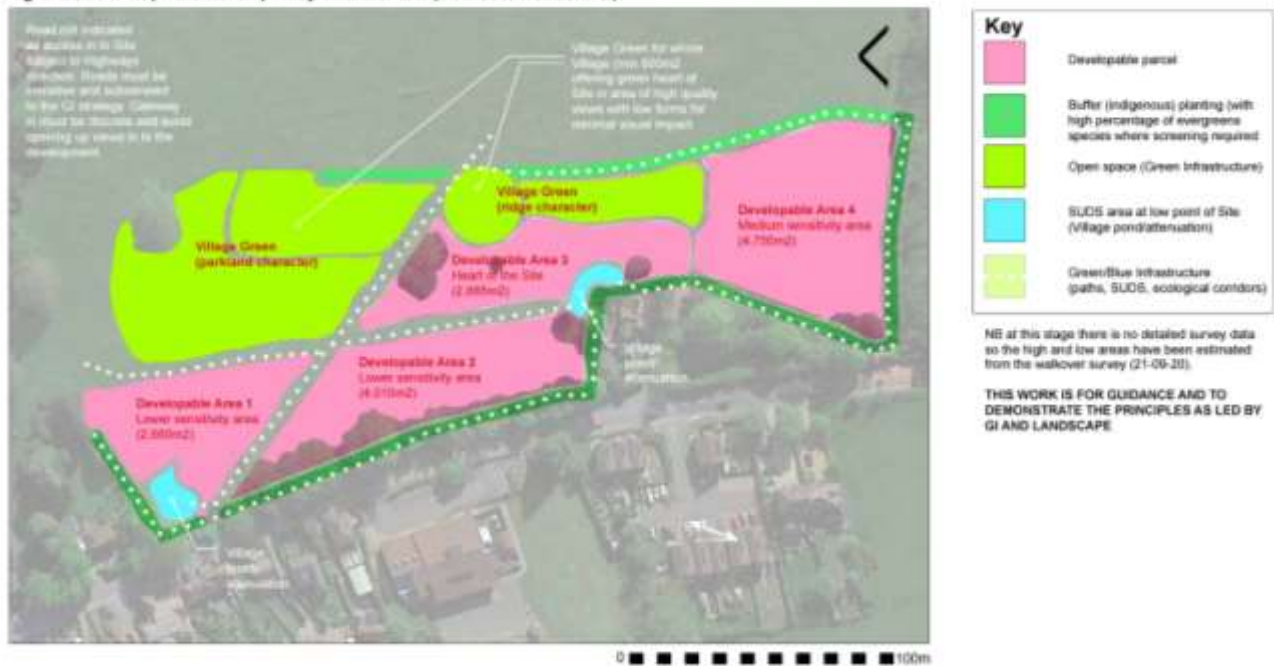
Reference to ‘Sensitive Areas’ of the site and Location of Green Space

Para 11.32 states that the ‘most sensitive part of the sites is located on the **southern** and **eastern** areas’ and Part C (v) references the provision of an accessible green space that should be “*located in the most sensitive part of the site to the **south** and **south-east**, to minimise impacts on views and the setting of the heritage asset*”.

This directly conflicts with the evidence base (Harper Landscape document) which clearly indicates that the most sensitive part of the site is the **north** and **east** of the site and that this is where the green space should be located, providing a buffer to Iridge Place, as set out in Figure 56, reproduced below. The areas to the south and south east are identified as ‘Developable Areas’. The southern part of the site is

therefore clearly identified for development. To have a policy which directly contradicts the evidence base is irrational.

Figure 56 Landscape and Developability Potential Plan (Reference: hia 397 056)



Clarification on Tree Line

Para 11.32 states there is a historic tree line that runs diagonally across the site from Gravel Banks to Iridge Place, which should be reinstated. Any development on the site should be to the west of this tree line.

Clarity is required here. This element seeks to ensure the eastern part of the site is kept free from development. This largely reflects the Harper Landscape document. Importantly however, the tree line does not extend beyond Gravel Banks. It therefore has no bearing or limitation on development in the southern section of the site and the policy should be amended to provide this clarity. Development can still be proposed in the south of the site (Development Area 4) and not conflict with the requirement to keep development to the west of the tree line. The two are not mutually exclusive.

Car Parking

Part C (ii) of the draft policy notes that *“Car parking in driveways and on the road is more visually intrusive and suburbanising than discretely located and easily accessible block parking. The former should be avoided with a preference for the latter wherever possible”*.

MDH object to this on the basis that it is overly prescriptive and inflexible and there is no evidence to support it. Indeed, the Design Code evidence document advises the opposite *“...minimised vehicular circulation and car parking should be encouraged; e.g. on plot side parking and on-street parking, instead of excessive tarmacked car parking areas”*

Title of (ix)

The title ‘biodiversity net gain’ should be amended to better reflect the text below it as it is a misleading title. For example, it could be labelled ‘green infrastructure’.

Shared Surface

There is no evidence to indicate that all dwellings **must** be accessible by a separate pedestrian access. Indeed, the Design Code evidence document indicates that shared surfaces can be an appropriate solution. As such, this wording is overly prescriptive and inflexible. Pavements could certainly be 'encouraged' however.

Proposed Amendments

Para 11.32 – the most sensitive part of the sites ~~is located on the southern and eastern areas,~~ **are as defined in the Harper Landscape Assessment, in the north, east and centre of the site**, where there are good quality views to the High Weald ridge line to the east and also where there is parkland character.... There is a historic tree line that runs diagonally across the site from Gravel Banks to Iridge Place, which should be reinstated. ~~Any development~~ **on the northern part of the site** should be to the west of this tree line

HGSA2

- A – The site is allocated for residential development with ~~an estimated capacity of 22~~ **at least 36 (or)**
- A – the site is allocated for residential development ~~with an estimated capacity of~~ **at least 22 dwellings – although note this is only proposed in the scenario that the number is not amended.**
- C (ii) - ii. A car parking strategy should be agreed at the outset with an aim of reducing landscape and visual impacts (specifically avoiding glint and glare impacts for views back in from the High Weald to the south). ~~Car parking in driveways and on the road is more visually intrusive and suburbanising than discretely located and easily accessible block parking. The former should be avoided with a preference for the latter wherever possible.~~
- C (v) - should be located at the most sensitive part of the site ~~to the south and south-east,~~ to minimise impacts on views and the setting of the heritage asset.
- C (ix) - retitled to read **"Green Infrastructure"**
- C (x) - ~~Dwellings within the site must be accessible by a separate pedestrian access (i.e. pavement) as opposed to a shared surface (road/pavement).~~ **Pedestrian access by pavements is encouraged.**

Continued overleaf

Other Policies

Q1 - Proposed Policy HG4: Character of development - Comment

There is concern over the proposed approach to the Hurst Green masterplan and Design Codes. If they are proposed to be considered part of the Plan they will become part of the Statutory Development Plan and should be duly consulted upon. They do not appear to have been specifically available for consultation.

Proposed Amendment

- Reconsideration of the approach of the Design Codes and Masterplan and their status. If they are to be included within the NP and consulted upon accordingly, we reserve the right to make full further comment at Regulation 16 stage.

Q1 - Proposed Policy HG5: Design of development – Object/Strongly Disagree

HG5 provides an overall design based policy. Whilst the overall intention of this policy is acknowledged and supported, the policy is objected to on the basis of two points:

- Point (v) – requires triple glazing and is overly prescriptive. The potential for an environmental impact from the road is accepted however a range of mitigation approaches may be acceptable and the policy should be worded to facilitate this rather than specifying one preferred solution.
- Point (vi) – There is inconsistency in the Plan in the reference to superfast broadband. Provision is not always in the control of housing providers. The wording should be amended to reflect that in HG 17 and therefore be consistent, or deleted as unnecessary repetition.

Proposed Amendment

- v. Residential development proposals adjacent to the A21 to be set back from the road with screening (for example trees) and with triple glazing, provided to guard against road noise, intrusive (high-sided) vehicles and air pollution.
- vi. All new residential, commercial and community properties within the Parish should be served by a superfast broadband (such as full- fibre) connection **where possible (in accordance with Policy HG17: Supporting Local Employment Opportunities).**

Q2 - Proposed Policy HG9: Protecting the Natural Features of the Parish and HG10: Green Infrastructure – Object/Strongly Disagree

The comments below relate to biodiversity.

The Plan is incorrect on page 45 in its definition of biodiversity net gain. We agree net gain involves a post development increase in biodiversity units, but critically, 'a net gain' does not equate to 10% net gain. Net gain is simply that, any net gain. The Neighbourhood Plan can not (yet) require 10%. That will be delivered in the Environmental Act at a national level and would contradict with the Local Plan and would be unnecessary repetition of national policy if included at this stage.

There is also inconsistency within policies HG9 and HG10 in the way that the threshold for biodiversity net gain is assessed. Policy HG9 seeks to “*particularly support*” proposals that would achieve a net gain in biodiversity that accords with Policy HG10. Policy HG10 however notes that schemes that do not achieve 10% net gain should be refused. This should be corrected to the wording in HG9.

Proposed Amendment

Box on page 45:

- Amend to read “ net gain involves a post development increase in biodiversity units ~~of 10%~~. Natural England considers this to be the most appropriate mechanism for determining current ecological value and delivering biodiversity net gain”

HG 10

- A – amend footnote 25 to read “ ...and the consequent measures required to ensure measurable net gain. Net gain involves a post development increase in biodiversity units ~~of 10%~~. Natural England considers this to be the most appropriate mechanism for determining current ecological value and delivering biodiversity net gain....
- C (i) – amend to read: “ The appraisal should demonstrate: i. a measurable biodiversity net gain ~~of 10%~~ by utilising the Defra biodiversity metric (or as amended). ~~Where this is not or cannot be demonstrated, permission for planning or for change should be refused~~”.

Q5 - Proposed Policy HG20: Residential Parking Provision – Object/Strongly Disagree

Policy HG20 relates in part to EV charging. This is supported, but the policy can not include ‘affordable’ and ‘reliable’ in its requirements. These terms are insufficiently precise and subjective for inclusion in policy.

Proposed Amendment

(ii) - Provide infrastructure that enables electric vehicle charging facilities ~~that are affordable, reliable and open access electric vehicle charging points~~

Q9 – Tell us who you are?

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Q10 – Are you happy for the PC to contact me?

Yes

Q11 – Are you happy for the PC to pass your contact details on to RDC?

Yes