

Sue Payne

From: Valerie Dobson
Sent: 02 November 2015 16:01
To: Neighbourhood Planning
Subject: FW: Bosham Neighbourhood Plan
Attachments: 151008 Reps on Submission BNP_f_.pdf

From: [Graham Beck](#)
Sent: Thursday, October 08, 2015 12:25 PM
To: neighbourhoodplanning@chichester.gov.uk
Cc: [Mike Allgrove](#)
Subject: Bosham Neighbourhood Plan

To whom it may concern

In accordance with the public consultation process, please find attached representations made on behalf of Barratt David Wilson Homes Ltd.

Please note the attached has been sent to Mike Allgrove as well given the continued interest of BDW to build circa 150 dwellings at Bosham as part of the Local Plan Review.

Should you have any queries, please let me know.

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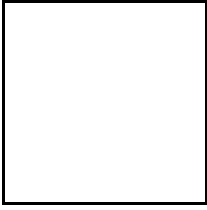
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Luken Beck

Representations

concerning

Bosham Neighbourhood Plan

[June 2015 Submission Copy]

on behalf of
Barratt David Wilson (Southampton) Ltd

Date: 08/10/2015
Ref: 14048

1.0 Introduction

1.1 Following Representations on the Draft Local Plan in December 2014, Luken Beck mdp Ltd have again been instructed by Barratt David Wilson Homes (Southampton) to comment on the Submission Bosham Neighbourhood Plan (June 2015) particularly in respect of land at Highgrove Farm, Bosham, (identified as Site BB0815 in the CDC SHLAA 2014), which remains excluded from the Submission Bosham Neighbourhood Plan. No explanation or comment (other than “Noted”)¹ has been made regarding our comments on the Draft Neighbourhood Plan. Plans and documents supporting the allocation of the site remain relevant to this further Representation and will not be resubmitted as full sets have previously been submitted to the Parish and District Councils.

1.2 This Representation is to object to the omission of Highgrove Farm as a housing allocation in the BPNP. Whilst Chichester District Council’s (CDC) Key Policies Local Plan was adopted in July 2015, it is subject to a review within 5 years as, at the inquiry, the Council acknowledged that although accommodating a significant increase in housing provision the plan does not meet the current objectively assessed need for housing (OAN). A number of matters remain uncertain that may, when resolved, enable housing provision to be increased. These include the government’s proposals for improvements to the A27 around Chichester and sewerage infrastructure.

1.3 It is considered that the Highgrove Farm site should be allocated for residential development of 50 / 60 dwellings as required for the Parish by the CDC Key Policies Local Plan. All the proposed housing in Policy 2 namely, Bullock Barns², Swan Field³, Oakcroft Nurseries⁴, Shipyard⁵ and Dolphin House⁶ are all located within an Area of Outstanding Natural Beauty which the NPPF states very clearly that “Great weight should be given to conserving landscape and scenic beauty in.....Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.”⁷ (our underlining) It follows therefore that land at Highgrove Farm, not subject to the AONB, can accommodate the necessary housing.

2.0 Background

2.1 The Highgrove Farm site has an area of 14.61ha and is located approximately 4 km to the west of Chichester city centre and directly abutting the eastern edge of Broadbridge. The site lies

¹ Bosham Parish Neighbourhood Plan [BPNP] 2014-2029 Consultation Statement, Page 91

² BPNP Submission Document [July 2015], Policy 2, Bullock Barn – 8 dwellings

³ Ibid, Swan Field – 25 dwellings

⁴ Ibid, Oakcroft Nurseries, 23 dwellings

⁵ Ibid, Shipyard Site – 2 dwellings

⁶ Ibid, Dolphin House – 5 dwellings

⁷ NPPF, paragraph 115

outside the South Downs National Park and the Chichester Harbour AONB. The land is currently in agricultural (arable) use.

2.2 The site is bounded to the west by the residential area of Broadbridge (part of Bosham Parish) and Brooks Lane, to the south by the A259; to the north by the mainline railway and to the east by open farmland and Highgrove Farm buildings moving towards Chichester. The site lies in a sustainable location abutting a settlement boundary; there are local shops adjoining Broadbridge Station approx 500 m away (located on the main south coast line) including a co-op store, and an off-license/paper shop, there is also a larger co-op store, post office and doctor's surgery at the roundabout on Delling Lane, within a short walking distance of the site. Chichester is approximately 4 km away with its full range of shops and services. There are regular bus services along the A259, between Chichester, Old Bosham to the south and Southbourne and Havant to the west. There is a primary school in Bosham (approx 1.5 km away) and secondary schools in Southbourne and Chichester. Access to the site is directly from the A259 to the south of the site, which itself provides transport links between the site and the wider area.

2.3 The Neighbourhood Plan has to be considered against the background of the adopted Key Policies Local Plan as it has to be in conformity with both it and National Planning Policy. There remains an overriding presumption in favour of sustainable development and to boost the supply of houses. The Key Policy Plan makes provision to deliver 7,388 homes over the period 2012-2029 with the East-West Corridor providing 6,156. This includes several strategic sites and small allocations in other parishes. The Key Policies Local Plan sets out a requirement of 50 dwellings for Bosham Parish, sites to be determined by the Neighbourhood Plan. However, in terms of the District – wide housing requirement, the Local Plan currently does not meet the objectively assessed housing need, a matter that should be reviewed within the next 5 years⁸. If further housing land is required, this will fall on areas such as Highgrove Farm that are not constrained by environmental designations such as the National Park and AONB. The current draft Neighbourhood Plan should not be approved therefore because it is inconsistent with the NPPF. Instead the site at Highgrove Farm which is not located in the AONB could be designated for 50 – 60 dwellings.

2.4 The Highgrove Farm site provides perhaps the only real opportunity to develop land in the Parish for housing in sufficient levels to provide affordable housing and other aspirational community facilities including a replacement school, allotments and additional public open space together with a replacement church hall and cricket pitch. The site lies outside and beyond the

⁸ Chichester Local Plan Inspector's Report (May 2015), paragraph 56

AONB in a highly sustainable location within a few minutes walk of the railway station and local facilities.

3.0 Representation

3.1 In brief, the site at Highgrove Farm, Broadbridge, Bosham should be allocated for residential and community use. The site has been promoted through the District Local Plan and SHLAA process and, by invitation, at public exhibitions held during the Neighbourhood Plan preparation process. As part of the representations a number of documents have been prepared and submitted. As stated earlier it is not considered necessary to resubmit these documents at this stage but they do however continue to be relevant. These documents included:

- Scheme layout (prepared by Simon Cooper Associates);
- Landscape Visual Impact Assessment (prepared by Terra Firma Landscape Architects);
- Transport Assessment (prepared by Paul Basham Associates);
- Flooding and Drainage Strategy Report (prepared by Paul Basham associates);
- Ecology Report (prepared by White Young Green)

3.2 This technical evidence previously submitted demonstrates convincingly that development of this land can be achieved without detriment to the village and its wider context, or causing harm to interests of acknowledged importance, as the site lies outside the AONB and the National Park, and is one of the few sites in the locality about which this can be said. The site is sustainable and can provide many of the social and community aspirations set out in the justification paragraphs relating to Neighbourhood Plan Policy 5 namely a replacement community hall, land for a replacement school and also provides significant open space for both formal and informal recreation. The school in Bosham village cannot at present expand because it is confined by the size and location of its site and there is a shortage of community meeting space. The site at Highgrove Farm is able to deliver much needed community benefits, including the provision of land for a new primary school with community hall. Such accommodation would also likely satisfy a wider community need for the local church. Policy 5 states that any proposal for the extension or relocation of the primary school will be considered as an exception to other policies of the BPNP. Such a relocation of the school and new community facilities will realistically never happen unless enabling development is permitted to support it, and the BPNP is short-sighted in this respect.

3.3 The District Council's SHLAA (May 2014) continued to include Highgrove Farm as a site [BB08195] considered suitable for development for up to 265 dwellings⁹. The site is neither within the AONB nor the South Downs National Park and is therefore unconstrained by national designations. This site is situated in a sustainable location on the edge of a settlement where the proposed development would create an extension to the eastern edge without significant detriment to the landscape qualities of the area (with appropriate boundary treatment). Access can be obtained directly from the A259. The Council's Settlement Capacity profile for Bosham, confirms that Broadbridge is less constrained than the old village of Bosham, has a railway station and could accommodate some additional housing development. The eastern side of the settlement is less sensitive in landscape terms than land to the north and west but with sensitive design and respect for long distance views, the site can be developed without significant harm. The proposals for the site demonstrate how this can be achieved. The site would also be able to contribute significantly to the affordable housing needs of the District.

3.4 Land at Highgrove Farm is sustainable, deliverable and available.

4.0 Specific comments on the Submission BPNP

4.1 The following comments are made with reference to specific points made in the Draft Neighbourhood Plan and numbering will refer to respective paragraph numbers in the Plan:

1.12Broadbridge was built principally after the coming of the railway... but extended again following the Second World War with the addition of Brooks Lane East of Bosham and 6 large fields away are the western parts of Fishbourne.

It is clear that Broadbridge is the less historic and visited part of the Parish and historically has extended to the west. This, together with the fact that it lies outside the AONB means that it is the least sensitive to new development. 6 large fields represents a distance of approx. 2.5 km (just over 1 mile) from Fishbourne and the proposals occupy one of those fields and will not have a significant coalescing effect, particularly as they include a significant area of accessible open space to the east of the site which will create a soft boundary to the development and ensure that there is no perceived coalescence and hedgerow improvements to the A259 frontage to enhance the existing landscape structure along this corridor.

Parish Statistics show that just over 20% of the population of the Parish are retired, there are also a number of second homes. The provision of additional housing in the village will include the

⁹ During the Local Plan Examination the LPA reviewed the SHLAA and, without evidence, decided the site was inappropriate for development.

provision of starter, family and affordable housing that will help create a more balanced and active community. This can only be achieved by allocating larger amounts of housing in the Parish.

4.2 Section 2.2 of the BPNP relates to the Vision for Bosham and sets out objectives. These include:

- avoiding significant areas of development in Chichester Harbour SPA and other areas of designated ecological importance
- enriching the landscape and Chichester Harbour AONB
- providing new houses to meet the requirements of the Local Plan;
- provide affordable homes to meet local need
- enhance, increase and provide open space and recreational facilities.

The allocation of Highgrove Farm for residential purposes will help achieve these objectives whilst the few small sites now proposed cannot.

4.3 The proposals would not conflict with the objectives of the BPNP. To restrict any development north of the A259 is a short sighted approach as land to the south of the A259 is all located within the Chichester Harbour AONB, a significant constraint to development and as acknowledged in the BPNP the Parish has very small amounts of available land for housing within the constraints set by the AONB. The NPPF makes it clear that policies relating to sites in Areas of Outstanding Natural Beauty have the highest levels of landscape protection.¹⁰

4.4 The Chichester Local Plan Inspector concluded there were several reasons why the Local Plan could not accommodate the full OAN in accordance with the NPPF and one of those reasons was the constraint of the AONB.¹¹ Ironically the Bosham Plan is proposing **all** of its housing allocations within the AONB under Policy 2. It follows therefore that Policy 2 is wholly inconsistent with the NPPF and the Local Plan Inspector's findings.

4.5 The recently adopted Local Plan for Chichester says. "*The Chichester Harbour Area of Outstanding Natural Beauty (AONB) covers a significant part of the Plan area. AONBs are national designations that have the highest status of protection in relation to landscape and scenic beauty. In accordance with its designation, the AONB is given great weight in determining planning applications. The Chichester Harbour AONB Management Plan sets out how the area should be*

¹⁰ NPPF, paragraph 115

¹¹ Chichester Local Plan Inspector's Report (May 2015) paragraphs 49 and 50

managed. Its management principles include the need to conserve and enhance the area's natural beauty and to retain the quiet, undeveloped nature of parts of the AONB (see Policy 43).¹²

4.6 The Adopted Local Plan devotes a section to the Chichester Harbour AONB¹³ and whilst acknowledging that communities within the AONB have development needs¹⁴, in the case of the Bosham NP, where better, more appropriate land for development is available and developable outside the AONB, there is a clear conflict of Policy 2 in terms of the NPPF and the adopted Local Plan.

4.7 It is clear from the consultation response from the Harbour Conservancy at the Pre-submission Policy stage that there were particular objections to Policies 1 and 2¹⁵ of the Bosham NP.

4.8 Section 4 of the BPNP says at paragraph 4.1 says that 84% of the Parish is within the AONB and it is vital that proposals do not have significant adverse impacts on this land. It then says, at Paragraph 4.4 that any development to the east or west of Broadbridge to the north of the A259 would be contrary to a fundamental objective of retaining the separation of settlements. It has been demonstrated by previously submitted documentation, including a full LVIA for Highgrove Farm concluding that some adverse landscape effects will stem from the change in land use of the site itself as the area is currently an arable field and is proposed to partly become areas of residential development, affecting the landscape character of the site through the change of land use. This is common to any change in the landscape but the evidence suggests there is no significant adverse effect which provides the acid test. However, it also says that the proposed development also has some beneficial landscape effects that arise from the provision of extensive green infrastructure, including replacement of boundary hedge lines and tree planting, amenity open space and ecological areas that enhance and reinforce the landscape character and biodiversity of the wider area and the strategic gap, reducing the adverse effects of the introduction of built form. Any adverse visual effects are considered at worst, moderate from representative viewpoints adjacent to the site boundary but these reduce in effect with summer leaf cover to moderate / minor adverse and over time with the maturing of vegetation to moderate/minor in winter and minor adverse in summer. Adverse effects on other representative viewpoints reduce due to intervening existing features and proposed hedge and tree planting within the site itself. Long distance views from the AONB are not possible due to topography and intervening vegetation and long distance views from the SDNP are possible but when seen in the context of the wider

¹² Ibid, paragraph 10.5

¹³ Ibid, pages 184 and 185

¹⁴ Ibid, paragraph 19.16

¹⁵ BPNP Consultation Statement Submission Copy, Analysis of Support or Objection to the Pre-submission Policies, page 101

panoramic view, the visual effects of the proposed development are minor. It concludes that proposed landscape strategy is appropriate to local policy and guidance and adverse landscape and visual effects of the proposed development are not of significance and should not prevent the development of this site.

4.9 Paragraph 5.11.4 of the BPNP confirms that there is a serious shortfall of affordable housing within the parish with a known waiting list of 50 households at March 2014. THE BPNP has to conform to the adopted CDC Key Policy Local Plan policy 34 in terms of affordable housing which says that 30% affordable housing should be provided on site on all sites of 11 or more dwellings and on sites of 6-10 dwellings, in designated rural areas (including AONB), a financial contribution will be sought. Whilst there is a concern regarding second homes, the BPNP with its small site allocations in the AONB will achieve very few affordable houses. The Highgrove Farm site could provide up to 60 affordable homes with occupancy controlled by legal agreement if considered a strategic housing site but in the short term 18 affordable units would be delivered as part of a 60 unit scheme.

4.10 **Policy 1 Settlement Boundaries**

Map 1 of the BPNP shows the proposed changes to the settlement boundaries to accommodate the proposed allocations. The extension to include Bullock Barns has some logic, it being clustered around the roundabout, albeit still in the AONB. However the inclusion of Dolphin House, is less so, as there is no logical boundary and it is within the AONB. The inclusion of part of Swan Field and Oakcroft Nurseries is clearly illogical and unacceptable as these sites have no bearing on the topography or form of the existing built up area.

4.11 **Policy 2: Housing Allocations.**

The sites selected in the Neighbourhood Plan for development to provide 50 dwellings are all within the AONB, contrary to a fundamental objective of the Neighbourhood Plan, the Chichester Local Plan and the NPPF. It is noted that no significant changes have been made to housing allocations in the Submission version of the BPNP. Our comments essentially remain as before.

4.12 The allocated sites are:

SHLAA BB08198. Bullock Barns: 8 units (Requires on-site sewerage unit, Brownfield Land)

This site is located within the AONB and will deliver no significant affordable housing given the small nature of the proposal. The site is identified as a Wet spot (Plan p 50), therefore there may be constraints on development.

SHLAA BB08194. Oakcroft Nurseries: 23 units. Considered unsuitable by Chichester District Council, brownfield, minor flood risk, on-site sewerage unit required

Described by the District Council in its updated, SHLAA May 2014 as Land south of Walton House, it is described as having no potential as it is unsuitable because of its isolation from the settlement. The site is also located within the AONB. The Parish has included it because it considers it to be previously developed land – it is a derelict greenhouse, part of a horticultural unit and as such is not normally considered as brownfield land but a rural land use; the definition of previously development land excludes agricultural buildings. Either way, it does not make it suitable for development, particularly in this location.

SHLAA 08185 Dolphin House: 5 units. Brownfield.

This allocation is insignificant in terms of numbers, although it would extend linear development northwards on this west side of Delling Lane, visually reducing the gap between the two parts of the settlement.

SHLAA BB08197 Swan Field : 25 units. Onsite sewerage required.

The District Council describes the site as within the AONB and very open to the south, and forming part of the Broadbridge/Bosham gap, with a low landscape capacity for development. It is Grade 1 Agricultural Land. It considers that development of this site would be in conflict with the NPPF. The Neighbourhood Plan is proposing that just part of this site would be developed, however it does not have a natural southern boundary and would artificially divide this area. Its' development would have a severe impact on the already limited gap between Bosham's historic village and Broadbridge. Once again due to the small nature of the site, no significant affordable housing would be forthcoming. Furthermore, it will only come forward if the Bullock Barns site is developed first, therefore there is doubt as to its delivery. It is on a site identified as a site used by Brent Geese (Plan on p 44 of the BPNP), casting further doubts as to its suitability.

For the reasons above, it is not considered that the housing allocations proposed in the Submission BPNP can provide the 50 dwellings required in the Key Policies Local Plan. The land at Highgrove Farm has none of these restrictions. In our opinion therefore despite the submissions made by the proponents of the NP, the fundamental conditions contained in the NPPG¹⁶ have not been met because of the conflict with the NPPF and the adopted Chichester Local Plan.

4.13 Policy 3 – Criteria for Housing Development

¹⁶ NPPG, paragraph 65

This section includes a range of criteria including affordable housing provision, provision of a varied mix of housing with a high quality spatial design. The size and scale of housing land allocations in the BPNP hardly justifies these criteria. Development of Highgrove Farm would be able to provide affordable housing and a wide range of house types and sizes.

4.14 Policy 7. Landscape and Environment

The Neighbourhood Plan aims to conserve and enhance the natural beauty and locally distinctive features of the AONB, to protect the integrity of the open rural character of the Parish and to ensure that development retains the rural landscape character of the area and protects the most versatile agricultural land

The allocations referred to above are all within the AONB described above; with the possible exception of Bullock Barns, their development would have an adverse impact on the integrity of the gap between the two built up areas of the Parish, and on the open undeveloped rural character of the AONB.

4.15 Policy 8. Ecology, Wildlife and Biodiversity

This Policy says the development proposals must protect and enhance the biodiversity value of the site, or have any demonstrable harm to protected habitats or species. One of the allocated sites is used by Brent Geese, therefore its allocation would be contrary to this policy.

An Extended Phase 1 Habitat Assessment has been prepared for Highgrove Farm which does not identify any significant constraints and makes recommendations for enhancements. The proposals include significant areas of open space.

4.16 Policy 9: Flooding and Drainage

This Policy requires that flood risk and the effects of flooding must be taken into account in the determination of all development proposals.

An FRA and Drainage Statement have been prepared for proposals for Highgrove Farm including 150 residential units, a 420 pupil school and a church hall. The site is located in Flood Zone 1, which is suitable for all types of development, but must not increase the flood risk elsewhere. A drainage strategy has been prepared based on positively draining all hard surfaced areas, restricting the outflow to greenfield run-off rates and attenuating the excess water within oversized pipes, a cellular storage system with the central area of POS, and a balancing pond in the south-west corner. Due to the level nature of the site, surface water has to be pumped from the cellular

storage system to the remainder of the system further south. The risk of fluvial flooding is not increased as a result of the proposals and the risk of groundwater flooding is substantially reduced as all hard paved areas will be positively drained under the proposal. In terms of foul sewage disposal the preferred means of disposal is to connect to an existing manhole in Brooks Lane, upgrade the existing Delling Lane sewer and the Stumps Lane Pumping Station. The proposals therefore comply with this policy in the Neighbourhood Plan.

5. Legal compliance

5.1 A Neighbourhood Plan will be part of the statutory development plan for the area and so must conform to national policy and existing strategic local planning policy. It must not promote less development than identified in the plan for the local area but can allow greater growth levels.

5.2 Neighbourhood plans should support the strategic development needs set out in Local Plans and plan positively to support local development. The BPNP is based solely on the minimum 50 residential unit allocation in the adopted Local Plan but currently proposes additional dwellings. Where a Local Plan fails to meet its objectively assessed housing needs (as required in the NPPF) the Local Plan will need to be revised accordingly. Given the uncertainty regarding the housing requirements and the requirement for CDC to review the Local Plan within 5 years, the housing policies of the BPNP should be flexible to ensure that it can accommodate the housing needs that could be identified in reviews of the Local Plan within the period of the Neighbourhood Plan.

5.3 A neighbourhood plan can allocate sites for development and should carry out an appraisal of options and assess individual site against identified criteria. There is insufficient evidence provided in this regard, nor do the allocations appear to stem from CDC SHLAA assessments. For example Swan Fields, as chosen in the BPNP is within the AONB and is grade 1 Agricultural land. In contrast, evidence has previously been provided to demonstrate the suitability of Highgrove Farm for housing: it lies in a sustainable location, outside the AONB and landscape evidence has been submitted by BDW demonstrating that landscape and visual effects of its development are not of significance and should not prevent the development of this site. Furthermore, although the land is currently in agricultural use, various planning appeal inspectors have determined that, while the loss of agricultural land is a material consideration, on its own it is not a significant issue that would outweigh the benefits of delivering housing particularly where there is a significant shortfall in supply. The site is separated from its nearest settlement by some 2.5 km and its development in the manner proposed would not cause coalescence of settlements. CDC's SHLAA has identified Highgrove Farm as being suitable for development.

5.4 All the housing allocations made in the BPNP have fundamental issues relating to agricultural land quality, AONB designation, ecology and flooding, which would conflict with other policies with the BPNP. Furthermore they are too small to provide any significant affordable housing or contribute to a wider mix of housing in the Parish. The proposed sites would not make appropriate provision for even the minimum of 50 units required in the Key Policies Local Plan. Land at Highgrove Farm should be included as an allocation in the BPNP.

6. Summary

6.1 Highgrove Farm is identified in the District Council's 2013 SHLAA as having potential for housing development within 6-10 years, a time frame given to allow time for revisions to planning policy (such as alterations to the settlement policy boundary) and to find overall solutions to infrastructure issues. This timescale does not prevent the site coming forward before that date.

6.2 The Key Policies Local Plan sets an agenda for housing numbers and growth, and the council has a commitment to review this within 5 years. It is considered that insufficient evidence has been provided to show that allocated sites are the most appropriate. All of those sites currently identified for development are located with an AONB, which has the highest level of protection. Those identified on brownfield land are actually on greenfield sites within the AONB as the BPNP has erroneously described former glasshouses as brownfield. There is a lack of credible evidence upon which the allocations are based. Very few affordable houses will result given the nature of the small sites.

6.3 It is considered that the Highgrove Farm site should be considered by both the District Council in the Review of the Local Plan, and the Parish Council in the emerging Neighbourhood Plan as being appropriate for residential development. The proposal will increase the supply of high quality and sustainable homes in Chichester, which will help to meet projected requirements, including the provision of affordable housing and will positively benefit towards the Parish of Bosham as it will provide for starter, family and affordable housing, provide community benefits (land for a replacement primary school, allotments and new much larger replacement church hall) and recreational space, including significant improvements to the biodiversity value of the land and appropriate mitigation against the likely level of potential disturbance to Chichester Harbour SPA. The site is available, suitable and deliverable.