Statement of Common Ground: Hythe HYD1

Is there a justified need to safeguard that part of this allocation to the south east of the adjoining Seadown Veterinary Hospital for the possible expansion of that practice (see rep 175) and, if so, should any land adjoining the allocation be allocated for housing in substitution for the safeguarded land?

The Inspector requested that attempts were made for the Council and parties with interests in land in and around the proposed HYD1 allocation, to explore the potential to prepare a Statement of Common Ground. It is noted that the Inspector is not suggesting at this stage that this is a matter relating to the ‘soundness’ of the Plan. The Inspector’s request for Statements of Common Ground (Document IND5) stated:

“I do not suggest at this stage that any a change is necessary for soundness, but the interested landowners and the Council may wish to discuss the matter to see if any parties agree that a change may be justified and to prepare a SCG accordingly.

Initially, the following parties were invited to participate in the preparation of a Statement of Common Ground:

- Mr. A. Cochran, Woolley and Wallis Salisbury – agent on behalf of Mr. R. Ellis and Mr. M. West
- Mr. R. Ellis and Mr. M. West
- Rutland Chartered Surveyor, Totton – agent on behalf of Seadown Veterinary Group
- Seadown Veterinary Group (Peter Tunney)
- Mr. C. LeCointe, RPS Planning and Development, Abingdon – agent on behalf of Mr. J. Penny.
- Mr. J. Penny

As a first step in exploring the scope for a Statement of Common Ground in relation to policy HYD1 site allocation, the Council prepared a draft statement setting out the following matters:

- Background
- The Council’s views regarding the HYD1 allocation and the land to the north
- The Council’s views regarding the HYD1 allocation and the land to the east

The Council received three separate statements in response from the following parties:

- Luken Beck, acting for Burton Property, who have secured an agreement with Mr. Ellis and Mr West (the owners of the HYD1 site).
- Clive Rutland, acting for the Seadown Veterinary Group (the owners of the land to the north of the HYD1 site)
- RPS, acting for Mr. Penny (the owner of land to the east of the HYD1 site).

The Council tried to draw together a statement of the Common Ground between parties based on responses received to draft statements. However, in doing so it became apparent that a Statement of Common Ground between all interested parties was an unrealistic prospect given their differing views and interests.

However, there is scope for a Statement of Common Ground between the Council and Luken Beck, the agents acting for Burton Property, who have secured an agreement with Mr. Ellis and Mr West (the owners of the HYD1 site). This is set out below.

i. **Common Ground – basic facts**

1. Core Strategy policy CS12 makes provision for ‘up to around 50 dwellings’ at Hythe (Document S14, page 53).

2. Local Plan Part 2: Sites and Development Management policy HYD1 (Document S1, page 90) allocates land at Forest Lodge Farm for development in accordance with policies CS12 and CS15(b) of the Core Strategy. The number of dwellings referred to in the Plan (in paragraph 3.109), of around 40 – 45 dwellings, is an indicative indication of the number of dwellings that may be accommodated on the site (see paragraph 2.104 of the Local Plan Part 2 (Document S1)).

3. The land to the west of Fawley Road and proposed to be allocated for development under policy HYD1 of the Local Plan Part 2 is in the private ownership of Mr Ellis and Mr West (Representee No. 161). This site allocation is shaded brown on the following map. The land outlined in red is in the ownership of Mr West, and the land outlined in blue is in the ownership of Mr Ellis. Also shown on the plan below is land in the ownership of the Seadown Veterinary Hospital, outlined in green. (Representee No. 175).
4. To the east of the HYD1 site allocation, and shown outlined in red on the plan to the right, is land owned by Mr. Penny. (Representee No. 226) The extent of highway land in the area is shown on the plan in Appendix A.

5. Representation 161 has been made on behalf of the landowners of the HYD1 site (Mr. West and Mr Ellis) and is in support of the allocation. The landowner's representation states that the site is 'available, deliverable and achievable'. Representation 161 includes the following statement:

'The policy requires that 70% of housing on this site is provided in accordance with Policy CS12 of the Core Strategy and is allocated to meet this local need. The uncertainty referred to in the appraisal must therefore relate to viability. Developer interest confirms that the residential development of this site is viable with this level of affordable housing.'

6. As advised by the letter from Luken Beck on behalf of Burton Property on 28th September 2012, Burton Property has secured an agreement with Mr Ellis and Mr West to purchase the HYD1 site allocation with the objective of developing the site in accordance with policy CS12 of the adopted Core Strategy and proposed policy HYD1.

ii. Common Ground between the Council and Luken Beck, acting for Burton Property

7. It is a matter of Common Ground between the Council and the owners/prospective developers of the HYD1 site, that the Plan is sound in respect of the HYD1 site allocation and that the HYD1 site is a deliverable site in accordance with proposed policy HYD1.

8. In response to the Inspector's question:

"Is there a justified need to safeguard that part of this allocation to the south east of the adjoining Seadown Veterinary Hospital for the possible expansion of that practice (see rep 175) and, if so, should any land adjoining the allocation be allocated for housing in substitution for the safeguarded land?"

It is common ground between that Council and the owners/prospective developers of the HYD1 site that the answer is "no".
Appendix A: Highway land
Mrs L Evans,  
Principal Policy Planner,  
New Forest District Council,  
Appletree Court, Beaulieu Road, Lyndhurst SO43 7PA  

14th November 2012  
Our Ref: GB/NFDC/12030  
Your Ref:  

Sent by e-mail and Post  

Dear Mrs Evans,  

NEW FOREST DISTRICT (OUTSIDE THE NATIONAL PARK) LOCAL PLAN PART 2: SITES AND DEVELOPMENT MANAGEMENT – EXAMINATION – INSPECTOR’S REQUEST FOR STATEMENTS OF COMMON GROUND  

I refer to your e-mail dated Monday the 12th November with which you attached a revised Statement of Common Ground in connection with Site Reference HYD1 at Hythe.  

I confirm that I have discussed the document with our clients, Burton Property, and the said document is now agreed between us.  

As usual, if we can be of further assistance please contact me.  

Yours sincerely,  

Graham Beck  
Director  
Email grahambeck@lukenbeck.com  

Encl:  
Copy to Adam O'Brien, Burton Property Ltd Woolley & Wallis, Salisbury