Local Plan Part 2: Sites and Development Management
Main Modifications and draft Mitigation Strategy
Representation Form

Name of the DPD to which this representation relates:

New Forest District (outside the National Park)
Local Plan Part 2: Sites and Development Management

Please return to New Forest District Council by 15 November 2013

Please note that your representation will be made available for public viewing at Appletree Court, Lyndhurst and via the Council’s website. (Personal information such as signatures and telephone numbers will not be published on the website).

There are two sections –
Part A – Personal Details
Part B – Your representation(s).

Please fill in Part A, and a separate Part B for each representation you wish to make.

**Part A**

<table>
<thead>
<tr>
<th><strong>1. Personal Details</strong></th>
<th><strong>2. Agent’s Details (if applicable)</strong></th>
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<tbody>
<tr>
<td>* Mandatory field</td>
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<td><strong>If an agent is appointed, please complete the Title, Name and Organisation boxes for your client in 1, plus the full contact details of the agent in 2.</strong></td>
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<td>If you have previously made representations on this Plan, please give your representee ref. here:</td>
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<table>
<thead>
<tr>
<th>Title</th>
<th>Highwood Residential</th>
<th>Mr</th>
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<tbody>
<tr>
<td>First Name</td>
<td></td>
<td>Anthony</td>
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<tr>
<td>Last Name*</td>
<td></td>
<td>Allen</td>
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<tr>
<td>Job Title</td>
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<tr>
<td>Organisation</td>
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<td>Allen Planning Limited</td>
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<tr>
<td>(where relevant)</td>
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<td>Allen Planning Limited</td>
</tr>
<tr>
<td>Address Line 1*</td>
<td>21A New Street</td>
<td>21A New Street</td>
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<td>Line 2</td>
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<td>Line 3</td>
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<td>Line 4</td>
<td>Salisbury</td>
<td>Salisbury</td>
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<td>Post Code*</td>
<td>SP1 2 PH</td>
<td>Sp1 2ph</td>
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<tr>
<td>Telephone Number</td>
<td></td>
<td>01722 503527</td>
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<tr>
<td>E-mail Address</td>
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</tbody>
</table>

(where an email address is given, this will be used as the primary means of contact)
Part B – Please use a separate sheet for each representation
(\textit{Part A MUST also be completed})

Name or Organisation:

3. To which matter does this representation relate?

\begin{itemize}
  \item[i.] Main Modification to the Local Plan Part 2: Sites and Development Management

\begin{tabular}{|l|c|c|}
\hline
Main Modification Ref. & Local Plan Part 2: Para. or Policy number & FORD 1 \& Para 5.70
\hline
\textit{(i.e. MM1)} & & \\
\hline
\end{tabular}

\textbf{OR}

\item[ii.] The draft Mitigation Strategy Supplementary Planning Document

\begin{tabular}{|l|c|}
\hline
Draft Mitigation Strategy & Paragraph No. or Project Reference \\
\hline
\end{tabular}

\textbf{OR}

\item[iii.] If you wish to comment on the Infrastructure Delivery Plan tick here.

\end{itemize}

If commenting on a modification to the Local Plan Part 2 (including the revised Habitats Regulations Assessment and Sustainability Appraisal) please fill in sections 4 – 9.
If commenting on the draft Mitigation Strategy, please fill in section 10.
If commenting on the Infrastructure Delivery Plan, please fill in section 11.

4. On this matter, do you consider the Local Plan Part 2: Sites and Development Management is:

\begin{itemize}
  \item[4.(1)] Legally compliant
  \begin{itemize}
    \item Yes \textbf{X}
    \item No
  \end{itemize}
  \item[4.(2)] Sound* \textbf{X}
  \begin{itemize}
    \item Yes
    \item No
  \end{itemize}
\end{itemize}

\textit{(* The considerations in relation to the DPD being ‘Sound’ are explained in the National Planning Policy Framework)}

If you have entered \textbf{No} to 4.(2), please continue to Qu 5. In all other circumstances, please go to Qu 6.

5. On this matter, do you consider the Local Plan Part 2: Sites and Development Management is \textbf{unsound} because it is not:

\begin{itemize}
  \item[1.] Justified
  \item[2.] Effective \textbf{X}
  \item[3.] Consistent with national policy \textbf{X}
\end{itemize}
6. Please give details of why you consider the Local Plan Part 2 (as proposed to be modified by the Main Modifications) is not legally compliant or is unsound on this matter. If you wish to support the legal compliance or soundness of the Local Plan Part 2: Sites and Development Management, please also use this box to set out your comments.

See attached sheet

(Continue on a separate sheet /expand box if necessary)

7. Please set out what change(s) you consider necessary to make the Local Plan Part 2 legally compliant or sound on this matter, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of the relevant policy or text. Please be as precise as possible.

See attached sheet

(Continue on a separate sheet /expand box if necessary)

8. If your representation is seeking a change to the Local Plan Part 2, do you consider it necessary to participate at the oral part of the examination?

[X] No, I do not wish to participate at the oral examination

[ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Comments on other documents, for consideration by NFDC.
10. Please state here your comments on the draft Mitigation Strategy.

(Continue on a separate sheet / expand box if necessary)

11. Please state here your comments on the Infrastructure Delivery Plan.

(Continue on a separate sheet / expand box if necessary)

Signature: Anthony allen  Date: 11th November 2013

Representations should be posted to: Policy and Plans Team
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA

Or e-mailed to: sdmrepresentations@nfdc.gov.uk

Representations should be received by no. later than 5pm on 15th November 2013.
New Forest District Local Plan Part 2
Representations by Highwood
In respect of Policy FORD1 and Paragraph 5.70

We would submit on behalf of our Client the following representations to the consultation programme of the Local Plan Part 2: Sites and Development Management Main Modifications and draft Mitigation Strategy.

These comments relate specifically to the potential allocation of land in Fordingbridge under Policy FORD 1 and its supporting paragraph 5.70. This policy seeks the delivery of housing under Core Strategy policies CS12 and CS15b.

The principle changes contained in this revised consultation document in respect of this policy are:

- Deletion of 2.8 ha of open space requirement
- Introduction of on-site open space in accord with Core Strategy Policy CS7
- Provision of on-site SANGS in accord with Policy DM2b
- The deletion and replacement of P5.70 which supports the policy.

FORD 1

Policy DM2b requires on sites of over 50 units, such as this, that the full direct mitigation requirements may be best met by the provision of SANGS on-site or close to the site based on a standard of 8ha per 1000 population.

Given the likely quantum of development on this site at circa 100 units and with a high proportion of those units being “affordable” therefore creating a high level of occupancy within the properties themselves this is likely to require in the region of 3.2 ha of SANGS to be delivered on this site.

It is noted that informal open space, as required by Policy CS7, will be accepted as part of an on-site SANGS delivery.

The proposed amended policy, as a direct result of SANGS requirements, places significant additional burdens upon the potential delivery of the overall site given these infrastructure requirements and the quantum of affordable housing within the allocation itself. Given the uncontested need to deliver SANGS as mitigation on site and given that this site could accommodate such directly we respectfully suggest that the policy should be reworded to accord with the NPPF.

Paragraph 173 of the NPPF advises:

Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should,
when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

The Core Strategy support for the potential allocation of this site is quite clearly to deliver much-needed affordable housing however it is important that the requirements of the policy itself do not prevent such occurring as a matter of overall site viability. Indeed paragraph 7.3.9 of the adopted Core Strategy advises that:

Taking into account the proposed allocations at Ringwood and Totton, all of the towns in levels 1 and 2 of the settlement hierarchy (Policy CS9) have possible additional provision of 150 dwellings, except for Hythe and Fordingbridge which have lower indicative figures having regard to the likely difficulties in finding suitable sites and the size of the settlements.

We would therefore request that Policy FORD 1 is amended to state:

"Land east of Whitsbury Road is allocated for residential development specifically to provide for local housing needs in accordance with policies CS12 and CS15(b) of the Core Strategy. Up to 70% of the dwellings (to be determined by appropriate viability assessment) will be affordable housing. The site will be developed in accordance with the following site specific criteria are....."

It is respectfully submitted that given the revised requirements for the provision of on-site SANGS, which will need to accommodate a significant proportion of the site, that an overall viability assessment be introduced into the policy itself. This potential rewording of the policy would still result in the provision of the maximum quantum of affordable housing being delivered whilst providing the flexibility to deliver such housing whilst retaining a viable overall development on the site.

Given the advice in NPPF we submit that such an alteration would continue to achieve the objectives of the adopted Core Strategy and would result in a policy wholly in compliance with the NPPF.

Paragraph 5.70

Turning now to the supporting paragraph of Policy FORD1, Paragraph 5.70, this has also been revised. It is important to establish at the outset of our submissions in this regard that my client does not object to the provision of a footpath and cycleway link through the site to provide a link between the Whitsbury Road and local schools. Indeed such is to be supported in terms of the sustainable transport objectives resulting from the potential development of this site.

The revised supporting paragraph of this policy (P5.70) has been reworded to state that:

"...it should include the creation of a green route adjacent to and incorporating the former railway line which should include a footpath cycleway route between Whitsbury Road and Burgate School and should connect with the Avon Valley Path long distance walking route"

My client would seek the Inspector to amend this paragraph on the basis that the adjoining "former railway line" land is not within the ownership of either my client or the landowners of FORD 1. Whilst my Client has made approaches the owner of this land we are advised that the owner currently has no desire to release this land for use as a footway/cycleway.

The clear intention of this paragraph, and indeed the policy itself, is to provide an acceptable and safe footway and cycleway route between the Whitsbury Road and the school, and
wider footway network, and this can be readily achieved through the FORD1 site itself without the need to utilise the adjoining former railway land.

If Paragraph 5.70 remains in its current form then it is potentially possible that such a requirement could inhibit the delivery of the site in total because it would require the delivery of a footway/cycleway on land outside of the control of either my client or the current landowners for FORD1. It of course could also lead to a potential “ransom situation” which could further impact upon overall site viability.

In this case the requirements of the policy itself can be delivered within the site without using this land providing the desired links from the road to the school and the Avon Valley Path beyond.

We therefore respectfully suggest that reference to the incorporation of the “former railway line” is removed from Paragraph 5.70 and the current wording of FORD1 will achieve the desired sustainable transport links through the site.

Anthony Allen MRTPi
8th November 2013