



Response by the Enborne River Valley Preservation Society (ERVPS), to the amended application ref 21/03394/OUT.

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The revised proposals for a total 270 dwellings with a first phase of 82 dwellings does not overcome the objections of ERVPS to the proposed development by Bewley Homes

Introduction

The purpose of this report is to inform a response by ERVPS to the revised proposals submitted by Bewley Homes on October 2022 in respect of its original objection of the 10th January 202 and to advise on the content of that response.

The response submitted should be read in conjunction with our original submission of the 10th January 2022

Background

Bewley Homes have submitted revisions to the planning application 21/03394/OUT. The number of dwellings in respect of the outline application is for up to 270 dwellings, a reduction from 350 dwellings, and for the full application for the first phase of development reduced from 90 to 82 dwellings, with revisions to the layout. The other key elements remain the same ie 1600sqm community building, 1200sqm health and well-being centre and 250sqm convenience store.

ERVPS objected to the application on a number of grounds ref submission of January 2022 which are summarised below

- This application will not deliver sustainable development.
- This application risks undermining the local plan-making process, as a development of 350 dwellings would be in direct conflict with the emerging Local Plan of BDBC, and the Neighbourhood Plans of Highclere and East Woodhay Parish Councils.
- This hybrid planning application is contrary to NPPF policies the adopted Local Plan, policies SD1, SS1, SS4, SS5, CN3, CN6, CN7, CN8, CN9, EM1, EM4, EM5, EM6, EM7, EM10, EM12 and conflicts with BDBC's own existing and draft local plans, and those of the affected parishes.
- The Application's impact on existing residents and services is primarily focused on West Berkshire's residents, facilities and services, and the potential impact on WBC's own local plan should be considered.
- The proposed provision of housing and affordable housing does not contribute effectively to BDBC's housing needs nor its land supply within the planning 5-year horizon due to its location remote from housing needs, its housing mix and its realistic timeframe for development.
- This application seeks to build within an area of significant flood risk identified in the BDBC Strategic Flood Risk Assessment, and without demonstrating the required Sequential Test to justify such proposals.
- For neighbouring residents there is substantial concern regarding the impact on the control of local area flooding to existing properties particularly in Enborne Row. Those concerns are shared by the BDBC's own internal consultees, who also note the absence of a Flood Risk Sequential Test approach by the Applicant which should be a mandatory requirement, and the complete absence of an assessment of groundwater flooding rather than river or surface water flooding.
- The proposed infrastructure incentives to change residents' behaviour away from car journeys to walking, cycling, and using public transport are not plausible, rendering the proposed development unsustainable.

This further submission is set out using the summary above headings which have been revised to take account of typographical errors and to improve presentation

Further Response

This application is contrary to the NPPF and will not deliver sustainable development and

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The proposed infrastructure incentives to change residents' behaviour away from car journeys to walking, cycling, and using public transport are not plausible, rendering the proposed development unsustainable.

The two Highway Authorities consulted, Hampshire County Council (HCC) and West Berkshire Council (WBC) have raised concerns regarding the location in terms of achieving sustainable development. WBC have advised that the walking distances to services and facilities is at the upper end of the range considered acceptable and the routes for cyclists are not great. At best the location is considered marginal in terms of sustainability ref its response of 22.2.22. HCC advised the provision of bus services fundamental in ensuring proposals fully accessible by public transport and improvements for cyclists were essential ref response 10.3.22 and that the location was not a particularly sustainable one ref its response of 10.8.22.

The applicant has submitted a Highways and Transport Position Statement of 11.10.22. In the document it would appear that it has agreed a public transport contribution with WBC to be used to provide an 8-year service in and around the site with an expectation that it would be self-sufficient. It would run on a 30/60minute frequency circa 06300-1800 Monday to Saturday. The value of the contribution has been agreed with WBC which would suggest that the service would only link the site to Newbury with no provision for services to locations within Basingstoke and Deane district. The proposals have yet to be agreed with HCC as the Highway Authority at the time the Statement was submitted.

No detail is given as to at what point in the development the service would commence. There is uncertainty regarding the start and finish of the service during the days on which it would operate and at best there is an 'expectation that the service would be self-sufficient after eight years'.

The proposed bus service would enter and exit the site from the Andover Road. In terms of the operation of the service within the site ERVPS would want to be assured that the internal road layout would facilitate its use by buses. Experience elsewhere suggests that on-street parking by residents is a significant issue and can result in an adverse impact on the proposed services.

To support the proposed public transport contribution evidence of a similar approach and how effective it has been in reducing use of the car should be provided by the applicant. ERVPS, in the absence of the detail of the proposed public transport service and the uncertainty regarding its long-term future, maintains its position and objection that the site is not in a sustainable location.

The Statement also includes a commitment by the applicant to provide a pedestrian/cycle link on the A343 Andover Road to Warren Road. This proposal would not link the site to the existing strategic off-road pedestrian/cycleway on Monks Lane and the lack of a continuous route to Monks Lane would act as a deterrent for trips to the town centre.

It is ERVPS's view is that the proposed link would not overcome the inherent unattractiveness of routes to Newbury Town Centre and other key destinations for pedestrians and cyclists

The masterplan for the first phase of 82 dwellings does not show a pedestrian link to Enborne Row. Notwithstanding ERVPS's concerns regarding the suitability of the road for use by pedestrians the lack of a link suggests that the scheme will be inaccessible to/from the existing established community creating a stand-alone development.

The applicant is prepared to provide a school travel plan contribution of £42k suggested by HCC in its response of 10.8.22. the sum would be used to promote non-car trips to schools serving the development including, St Thomas Infant School, Woolton Hill Junior School and Burghclere Secondary School.

ERVPS considers that the modest sum proposed and the distances to the schools which would serve the site would mean that the contribution would have a limited impact in terms of achieving non-car trips to the schools based on its understanding of current travel patterns.

The overall package outlined in the Statement provide insufficient detail of the transport proposals to conclude that they would have a fundamental impact in terms of modal shift. There is uncertainty as to the

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frequency of the proposed bus service and its long-term future. The development would not deliver a complete off-road pedestrian/cycle link to the existing network in Newbury. The School Transport Plan contribution is very modest. Given that Highway Authority consultees view that site as marginal at best in terms of it being a sustainable location one would have expected a more comprehensive package of measures to promote alternatives to the car.

In summary ERVPS do not consider that the current proposals would deliver a sustainable development in transport terms and result in a significant change in travel patterns.

The site is within an area at risk from flooding and in terms of sustainable development such areas should be avoided particularly where there are alternative locations available. ERVPS's position in respect of flood risk is set out below.

This application risks undermining the local plan-making process, as a development of 350 dwellings would be in direct conflict with the emerging Local Plan of BDBC, and the Neighbourhood Plans of Highclere and East Woodhay Parish Councils.

BDBC have paused work on the review of the local plan. However, the technical work undertaken and the officer report to the 9th June 2022 Economic, Planning and Housing Committee set out how the future strategic housing requirement for the Borough would be met. The site has been included in the SHELAA 2021 which means BDBC were very much aware of its availability for development at the time the proposals for the meeting the strategic requirement for the district were considered and presented to the June Committee. No strategic allocation was proposed for the application site, no housing allocation was proposed for the main settlement in East Woodhay Parish and only a modest (10 dwellings) carry forward of a housing allocation within Highclere Parish. Clearly BDBC considered that there were much better sites available in terms of delivering sustainable development.

The work undertaken in respect of the emerging local plan clearly demonstrates that there are alternative sites to the application site to meet the future housing needs of the Borough.

Half of the site lies within the parish of East Woodhay. A neighbourhood plan has been prepared and has been the subject of an external examination. The examiner has published their report and recommends it goes forward to a referendum subject to some minor modifications. A date for the referendum has not yet been announced but for the purposes of decision-making it is a material consideration which carries considerable weight.

ERVPS considers that the proposed development is contrary to a number of policies in the neighbourhood plan including: NE1 protecting the landscape, Policy NE3 Dark Skies, Policy NE4 Nature Conservation, Policy NE5 Trees and Hedgerows, Policy HO1 Good Quality Design, Policy HO2 Settlement Policy Boundary, Policy HO3 Housing Provision for Older People, Policy H4 Housing Mix.

This hybrid planning application is contrary to the adopted Local Plan, policies SD1, SS1, SS4, SS5, CN3, CN6, CN7, CN8, CN9, EM1, EM4, EM5, EM6, EM7, EM10, EM12

The applicant has set out in its Design Response October 2022 why it considers that the reduction in the total number of homes from 350 to 270 would result in a form and scale of development in line with the existing pattern of development.

ERVPS remains of the view that the reduction in the number of dwelling does not result in a development which respects and has due regard to the density scale layout and appearance of the surrounding area namely Enborne Row and Wash Water.

The Design Response states that the development will deliver a 2km segregated cycleway through Wash Water into the centre of Newbury. This is not the case as the Transport Statement is only proposing a link to Warren Road. Either the Design Response should be corrected to be consistent with the Transport Statement or the latter should be amended to deliver the route as described in it.

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The Design Response only refers to the location of the site to development to the north ie Enborne Row, Washwater and Newbury. This is further illustration of its poor relationship with the settlements to the south and to Basingstoke whose housing needs it is claimed to be meeting.

ERVPS maintains its objection in respect of the impact of the development on the character of the area ref Policy EM10.

ERVPS maintains its original objection in respect of the other policies to the revised application.

The Application's impact on existing residents and services is primarily focused on West Berkshire's residents, facilities and services, and the potential impact on WBC's own local plan should be considered.

The submissions supporting the revised proposals focus on the relationship between the site and the adjoining development in West Berkshire namely Enborne Row, Wash Water and Newbury. The lack of any analysis of the site's relationship with the nearby villages in Basingstoke and Deane and the main settlement of Basingstoke illustrates the issue previously raised by ERVPS that any housing built here would do little to address the housing needs of the District within which it is located.

The proposed provision of housing and affordable housing does not contribute effectively to BDBC's housing needs nor its land supply within the planning 5-year horizon due to its location remote from housing needs, its housing mix and its unrealistic timeframe for development.

BDBC currently cannot demonstrate that it has a five-year supply of land. In that context para 11 of the NPPF is triggered ie that there should be a presumption in favour of sustainable development. ERVPS is of the view that the site would not deliver sustainable development for the reasons it has set out in this and its earlier submission. Setting aside that position the contribution to the current shortfall of 569 dwellings (as at 1st April 2021) would at best be 80 dwellings (less than 2% of the five year supply) for five year period 2023/24-2027/26 assuming that permission was granted in the near future. It is unlikely that many of the remaining dwellings proposed in the outline application would be delivered in the period to 2027/28 eg the need for reserved matters applications to be submitted and approved.

In terms of the mix of housing it is not clear from the submitted plans what is being proposed for the full application for 80 or the outline for 270 dwellings to assess how the proposals meet the requirements of the relevant policies. In that context ERVPS original objection remains

This application seeks to build within an area of significant flood risk identified in the BDBC Strategic Flood Risk Assessment, and without demonstrating the required Sequential Test to justify such proposals.

For neighbouring residents there is substantial concern regarding the impact on the control of local area flooding to existing properties particularly in Enborne Row. Those concerns are shared by the BDBC's own internal consultees, and they also note the absence of a Sequential Test approach by the Applicant which should be a mandatory requirement, and the complete absence of an assessment of groundwater flooding rather than river or surface water flooding.

ERVPS submitted on the 12th October 2022 a response to BDBC's Planning Policy Team's consultation of the 13th September 2022 which advised that the sequential test had been satisfied. The response is set out below

'It is accepted by the Environment Agency, Hampshire County Council as Local Lead Flood Authority and the Borough Council (Basingstoke and Deane) that the application site is at risk from flooding (fluvial, surface water and groundwater) as referenced and evidenced in the consultation response.

The approach to managing flood risk is set out in the NPPF, Policy EM7 of the Local Plan and the latest publication of the Planning Practice Guidance of 25th August 2022 which the Council will need to apply when considering the application.

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The aim of the policy framework is to direct development to areas with the lowest flood risk. This is achieved by applying a sequential test which would need to be applied across the borough to demonstrate that there are no reasonably alternative sites available. Given that the Borough Council, through its work on the new local plan and the SHELAA 2021, has identified a number of sites for housing it is difficult to see how the sequential test would be satisfied. A point acknowledged in the Policy consultation response.

No sequential test has been undertaken and submitted by the applicant and therefore the application should not be permitted as it is contrary to national and local planning policy. However, despite the absence of a policy compliant sequential test the Policy Team has not raised an objection and indeed seem happy with what has been submitted. The consultation response appears to rely on the site-specific flood risk assessment (FRA) and the proposed location of built development to satisfy the sequential test. The PPG advice is very clear that even where a site FRA shows that a development can be made safe the sequential test still needs to be satisfied ref para 23. ‘

ERVPS has not had a reply to its submission of the 12th October 2022 and is very concerned that the Policy Team response is not accurately applying the national guidance in respect of flood risk. The EA in its response of the 5th July 2022 has understood the advice and clearly expects alternative sites to be considered.

The Policy Response quotes part of para 29 of the PPG and appears to apply it in isolation to the rest of the paragraph which sets the requirements for the sequential test. Despite recognising that there are alternative sites available the Policy Team response is satisfied that the national guidance has been met. The conclusion is based only on the submitted Flood Risk Assessment and, an internal to the site, sequential approach which is contrary to what is required by the NPPF and PPG.

The ground conditions of the site present specific challenges to the proposed development in addition the potential risk from ground water flooding. The EA in its response of 5th July 2022 has set out a number of conditions to address issues of land contamination, protect of water quality in the River and to protect the groundwater resources. The development of the site clearly presents risks which given the lack of justification in terms of the sequential test and its poor location in terms of delivering sustainable development are ones which are not necessary to take.

ERVPS maintains its objection in respect of flood risk and water quality and asks BDBC to request the applicant to submit a sequential test in accordance with national guidance.

Yours faithfully

ERVPS

Enborne River Valley Preservation Society