

## Honeybourne Parish Submitted Neighbourhood Plan Consultation

### RESPONSE FORM

Under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, Honeybourne Parish Council has submitted its Neighbourhood Plan to Wychavon District Council. In accordance with Regulation 16, Wychavon District Council would like to invite comments from individuals and organisations on the submitted Neighbourhood Plan.

**This consultation runs from Friday 23 August to 5pm Monday 7 October 2019.**

All comments will be made publicly available and identifiable by name and organisation (where applicable). The personal information you provide on this form will be held and processed in accordance with the requirements of Data Protection Legislation. More information on how we will hold your data can be found at:

<https://www.wychavon.gov.uk/privacy-policy>

Please fill in your details in the boxes below:

Full Name:

Dan Hatcher

Organisation (if applicable):

Rosconn Strategic Land

Address (including postcode):

Rosconn House

1 Grove Road

Stratford upon Avon, CV37 6PE

Telephone number:

[REDACTED]

Email address:

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Please state which part of the Neighbourhood Plan (i.e. which section, objective or policy) your representation refers to (please use a separate form for each representation):

Policy H1

Please use the space below to make comments on this part of the Neighbourhood Plan.

As the promoter of the allocated site at land to the rear of Harvard Avenue, we maintain our general support for this proposal, but remain concerned with matters highlighted in our response to the Regulation 14 draft NDP in respect of Scale, Phasing and Local Connection.

In respect of scale, whilst we note clarification in the Consultation Statement (July 2019) that reference to the capacity of the site at 50 dwellings is “indicative”, we have completed detailed technical work (i.e. transport, ecology, noise, landscape and drainage studies) to help inform an indicative layout for the scheme which meets the various policy and technical requirements, as detailed within the adopted SWDP and the emerging NDP, including matters such as Green Infrastructure, housing mix and noise mitigation. This clearly indicates that the site is capable of delivering approximately 60 dwellings on a site of 3.3 hectares which would be well below 30 dwellings per hectare. At such a low density, we do not consider the site’s enclosure by the adjacent railway line to its northern boundary warrants any further reduction in capacity due to its rural location as views from outside the site are screened by the railway embankment and associated mature vegetation. Indeed, the recent development to the north at Hawthorn Close and Sycamore Drive do not appear to have been similarly restricted to the edge of the settlement where also bound by the railway line. As such, to reflect the guidance within the NPPF (Section 11) and Policy SWDP13 of making the most effective use of land, we therefore request that the capacity of the site is amended to “approximately 60 dwellings”.

In terms of Phasing, as detailed at part (a) of Policy H1, we previously raised concerns in preventing the commencement of development on the allocated site prior to 2024, on the basis this was not supported by the available evidence. The allocation of the land to the rear of Harvard Avenue is confirmed at paragraph 6.10 of the Draft NDP as being necessary to address the identified local housing need during the Plan period. In the Steering Group’s response within the Consultation Statement to our previous response on this matter, it is confirmed that there are 50 households in need of housing either immediately or within the next 5 years.

It appears that the principal reason for wanting to phase development, as detailed at paragraph 6.11, is due to the scale of recent development within the village, but there is no evidence that indicates local infrastructure is unable to accommodate such growth and this does not appear to be an issue from the detailed studies we have undertaken in consultation with various statutory bodies. Neither has there been any indication or evidence that recent growth has caused any issues in respect of community cohesion – indeed, growth has helped facilitate improved local services such as the new convenience store and a general improvement in the patronage of local services and facilities.

Cont’d Below

Furthermore, development at the allocated site will need to ensure that where there is any shortfall in capacity in physical or social infrastructure, financial contributions will be required to address this where necessary.

A further reason provided by the Steering Group for delaying the delivery of housing at the allocated site is that there are already extant permissions for a further 36 dwellings in the village that will help meet any immediate needs. In our previous response, we demonstrated that the extant permissions were unlikely to make any meaningful or genuine contribution towards meeting local identified housing needs. Whilst the list of extant permissions has been updated to reflect those which had expired or were otherwise now unlikely to be implemented, our principal concerns remain. Of the 36 dwellings, only 4 would be affordable and therefore capable of meeting local needs to those who qualify. There is no guarantee that the remaining dwellings, if built, will be either affordable or accessible to those in local need on the basis they have or will be sold on the open market. As an example, Zoopla indicates that the average price paid for a dwelling in Honeybourne is £343,412. The development at the former Fancutts Garage is currently being marketed as a luxury development with the 2 bed properties priced at £300,000, and the 4 bed dwellings being £585,000 and £595,000 respectively. The luxury house being built at Blenheim Farm in open countryside some distance from the village, permitted as an exception under PPS7 (now NPPF 79), will also not be available to local people. This demonstrates that those with a local connection to the village and in genuine need of suitable and affordable homes within their community are unlikely to be able to access the type of housing that has been permitted to date. The fact Policy H1 is requiring that 50% of the open market housing on the allocated site is made available to people with a local connection, alongside 40% affordable, further suggests that local people are struggling to access housing on the open market.

A further point raised previously was that, notwithstanding the above comments, the process of securing planning permission and its implementation is in itself a sufficient mechanism to ensure the development is suitably phased and as such, it is wholly unnecessary to impose phasing within Policy H1. Allowing for the completion of the NDP process, the submission and approval of both Outline and Reserved Matters applications, subsequent discharge of pre-commencement conditions and then the construction phase, dwellings at the allocated site would clearly not be immediately available. The Steering Group's response to this point is that the timings we indicated were considered unrealistic and that larger schemes in the village took 3 years or less to complete. To clarify, the timings we indicated were not solely related to the period between commencement and completion, but included the stages associated with securing an implementable planning permission to enable development to commence, which is well documented as being time-consuming in itself. To demonstrate this point, the allocated site for 75 dwellings at Fair Acres, referred to at paragraph 3.7 of the NDP, confirms the site was commenced in 2014 and was built out by 2017. This however excludes the time taken to secure outline permission (submitted May 2012) and subsequent Reserved Matters approval (approved August 2013). Overall, Fair Acres therefore took in excess of 5 years, so our estimate of 2 years for first occupation and 4 years to completion for 50-60 dwellings on the allocated site is considered to be entirely realistic.

In terms of Local Connection as detailed at part (j) of Policy H1, our principal concern was one of viability, a point also raised by Wychavon District Council who commented that this requirement was supported by limited evidence, is overly restrictive and may cause issues

for developers being able to finance the development. It is considered that the Steering Group's response to these concerns has failed to adequately justify this approach other than to state that a similar approach has worked in another authority, failing to acknowledge the fact that this other authority is in a far more affluent area with higher land values and house prices. This is not sufficient to demonstrate that such an approach is justified in this case without clear evidence on the implications for development viability. As highlighted in our previous representations at Regulation 14, the evidence that is available on viability relating to the area indicates that a requirement for 40% affordable housing in Wychavon should be considered as a headline target as in viability terms, this was ambitious and would require an element of site-specific negotiation. This viability evidence, prepared on behalf of the SW Authorities, may have taken into account other S106/CIL costs, but made no provision for the additional requirement of restricting the sale of open market dwellings as is proposed here. The Steering Group have now provided confirmation in the Consultation Statement that there is no intention to deviate from the SWDP requirement to provide 40% affordable housing, so again we would ask for viability evidence to be produced to justify this approach.

As previously stated, Rosconn Strategic Land do not oppose the principle of some of the open market dwellings being made available in the first instance to those with a local connection to the village. RSL do however have concerns regarding the requirement for such open market dwellings being restricted in this way in perpetuity. The Reasoned Justification to Policy H1 states at (3) that a legal agreement will be required to ensure properties requiring this local connection continue to be marketed for an initial period of at least 12 weeks in perpetuity (our emphasis). However, there is some uncertainty about the requirement for the subsequent disposal of such properties, in that the Steering Group's response to Wychavon DC's concerns on the matter states that the criterion is to ensure "that the scheme is open in the first instance to those with a local connection". Assuming that the intention of the policy is that the 50% open market dwellings with a local connection clause will need to be marketed in the same way for any future subsequent sales in perpetuity, we wish to maintain our objection. We understand that a similar requirement restricting a proportion of dwellings permitted at Meon Vale in neighbouring Stratford on Avon District, relating to the marketing and disposal of Worker Dwellings in perpetuity, has subsequently been relaxed through an amendment to the Section 106 Agreement on the basis that the Council accepted prospective purchasers were unable to obtain a mortgage. There are also other potentially unintended consequences of imposing a restriction on the future sale of a property, such as where an occupier is experiencing financial hardship, meaning that they need to sell their house quickly which would be severely hampered in this situation.

#### **Summary of Modifications sought by RSL to Policy H1:**

1. Amend the policy to read "Residential development of approximately **60 dwellings** will be supported.....";
2. Delete part (a) to remove any restriction on the delivery of the site;
3. Amend part (j) to read "**20%** of the market homes should be made available **in the first instance** to those with a strong local connection by means of a legal agreement for an initial sales period of at least 12 weeks"; and

4. Associated amendments to the 'Reasoned Justifications' to reflect the above changes in terms of (1) phasing of development and (3) to delete the requirement for houses being marketed to those with a local connection in perpetuity.

Please use a separate form for each representation.

Please state whether you would like to be notified of the Council's decision on the Neighbourhood Plan proposal:

Yes  No

Please email this form to [policy.plans@wychavon.gov.uk](mailto:policy.plans@wychavon.gov.uk) or post it to Planning Policy, Wychavon District Council, Civic Centre, Queen Elizabeth Drive, Pershore, WR10 1PT.

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[REDACTED]

Email address:

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Please state which part of the Neighbourhood Plan (i.e. which section, objective or policy) your representation refers to (please use a separate form for each representation):

Policy H2

Please use the space below to make comments on this part of the Neighbourhood Plan.

We previously maintained that the decision to adjust the South Worcestershire wide guidance on housing mix was unjustified as this already makes provision to achieve a greater level of smaller dwellings to meet local needs, which is common across the relevant authorities and not especially unique to the circumstances in Honeybourne. Furthermore, there is insufficient evidence to support this approach. Greater flexibility within the policy has also been recommended by Wychavon DC as the Local Planning Authority. However, no amendments have been made to the policy as a result and we therefore rely on our previous comments in this respect (copy attached As Appendix 1).

It is notable that the Steering Group are aware of the potential implications of seeking an overly restrictive housing mix in viability terms in response to a comment made by a resident, as recorded within the Consultation Statement who was seeking an even greater bias towards 1 and 2 bedroom properties. The Steering Group's response confirmed that "the policy must not be overly restrictive to development coming forward and it needs to be viable". Whilst the proposed housing mix purports to be informed by evidence of local need, has it undertaken an assessment of the implications on viability to justify the approach?

**Summary of Modifications sought by RSL to Policy H2:**

1. Amend the policy to the housing mix specified within the South Worcestershire Markey Housing Mix Position Statement (May 2017)

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Please state whether you would like to be notified of the Council's decision on the Neighbourhood Plan proposal:

Yes

No

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## **Appendix 1 – Rosconn Strategic Land Regulation 14 Consultation Response**

12<sup>th</sup> April 2019

Issued by email only: 

Dear Sir/Madam

**Re: Honeybourne Neighbourhood Development Plan – Regulation 14 Pre-Submission Draft Consultation**

We write in response to the consultation of the Honeybourne Neighbourhood Development Plan (HNDP) Pre-Submission Version dated February 2019.

Rosconn Strategic Land (RSL) welcome the opportunity to comment on the Draft HNDP and having reviewed the document and its supporting evidence, provide comments below. RSL represent the owners of land to the rear of Harvard Avenue that is proposed to be allocated for residential development under Policy H1 of the HNDP and fully support this. However, we do wish to raise a number of points for consideration by the Steering Group at this stage.

**Policy H1 – Site to the rear of Harvard Avenue behind Badham's Garage**

RSL fully support the identification of land to the rear of Harvard Avenue behind Badham's Garage as a proposed housing allocation within the draft HNDP under Policy H1 and confirm that the site is suitable, available and achievable for housing development. RSL have undertaken a series of detailed surveys and assessments, the results of which have been shared with the Steering Group, which demonstrate that there are no insurmountable constraints to the delivery of the site during the plan period. This has included information relating to Transport, Drainage, Flood Risk, Ecology and Noise which have aided a better understanding of the site and its surroundings. This information has demonstrated that the site is suitable for residential purposes and is unlikely to give rise to any unacceptable adverse effects which cannot be appropriately mitigated through detailed design, planning conditions and/or financial contributions.

The intention to allocate a housing site within the HNDP is considered to be well evidenced and justified, with the local community having been fully consulted throughout the preparation of the emerging Plan, whilst the selection of the most suitable site to meet the housing needs within the community has followed a clear and consistent process that has considered all reasonable alternatives and based on a proportionate evidence base. The land to the rear of Harvard Avenue was by far the most preferred site as supported by the local community and so this process fully accords with the purpose of Neighbourhood Planning, by enabling local communities to shape the development and growth of their local area and choose where they want new homes as advised by the PPG (ID: 41-001-20140306).

In terms of Policy H1 itself, the Steering Group are asked to consider the following points:

**Scale** – the policy is currently drafted to refer to a development of ‘approximately 50 dwellings’. Following detailed survey work undertaken by RSL, an initial proving layout has been prepared which indicates that, notwithstanding the associated on-site requirements for POS, SuDS, noise mitigation, pedestrian link, etc. the site has a potential capacity of approximately 60 dwellings. This is partly due to the likelihood that a greater level of smaller properties will need to be provided within the site which clearly increases density. It is also relevant that Section 11 of the latest version of the NPPF requires planning policies and decisions to promote the effective use of land in meeting the need for homes, ensuring that developments make optimal use of the potential of each site.

**Phasing** – Part (a) of the policy states that the site should not commence until 2024. The justification is principally that extant planning permissions currently exist for 36 dwellings in the village, 28 of which are open market dwellings, 7 are for social rent and 1 intermediate home. As such, the Plan concludes that there is no current requirement for additional housing in the village on the basis that the 13 households identified with an immediate need will be met by these existing extant permissions. Phasing the site is therefore considered to be justified on the basis it will be able to meet future needs later in the plan period.

In terms of the residents’ survey, this identified that there were 4 households with a member(s) on the Council’s housing register, 13 with a member(s) that had an immediate need and 37 where a member(s) had a need within the next 5 years. This amounts to an identified local need for 54 new homes, albeit it is not clear whether these are for affordable or open market dwellings. It is also unclear why the members of the 4 households on the Council’s housing register are not considered to have an immediate need for housing within the village, or why the housing needs of the 37 with a need within the next 5 years will not be catered for within this period (i.e. no later than 2024).

The 7 extant permissions that comprise the 36 dwellings are detailed within Table 1 of the Plan. These permissions have been reviewed and comments on each site are provided below:

	<b>Site</b>	<b>No. of dwgs.</b>	<b>Comments</b>
<b>1.</b>	Land adj. Blenheim Farm, Buckle Street	1	Single dwelling in open countryside permitted in 2009 as an exception under PPS7 (now para 79 NPPF) in view of its exceptional quality. Substantial luxury property commissioned by the late Felix Denis and now being completed by a subsequent owner.
<b>2.</b>	Land off High Street	14	Outline Permission granted for 14 dwellings and Reserved Matters granted 27 <sup>th</sup> November 2015. OPP requires commencement 2 years from approval of RM. As no start made as at April 2018, the permission appears to have expired.
<b>3.</b>	Fancutts Garage, High Street	8	This site has been the subject of several planning applications for residential development over the last 20+ years. A further application is currently pending suggesting that any remaining extant permission will not be implemented. The current proposal makes no on-site provision for affordable housing and comprises 2 x 2 bed, 3 x 3 bed and 3 x 4 bed+ dwellings.
<b>4.</b>	Land adj. 17	5	Reserved Matters approval for 2 x 2 bed & 3 x 3 bed

	Stratford Road		detached bungalows was approved on 10 <sup>th</sup> August 2017 and is understood to be under construction.
5.	14 Stratford Road	1	Outline Permission granted in 2015 for a single bungalow but no Reserved Matters submission appears to have been made and so the permission appears to have expired.
6.	Land off School Street	5	As with Fancutts Garage, this site has been the subject of several planning applications for residential development over the last 20+ years. The last permission was in Outline and granted on 10 <sup>th</sup> February 2016 with all reserved matters to be approved within 3 years. No Reserved Matters submission has been made so it appears the permission has expired.
7.	Honeybourne Village Hall	2	Permission was granted in November 2017 to redevelop the village hall for 2 x 3 Bed detached dwellings. It is understood that the sale of the site will provide funds to construct a new village hall on the Taylor Wimpey site and therefore cannot be implemented until the new facility is open to the public. Planning permission for the new village hall was granted on 22 <sup>nd</sup> May 2018 and details have been submitted to discharge pre-commencement conditions so it appears likely that the permitted dwellings could be commenced prior to the permission expiring in November 2020.

From the above findings, it can be concluded that planning permission for 20 of the 36 dwellings has now lapsed (Sites 2, 5 and 6). Site 1 is a substantial luxury property in the open countryside and is presumably not being constructed by any of the 54 households that have an identified local housing need. Site 3 has an extensive planning history and is now the subject of a further planning application which is pending, but does not intend to make provision for on-site affordable housing. There are clearly issues regarding viability and therefore the deliverability of this site. The 2 dwellings at Site 7 cannot be constructed until pre-commencement conditions for the replacement village hall has been secured and its construction is complete, so it is unlikely that this site will be available to meet local needs within the next 18 months or so.

In summary, there are only extant planning permissions for 16 dwellings. It is assumed that Site 1 is not meeting one of the 54 households in local need. If, conservatively, it is assumed that the remaining 15 will be built out, none will provide affordable housing and will be sold on the open market meaning there is no guarantee that they will be acquired by one of the 54 local households in housing need within the village. Indeed, of the remaining 15 dwellings, only 4 would provide smaller, 2 bed accommodation which is understood to be in greatest need within the village, with the remaining 11 having 3 or more bedrooms.

In view of the above assessment, it is clear that extant permissions are only likely to make a very small contribution towards meeting identified local housing needs, leaving a significant number of local households that require a home having to wait until 2024 at the earliest before their need could be met by the proposed housing allocation.

Land to the rear of Harvard Avenue will provide at least 50 new homes, a proportion of which will be Affordable Housing, with an additional element of the Open Market housing to be

made available to those with a local connection. Other policies within the draft Plan also seek to influence the housing mix to ensure a greater level of smaller properties are included in order to align with those required locally. As such, the principal purpose of the allocation is to attempt to fully meet the specific housing needs within the local community as identified by up to date evidence. The restrictions placed by Policy H1(a) however prevent the site being developed within the next 5 years meaning there is little hope of the majority of the 54 local households having their housing needs met within their specified timescales. The social consequences of this are to prolong the circumstances currently experienced by these households, as detailed at page 13 of the Housing Background Paper, in that they:

- are prevented from living independently;
- cannot meet their health/mobility needs;
- cannot move closer to their family;
- cannot meet their need for a smaller / larger home;
- cannot move to cheaper accommodation;
- cannot move closer to work; or
- cannot move to a home which is easier to maintain.

In the circumstances, RSL therefore suggest that Policy H1 is amended to enable the proposed housing allocation to come forward as soon as possible, taking account of the fact that even if it were not to be phased, it would still take approximately 18 to 24 months before a dwelling at the site could be available for occupation, with the whole site taking a further 18-24 months before it was fully built out. Notwithstanding, it is highly unlikely that there is any other realistic way for both the immediate and future needs of the local community to be met within the next 5 years without allowing the land to the rear of Harvard's Avenue to come forward as soon as possible.

**Local Connection** – whilst RSL do not object to the principle of making some of the open market housing available in the first instance to those residents with a local connection as outlined at Part (i) of Policy H1, we do have concerns about the potential implications of imposing a requirement for 50% of the open market homes to be restricted in this way. This, alongside other obligations such as Affordable Housing, CIL and other S106 Obligations, do not appear to have been assessed from a viability perspective.

National guidance (PPG) states that the role of viability assessment is primarily at the plan making stage and states that they should not be used to compromise sustainable development, but rather that they are used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan. It continues that it is the plan makers responsibility to ensure that policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites to be deliverable, without the need for further viability assessment at the decision-making stage (ID: 10-002-20180724).

Policy SWDP15 requires that sites such as the proposed allocation will be expected to provide 40% affordable housing on site. The HNBP does not specify what the affordable housing requirement is for land to the rear of Harvard Avenue, and clarification is therefore sought. If it is expected to provide 40% affordable housing on site, it should be recognised that the Affordable Housing Development Viability Study that underpinned Policy SWDP15 concluded that whilst 40% was the headline target put forward, in viability terms this was ambitious and would require an element of site-specific negotiation particularly on lower to mid-value schemes across all 3 Local Authority areas. It also acknowledged that it may also mean maintaining modest infrastructure requirements and the possibility of more flexible tenure agreements. Such viability evidence made no allowance for any potential cost

implications of requiring 50% of a proposed development to be restricted to those with a local connection over and above 40% affordable housing, CIL contributions and all other Section 106 and infrastructure costs.

The intention for any restriction of the subsequent sale of open market housing to be in perpetuity also has the potential to have unintentional consequences for future occupiers. Were such a property owner to fall into financial difficulties and fell into arrears with their mortgage, they may need to be able to sell their property as soon as possible. Limiting the marketing of such a property to only those with a local connection for the first 3 months may have severe consequences for the owner in such circumstances.

In summary, whilst RSL are open to the concept of ensuring some of the open market housing is offered to people who have a local connection to the village in the first instance to meet local identified need, we would like to discuss this in further detail with the Steering Group to understand how this would work in practice and determine what number of open market homes should be affected by this restriction from a viability perspective.

### **Policy H2 – Housing Mix**

The proposed mix for open market housing requires the provision of a greater proportion of smaller homes on housing sites of 5 or more homes, with a requirement for 40% to be 1 or 2 bed properties, 30% to be 3 bed properties and the remaining 30% to be 4 or more bed properties. For the affordable housing element, the policy states that the mix is to be determined in accordance with the latest local evidence. The requirements for open market housing differ to those imposed by the latest South Worcestershire's Market Housing Mix Position Statement (May 2017) which already makes provision for increasing the proportion of smaller properties based on an up to date evidence base.

In reviewing the evidence, it is not considered that this demonstrates sufficient detail in order to justify an alternative approach to that adopted in South Worcestershire as a whole. As detailed earlier, local needs have not been determined on the basis of whether the need is for open market or affordable accommodation. On the basis that 40% of housing on new sites is to be affordable, a housing mix and tenure would be determined at the application stage to reflect local needs at that point in time, informed by the latest evidence including those on the housing register. Clearly, those with a local connection to the village would be given priority for such housing. As such, a large proportion of the housing to be provided at the proposed housing allocation will be directly aligned to local housing needs with the size of properties required to meet that need. This is likely to include a high proportion of smaller households such as 1 and 2 bedroom starter homes and small bungalows to meet the needs of older people.

Whilst 54 households with a member(s) seeking a property locally have been identified, only the 13 with an immediate need have detailed their specific housing needs. Of these, the majority appear to be in need of a house, with only 3 requiring a bungalow, 2 a flat/apartment and 1 a flat/other. Furthermore, it cannot be assumed that adult couples who are in need require a 1 or 2 bed property if they have aspirations to start a family in the near future and may well have a preference for a 3 or 4 bed property.

There is not therefore considered to be sufficient justification to vary from the South Worcestershire-wide housing mix which already takes account of the need to increase the amount of smaller properties within new housing developments. Furthermore, whilst it is acknowledged that there is an aging population and there is a need to ensure that they are able to find suitable accommodation to meet their requirements, there is also an equally important objective of ensuring that new development contributes towards a mixed and sustainable community. Catering for family housing forms an important aspect in this, with

the additional socio-economic benefits that this brings to a community by helping to sustain local facilities such as the local child care and educational establishments, and bringing added revenue and patronage of local services and facilities.

### **Policy H3 – House types to meet the needs of our community**

As detailed above, whilst it is acknowledged that there is a need to cater for local housing needs and that this includes a requirement for bungalows, requiring that 20% of all new housing to be in the form of bungalows does not appear to be supported by the available evidence. The only available evidence of need for bungalows is the 10 identified at page 14 of the Housing Background Paper. As highlighted earlier, 5 bungalows are currently under construction at Stratford Road (Site 4) and there is scope to secure additional bungalows as part of the affordable housing mix under Policy H2 on the proposed housing allocation. Alternative provision could also be secured as 1 or 2 bedroom ground floor flats or maisonettes. As such, it is not considered that the requirement of 20% of all new housing to be provided as bungalows is justified and should therefore be reduced to say 10%.

### **Policy H11 – Flood Prevention and Water Management**

In respect of Part (a), clarification is sought regarding reference to a Water Management Statement. As part of proposals comprising a site of greater than 1 hectare such as the proposed allocation, A Flood Risk Assessment incorporating a Drainage Strategy will normally be required to accompany a planning application. It is not clear whether a Water Management Statement is over and above what would be required within a FRA and Drainage Strategy and the document is not defined within the Draft Plan.

In respect of Part (i), it is requested that water efficiency measures for new developments should go beyond current Building Regulations. The PPG (Housing: Optional Technical Standards) states that all new homes have to meet the mandatory national standards set out in the Building Regulations with regard to water efficiency. It continues that where there is a clear local need, local planning authorities can set out in their Local Plans policies which require new dwellings to meet the tighter optional requirement. In establishing a clear need, local planning authorities will need to base their case on existing sources of evidence, consultations with local water and sewerage companies, EA and catchment partnerships, and consider the impact on viability and housing supply of such a requirement (ID: 56-015-20150327). Clarification is therefore sought as to whether a clear local need has been established.

### **Conclusions**

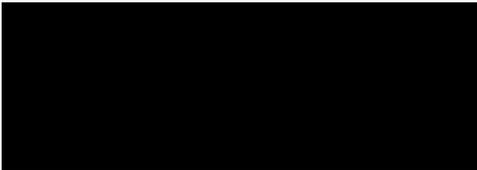
In conclusion, RSL generally support the objectives and aspirations within the Draft HNDRP. We are also fully support the intention to allocate our client's land under Policy H1 to help meet the local identified housing needs of the village on the basis that the site is suitable, available and achievable, and is capable of contributing towards achieving sustainable development.

Notwithstanding, there are a number of matters that directly relate to the proposed allocation which may have implications for the viability and delivery of the site and in this respect, RSL are keen to raise these to ensure that the policies of the Plan accord with the strategic

objectives of both national and local planning policy. These comments are therefore offered to assist in ensuring that the Plan is able to demonstrate compliance with the Basic Conditions to enable it to move forward to Examination and Referendum at the soonest opportunity. We remain committed to working alongside the Steering Group to achieve this objective and would be more than happy to meet to discuss the content of this submission as and when appropriate.

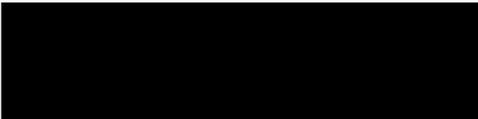
If in the meantime there are any queries or further information is required, please do not hesitate to contact me.

Yours faithfully



Daniel Hatcher  
**Planning Director**

Mobile:  
E-mail:



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Please state which part of the Neighbourhood Plan (i.e. which section, objective or policy) your representation refers to (please use a separate form for each representation):

Policy H3

Please use the space below to make comments on this part of the Neighbourhood Plan.

We previously highlighted in our previous comments that the requirement for 20% of all new dwellings to be bungalows was not justified by the evidence of need for this type of property or took account of recent developments contributing towards this need. We also made reference to the scope to secure bungalows as part of the affordable housing component as the mix and type of properties would be based on those with an identified need at the time an application is made. We also suggested that alternative and suitable provision could be made in the form of ground floor 1 and 2 bedroom accommodation in the form of maisonettes. Furthermore, Wychavon DC have also raised concerns regarding this policy in that the requirement is too high and may impact on development viability and suggestions were made to make the policy more flexible. Notwithstanding, no changes have been made to the policy and we therefore rely on our previous comments in this respect (copy attached as Appendix 1).

**Summary of Modifications sought by RSL to Policy H3:**

1. Amend the second paragraph of Policy H3 to read: "Schemes for five or more market or affordable dwellings will be expected to include bungalows to cater for older residents and members of the community with special requirements. AS a minimum **10%** of the scheme should be bungalows **or ground floor maisonettes** unless it can be demonstrated that there is no longer a need **and/or** that this would make the scheme unviable"

**Summary of Modifications sought by RSL to Policy H1:**

1. Amend the policy to read “Residential development of approximately **60 dwellings** will be supported.....”;
2. Delete part (a) to remove any restriction on the delivery of the site;
3. Amend part (j) to read “**20%** of the market homes should be made available **in the first instance** to those with a strong local connection by means of a legal agreement for an initial sales period of at least 12 weeks”; and
4. Associated amendments to the ‘Reasoned Justifications’ to reflect the above changes in terms of (1) phasing of development and (3) to delete the requirement for houses being marketed to those with a local connection in perpetuity.

Please use a separate form for each representation.

Please state whether you would like to be notified of the Council’s decision on the Neighbourhood Plan proposal:

Yes

No

Please email this form to [policy.plans@wychavon.gov.uk](mailto:policy.plans@wychavon.gov.uk) or post it to Planning Policy, Wychavon District Council, Civic Centre, Queen Elizabeth Drive, Pershore, WR10 1PT.

## **Appendix 1 – Rosconn Strategic Land Regulation 14 Consultation Response**

12<sup>th</sup> April 2019

Issued by email only: 

Dear Sir/Madam

**Re: Honeybourne Neighbourhood Development Plan – Regulation 14 Pre-Submission Draft Consultation**

We write in response to the consultation of the Honeybourne Neighbourhood Development Plan (HNDP) Pre-Submission Version dated February 2019.

Rosconn Strategic Land (RSL) welcome the opportunity to comment on the Draft HNDP and having reviewed the document and its supporting evidence, provide comments below. RSL represent the owners of land to the rear of Harvard Avenue that is proposed to be allocated for residential development under Policy H1 of the HNDP and fully support this. However, we do wish to raise a number of points for consideration by the Steering Group at this stage.

**Policy H1 – Site to the rear of Harvard Avenue behind Badham's Garage**

RSL fully support the identification of land to the rear of Harvard Avenue behind Badham's Garage as a proposed housing allocation within the draft HNDP under Policy H1 and confirm that the site is suitable, available and achievable for housing development. RSL have undertaken a series of detailed surveys and assessments, the results of which have been shared with the Steering Group, which demonstrate that there are no insurmountable constraints to the delivery of the site during the plan period. This has included information relating to Transport, Drainage, Flood Risk, Ecology and Noise which have aided a better understanding of the site and its surroundings. This information has demonstrated that the site is suitable for residential purposes and is unlikely to give rise to any unacceptable adverse effects which cannot be appropriately mitigated through detailed design, planning conditions and/or financial contributions.

The intention to allocate a housing site within the HNDP is considered to be well evidenced and justified, with the local community having been fully consulted throughout the preparation of the emerging Plan, whilst the selection of the most suitable site to meet the housing needs within the community has followed a clear and consistent process that has considered all reasonable alternatives and based on a proportionate evidence base. The land to the rear of Harvard Avenue was by far the most preferred site as supported by the local community and so this process fully accords with the purpose of Neighbourhood Planning, by enabling local communities to shape the development and growth of their local area and choose where they want new homes as advised by the PPG (ID: 41-001-20140306).

In terms of Policy H1 itself, the Steering Group are asked to consider the following points:

**Scale** – the policy is currently drafted to refer to a development of 'approximately 50 dwellings'. Following detailed survey work undertaken by RSL, an initial proving layout has been prepared which indicates that, notwithstanding the associated on-site requirements for

POS, SuDS, noise mitigation, pedestrian link, etc. the site has a potential capacity of approximately 60 dwellings. This is partly due to the likelihood that a greater level of smaller properties will need to be provided within the site which clearly increases density. It is also relevant that Section 11 of the latest version of the NPPF requires planning policies and decisions to promote the effective use of land in meeting the need for homes, ensuring that developments make optimal use of the potential of each site.

**Phasing** – Part (a) of the policy states that the site should not commence until 2024. The justification is principally that extant planning permissions currently exist for 36 dwellings in the village, 28 of which are open market dwellings, 7 are for social rent and 1 intermediate home. As such, the Plan concludes that there is no current requirement for additional housing in the village on the basis that the 13 households identified with an immediate need will be met by these existing extant permissions. Phasing the site is therefore considered to be justified on the basis it will be able to meet future needs later in the plan period.

In terms of the residents' survey, this identified that there were 4 households with a member(s) on the Council's housing register, 13 with a member(s) that had an immediate need and 37 where a member(s) had a need within the next 5 years. This amounts to an identified local need for 54 new homes, albeit it is not clear whether these are for affordable or open market dwellings. It is also unclear why the members of the 4 households on the Council's housing register are not considered to have an immediate need for housing within the village, or why the housing needs of the 37 with a need within the next 5 years will not be catered for within this period (i.e. no later than 2024).

The 7 extant permissions that comprise the 36 dwellings are detailed within Table 1 of the Plan. These permissions have been reviewed and comments on each site are provided below:

	<b>Site</b>	<b>No. of dwgs.</b>	<b>Comments</b>
<b>1.</b>	Land adj. Blenheim Farm, Buckle Street	1	Single dwelling in open countryside permitted in 2009 as an exception under PPS7 (now para 79 NPPF) in view of its exceptional quality. Substantial luxury property commissioned by the late Felix Denis and now being completed by a subsequent owner.
<b>2.</b>	Land off High Street	14	Outline Permission granted for 14 dwellings and Reserved Matters granted 27 <sup>th</sup> November 2015. OPP requires commencement 2 years from approval of RM. As no start made as at April 2018, the permission appears to have expired.
<b>3.</b>	Fancutts Garage, High Street	8	This site has been the subject of several planning applications for residential development over the last 20+ years. A further application is currently pending suggesting that any remaining extant permission will not be implemented. The current proposal makes no on-site provision for affordable housing and comprises 2 x 2 bed, 3 x 3 bed and 3 x 4 bed+ dwellings.
<b>4.</b>	Land adj. 17 Stratford Road	5	Reserved Matters approval for 2 x 2 bed & 3 x 3 bed detached bungalows was approved on 10 <sup>th</sup> August 2017 and is understood to be under construction.

5.	14 Stratford Road	1	Outline Permission granted in 2015 for a single bungalow but no Reserved Matters submission appears to have been made and so the permission appears to have expired.
6.	Land off School Street	5	As with Fancutts Garage, this site has been the subject of several planning applications for residential development over the last 20+ years. The last permission was in Outline and granted on 10 <sup>th</sup> February 2016 with all reserved matters to be approved within 3 years. No Reserved Matters submission has been made so it appears the permission has expired.
7.	Honeybourne Village Hall	2	Permission was granted in November 2017 to redevelop the village hall for 2 x 3 Bed detached dwellings. It is understood that the sale of the site will provide funds to construct a new village hall on the Taylor Wimpey site and therefore cannot be implemented until the new facility is open to the public. Planning permission for the new village hall was granted on 22 <sup>nd</sup> May 2018 and details have been submitted to discharge pre-commencement conditions so it appears likely that the permitted dwellings could be commenced prior to the permission expiring in November 2020.

From the above findings, it can be concluded that planning permission for 20 of the 36 dwellings has now lapsed (Sites 2, 5 and 6). Site 1 is a substantial luxury property in the open countryside and is presumably not being constructed by any of the 54 households that have an identified local housing need. Site 3 has an extensive planning history and is now the subject of a further planning application which is pending, but does not intend to make provision for on-site affordable housing. There are clearly issues regarding viability and therefore the deliverability of this site. The 2 dwellings at Site 7 cannot be constructed until pre-commencement conditions for the replacement village hall has been secured and its construction is complete, so it is unlikely that this site will be available to meet local needs within the next 18 months or so.

In summary, there are only extant planning permissions for 16 dwellings. It is assumed that Site 1 is not meeting one of the 54 households in local need. If, conservatively, it is assumed that the remaining 15 will be built out, none will provide affordable housing and will be sold on the open market meaning there is no guarantee that they will be acquired by one of the 54 local households in housing need within the village. Indeed, of the remaining 15 dwellings, only 4 would provide smaller, 2 bed accommodation which is understood to be in greatest need within the village, with the remaining 11 having 3 or more bedrooms.

In view of the above assessment, it is clear that extant permissions are only likely to make a very small contribution towards meeting identified local housing needs, leaving a significant number of local households that require a home having to wait until 2024 at the earliest before their need could be met by the proposed housing allocation.

Land to the rear of Harvard Avenue will provide at least 50 new homes, a proportion of which will be Affordable Housing, with an additional element of the Open Market housing to be made available to those with a local connection. Other policies within the draft Plan also seek to influence the housing mix to ensure a greater level of smaller properties are included in order to align with those required locally. As such, the principal purpose of the allocation

is to attempt to fully meet the specific housing needs within the local community as identified by up to date evidence. The restrictions placed by Policy H1(a) however prevent the site being developed within the next 5 years meaning there is little hope of the majority of the 54 local households having their housing needs met within their specified timescales. The social consequences of this are to prolong the circumstances currently experienced by these households, as detailed at page 13 of the Housing Background Paper, in that they:

- are prevented from living independently;
- cannot meet their health/mobility needs;
- cannot move closer to their family;
- cannot meet their need for a smaller / larger home;
- cannot move to cheaper accommodation;
- cannot move closer to work; or
- cannot move to a home which is easier to maintain.

In the circumstances, RSL therefore suggest that Policy H1 is amended to enable the proposed housing allocation to come forward as soon as possible, taking account of the fact that even if it were not to be phased, it would still take approximately 18 to 24 months before a dwelling at the site could be available for occupation, with the whole site taking a further 18-24 months before it was fully built out. Notwithstanding, it is highly unlikely that there is any other realistic way for both the immediate and future needs of the local community to be met within the next 5 years without allowing the land to the rear of Harvard's Avenue to come forward as soon as possible.

**Local Connection** – whilst RSL do not object to the principle of making some of the open market housing available in the first instance to those residents with a local connection as outlined at Part (i) of Policy H1, we do have concerns about the potential implications of imposing a requirement for 50% of the open market homes to be restricted in this way. This, alongside other obligations such as Affordable Housing, CIL and other S106 Obligations, do not appear to have been assessed from a viability perspective.

National guidance (PPG) states that the role of viability assessment is primarily at the plan making stage and states that they should not be used to compromise sustainable development, but rather that they are used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan. It continues that it is the plan makers responsibility to ensure that policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites to be deliverable, without the need for further viability assessment at the decision-making stage (ID: 10-002-20180724).

Policy SWDP15 requires that sites such as the proposed allocation will be expected to provide 40% affordable housing on site. The HNBP does not specify what the affordable housing requirement is for land to the rear of Harvard Avenue, and clarification is therefore sought. If it is expected to provide 40% affordable housing on site, it should be recognised that the Affordable Housing Development Viability Study that underpinned Policy SWDP15 concluded that whilst 40% was the headline target put forward, in viability terms this was ambitious and would require an element of site-specific negotiation particularly on lower to mid-value schemes across all 3 Local Authority areas. It also acknowledged that it may also mean maintaining modest infrastructure requirements and the possibility of more flexible tenure agreements. Such viability evidence made no allowance for any potential cost implications of requiring 50% of a proposed development to be restricted to those with a local connection over and above 40% affordable housing, CIL contributions and all other Section 106 and infrastructure costs.

The intention for any restriction of the subsequent sale of open market housing to be in perpetuity also has the potential to have unintentional consequences for future occupiers. Were such a property owner to fall into financial difficulties and fell into arrears with their mortgage, they may need to be able to sell their property as soon as possible. Limiting the marketing of such a property to only those with a local connection for the first 3 months may have severe consequences for the owner in such circumstances.

In summary, whilst RSL are open to the concept of ensuring some of the open market housing is offered to people who have a local connection to the village in the first instance to meet local identified need, we would like to discuss this in further detail with the Steering Group to understand how this would work in practice and determine what number of open market homes should be affected by this restriction from a viability perspective.

## **Policy H2 – Housing Mix**

The proposed mix for open market housing requires the provision of a greater proportion of smaller homes on housing sites of 5 or more homes, with a requirement for 40% to be 1 or 2 bed properties, 30% to be 3 bed properties and the remaining 30% to be 4 or more bed properties. For the affordable housing element, the policy states that the mix is to be determined in accordance with the latest local evidence. The requirements for open market housing differ to those imposed by the latest South Worcestershire's Market Housing Mix Position Statement (May 2017) which already makes provision for increasing the proportion of smaller properties based on an up to date evidence base.

In reviewing the evidence, it is not considered that this demonstrates sufficient detail in order to justify an alternative approach to that adopted in South Worcestershire as a whole. As detailed earlier, local needs have not been determined on the basis of whether the need is for open market or affordable accommodation. On the basis that 40% of housing on new sites is to be affordable, a housing mix and tenure would be determined at the application stage to reflect local needs at that point in time, informed by the latest evidence including those on the housing register. Clearly, those with a local connection to the village would be given priority for such housing. As such, a large proportion of the housing to be provided at the proposed housing allocation will be directly aligned to local housing needs with the size of properties required to meet that need. This is likely to include a high proportion of smaller households such as 1 and 2 bedroom starter homes and small bungalows to meet the needs of older people.

Whilst 54 households with a member(s) seeking a property locally have been identified, only the 13 with an immediate need have detailed their specific housing needs. Of these, the majority appear to be in need of a house, with only 3 requiring a bungalow, 2 a flat/apartment and 1 a flat/other. Furthermore, it cannot be assumed that adult couples who are in need require a 1 or 2 bed property if they have aspirations to start a family in the near future and may well have a preference for a 3 or 4 bed property.

There is not therefore considered to be sufficient justification to vary from the South Worcestershire-wide housing mix which already takes account of the need to increase the amount of smaller properties within new housing developments. Furthermore, whilst it is acknowledged that there is an aging population and there is a need to ensure that they are able to find suitable accommodation to meet their requirements, there is also an equally important objective of ensuring that new development contributes towards a mixed and sustainable community. Catering for family housing forms an important aspect in this, with the additional socio-economic benefits that this brings to a community by helping to sustain local facilities such as the local child care and educational establishments, and bringing added revenue and patronage of local services and facilities.

### **Policy H3 – House types to meet the needs of our community**

As detailed above, whilst it is acknowledged that there is a need to cater for local housing needs and that this includes a requirement for bungalows, requiring that 20% of all new housing to be in the form of bungalows does not appear to be supported by the available evidence. The only available evidence of need for bungalows is the 10 identified at page 14 of the Housing Background Paper. As highlighted earlier, 5 bungalows are currently under construction at Stratford Road (Site 4) and there is scope to secure additional bungalows as part of the affordable housing mix under Policy H2 on the proposed housing allocation. Alternative provision could also be secured as 1 or 2 bedroom ground floor flats or maisonettes. As such, it is not considered that the requirement of 20% of all new housing to be provided as bungalows is justified and should therefore be reduced to say 10%.

### **Policy H11 – Flood Prevention and Water Management**

In respect of Part (a), clarification is sought regarding reference to a Water Management Statement. As part of proposals comprising a site of greater than 1 hectare such as the proposed allocation, A Flood Risk Assessment incorporating a Drainage Strategy will normally be required to accompany a planning application. It is not clear whether a Water Management Statement is over and above what would be required within a FRA and Drainage Strategy and the document is not defined within the Draft Plan.

In respect of Part (i), it is requested that water efficiency measures for new developments should go beyond current Building Regulations. The PPG (Housing: Optional Technical Standards) states that all new homes have to meet the mandatory national standards set out in the Building Regulations with regard to water efficiency. It continues that where there is a clear local need, local planning authorities can set out in their Local Plans policies which require new dwellings to meet the tighter optional requirement. In establishing a clear need, local planning authorities will need to base their case on existing sources of evidence, consultations with local water and sewerage companies, EA and catchment partnerships, and consider the impact on viability and housing supply of such a requirement (ID: 56-015-20150327). Clarification is therefore sought as to whether a clear local need has been established.

### **Conclusions**

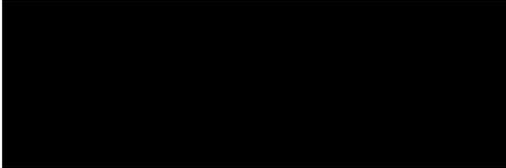
In conclusion, RSL generally support the objectives and aspirations within the Draft HNDD. We are also fully support the intention to allocate our client's land under Policy H1 to help meet the local identified housing needs of the village on the basis that the site is suitable, available and achievable, and is capable of contributing towards achieving sustainable development.

Notwithstanding, there are a number of matters that directly relate to the proposed allocation which may have implications for the viability and delivery of the site and in this respect, RSL are keen to raise these to ensure that the policies of the Plan accord with the strategic objectives of both national and local planning policy. These comments are therefore offered to assist in ensuring that the Plan is able to demonstrate compliance with the Basic Conditions to enable it to move forward to Examination and Referendum at the soonest opportunity. We remain committed to working alongside the Steering Group to achieve this

objective and would be more than happy to meet to discuss the content of this submission as and when appropriate.

If in the meantime there are any quires or further information is required, please do not hesitate to contact me.

Yours faithfully



Daniel Hatcher  
**Planning Director**

Mobile:  
E-mail:

