

Wycombe Deposit Local Plan Examination 2018

Further Written Statement – Jansons Property (Find Estates)

Background

1. GL Hearn (GLH), act on behalf of Jansons Property (Find Estates), freehold owners of the land adjacent to Terriers House at Amersham Road, High Wycombe (The Site). This document sets out Representations on the draft plan which was submitted to the Secretary of State for Examination in Public on 28th March 2018.
2. Jansons fully support the plan led system and GLH previously submitted representations on their behalf to the:
 - Wycombe District Local Plan Publication Version – Regulation 19 Consultation, October 2017
 - Wycombe District Local Plan Draft Consultation Document, June 2016
 - Wycombe District Local Plan consultation February 2014
3. GLH representations to the Terriers Farm – Draft Development Brief, made in November 2016, should also be considered. Copies of all these representations are attached to this document. The Development Brief was adopted by the Council on 12th March 2018.
4. We wish to also make you aware that we submitted representations on behalf of our client on 29th June 2018 under “*Matter 3: Housing Provision, Supply, Affordability and Gypsy and Traveller Accommodation* .” We ask that these representations are also taken into account.
5. This Further Written Statement addresses selected elements of the Inspector’s Schedule of Matters, Issues and Questions set out in “*Matter 7: Development Frameworks – High Wycombe, 1.d) HW7 – Terriers Farm and Terriers House*”. These additional comments build upon those submitted previously and are most relevant to our client’s aim to achieve a full residential allocation of site HW7 which can be comprehensively delivered and which is justified, effective and consistent with national policy.

Matter 7: Development Frameworks – High Wycombe, 1.d) HW7 – Terriers Farm and Terriers House

1. *Are the following allocations soundly based and is there evidence that the development of the sites is viable and deliverable?*

d) HW7 – Terriers Farm and Terriers House;

Jansons support the allocation of the Site as part of policy HW7 and encourage the release of the Site as part of the reserve housing site Policy HW7 within the emerging Local Plan. This is consistent with the approach Jansons have taken in previous rounds of consultation.

Draft Policy HW7 allocates the site (in part) to deliver 500 new homes. Previous representations demonstrate why this allocation should be applied across the site and these remain valid. We consider Policy HW7 should refer to at least 500 new homes.

The representations submitted on 29th June 2018 highlighted several elements within the (then) Draft National Planning Policy Framework (NPPF) which were pertinent to recognising the full potential of this site for residential development. On 24th July 2018 the new NPPF was issued.

“*Annex 1: Implementation,*” of the new NPPF states that policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Although the “*Wycombe District Local Plan Publication Version – Regulation 19 Consultation*” was submitted in October 2017, we firmly believe that for medium to longer term residential development allocations such as this, cognisance must be had to the new 2018 NPPF. Regardless, the new NPPF should be seen as having significant weight when bringing forward planning policy at a local level and determining any subsequent planning applications. Therefore, reference made in previous submissions to the draft NPPF we believe should stand, similarly references made in this representation to the new NPPF.

For example, the draft NPPF advised local planning authorities to work with developers to sub-divide large sites. The new NPPF continues to do this (paragraph 68 d). We believed then, and still believe now, that this adds significant weight to our previous representations which have called for a detailed masterplan to guide development on the site and our wish to work with the planning authority to achieve this.

Plan Background

The current adopted policy position seeks to protect the existing open space under Policy DM12 of the Council’s adopted Delivery and Site Allocations Plan 2013. The identification of the former cricket pitch as open space for protection was resisted in GLH’s representations of August 2016.

The emerging policy document seeks to include the Site within the ‘Terriers Farm and Terriers House’ allocation. In the Draft Local Plan June 2016 consultation, notwithstanding the allocation of the wider site for housing, the then illustrative layout (at Figure 13) identified the Jansons site as “open space” and, therefore indicated that the policy supported its retention.

GLH, on behalf of Jansons, also supported the wider range of dwellings (380-540) as deliverable on the wider site, which had been increased in 2016 from the range (310-410), indicated in the 2014 consultation.

The proposed Policy HW7 in the Draft Submission Local Plan continues to seek to allocate the wider reserve housing site of Terriers Farm, now including Terriers House, for residential development and strategic open space. The wording seeks to set out the requirements for the development of the site in regards to placemaking, transport, open space, green infrastructure/environment and planning obligations.

Paragraph 5.1.8 and Table 11 of the consultation document specifies the indicative dwelling numbers to be delivered at reserve housing sites across Wycombe. The numbers of dwellings identified for Policy HW7 are 500 units across 24.6ha. This is, again, consistent with the larger range of units specified in the June 2016 consultation. Jansons therefore supports this estimate and we consider the policy wording should refer to at least 500 dwellings based on the draft allocation including Terrier's House and adjoining land. It is Jansons view that this indicative number of dwellings can be accommodated across the allocation.

Figure 13 – Terriers Farm and Terriers House continues to promote an “illustrative layout” for the site. This now includes the Site as part of the “Southern Housing Area”. This inclusion of the Site within the developable area is consistent with the stand taken in GLH’s representations of August 2016 and is supported. However, GLH contends that other requirements of the draft allocation are either deficient or flawed. This particularly includes:

a continued element of protection for the redundant former cricket pitch.

This is considered in detail below.

Given that the Draft Local Plan is now subject to Regulation 19 Consultation, the test of the emerging Plan, and the policies therein, will be whether they are ‘sound.’ The NPPF, at Paragraph 182, details those tests against which the plan must be assessed:

Having considered Policy HW7 in detail, one aspect remains where the Draft Policy, and allocation fails these tests. This, and reference to our previous representations is summarised as follows:

- 1) The requirement to protect the “Cricket Pitch” on the Jansons site, unless open space is provided elsewhere on the allocation;
- 2) Provision of a detailed masterplan to guide development on the site. And
- 3) Highways and Access Matters

The third section of this representation indicates how transport matters have moved on since the last Draft Local Plan consultation round.

1 - The requirement to protect the “Cricket Pitch” on the Jansons site

1.1 Draft Policy HW7 contains, at 3 c), the following stipulation that any development of the allocation as a reserve housing site must:

“Protect the former cricket pitch associated with Terriers House as open space unless alternative additional open space provision is provided elsewhere on the site.”

As detailed in GLH’s previous representations on behalf of Jansons, the Council’s own evidence base contradicts the protection afforded to the open space element. The evidence base, produced in support of the new Local Plan, provides no quantitative or qualitative justification for the protection of the former cricket pitch.

We note from the Council’s evidence base pages on their website that for certain matters the council have, since the last consultation round, felt it necessary to commission additional studies prior to adopting the brief. So whilst it was deemed necessary to instruct AECOM to produce an “Assessment of Access Routes for Terriers Farm Reserve Site, High Wycombe” in order to understand more the technical highways constraints for the principle access point, it was not deemed necessary to undertake further studies to assess open space provision. The allusion to a former sporting use (i.e. “former cricket pitch”), is neither explained nor justified. It should be noted that the site, which is both overgrown and uneven, has not been used for the playing of cricket in recent memory, and certainly not within the timeframe of the current development plan. Our position still stands and the planning authority have not introduced any further evidence for us to reconsider our position.

Furthermore, we reiterate that the Landscape Assessment which informed the drafting of this policy in the past continues to attach importance to protecting the green space to the east and does not afford protection to the cricket pitch. This landscape assessment has not been revisited or updated since its production in 2015.

Notwithstanding our case that there is no justification for the protection of the former cricket pitch, if open space is to be provided elsewhere in the allocation, then there are opportunities to provide it at other locations across the wider site.

We therefore contend that the Council have not sought to explain previous contradictions nor produce fresh qualitative or quantitative justification to continue to protect the former cricket pitch.

2 – Provision of a detailed masterplan to guide development on the site

As first highlighted in the GLH representations of August 2016 and reiterated in our November 2017 representations, notwithstanding its proposed allocation as a “reserve” housing site, Terriers (Policy HW7) will perform a vital role in terms of assisting Wycombe in meeting its 5-year supply of deliverable housing sites. Terriers is a large, strategic site,

capable of delivering a significant number (at least 500) of dwellings. However, the site is split between a number of different ownerships which requires collaboration to realise and optimise the potential of the site and its timely release for residential development

Jansons therefore considers that the allocation should be developed collaboratively between the respective ownerships, to ensure the quantum of housing envisaged can be delivered on the site. This is something our previous representations have raised.

It is worth pointing out that it is not just Jansons who are looking for a collaborative approach to be taken, it is the planning authority themselves. In a pre-application response letter (23rd March 2018) received from the planning authority, it is stated that “*The Council is looking for a collaborative approach by the landowners to deliver the redevelopment of the allocated site.*” In light of the fact that, at that time, engagement had not been made completely with 2 neighbouring landowners, the letter went on to state that they (the planning authority) “... *have offered to broker a meeting.*” Jansons are now in active dialogue with neighbouring landowners and together are seeking to bring forward comprehensive residential development on this site.

Jansons recognise that with the finalisation and adoption of the “Terriers Farm High Wycombe Development Brief” (12th March 2018) substantial progress has been made in being able to deliver comprehensive residential development here.

Jansons are looking forward to working with neighbouring landowners and the planning authority in bringing forward comprehensive development for at least 500 units in a timely manner. When working with the neighbouring landowners, Jansons wish to ensure that development costs incurred are spread equitably and that through working closely with the neighbouring landowners, site-wide survey and technical works are undertaken in concert, not on an incremental basis. In addition, Jansons wish to ensure that when seeking planning permission all landowners work to ensure that no ransom payments or strips of land when ensuring the provision of matters such as site access, services and the timing of implementation.

In terms of phasing, we believe that this approach would allow the Council and landowners to deliver a timely contribution to the dwelling supply for the benefit of all. From a planning perspective, our client’s clear intent to assist in delivering dwellings at an earlier rather than later stage can be evidenced through engaging with the Council and the Highways Authority in obtaining formal pre-application advice.

Overall, with the adoption of the Development Brief in March 2018, elements within Draft Policy HW7 (not all elements), we are confident that comprehensive development can be brought forward by the various landowners of the site. We therefore withdraw this part of our objection.

3 - Highways and Access Matters

GLH, and their highway consultant PSP, have reviewed the August 2017 Aecom Assessment of Access Routes for Terriers Farm Reserve Site (made public on the 15th March 2018) and the proposed access arrangements in the adopted March 2018 Terriers Farm Development Brief, in the context of the highways and access requirements of draft Policy HW7.

We are satisfied that the access proposals for Terriers Farm, although in outline at this stage, will be able to be worked up to demonstrate compliance with the primary transport tests within paragraph 108 of the National Planning Policy Framework July 2018 (NPPF), which should ensure that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 of the revised NPPF presents the test for assessing transport impacts; only if there would be an ‘unacceptable impact on highway safety’ or when residual cumulative impacts are ‘Severe’ should proposals be refused on transport grounds. With reference to the January 2016 Jacobs ‘High Wycombe Reserve Sites Transport Framework’, the September 2017 Infrastructure Delivery Plan (IDP) and the 2017 Aecom Assessment of Access Routes for Terriers Farm Reserve Site, we do not expect that the residual cumulative impacts from Terriers Farm will be severe.