



Land off Rosemary Lane, 'Coltscroft'

Representation to Pre-Submission Thorpe Neighbourhood Plan

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'LAND OFF ROSEMARY LANE, COLTSCROFT'

1.0 Introduction

- 1.1 The following report has been prepared by Urbana Town Planning Ltd on behalf of Simco Homes in relation to the site referred to above and its status within the Pre-Submission Thorpe Neighbourhood Plan. The report introduces the site, describes its status within the emerging Local Plan as well as the Neighbourhood Plan ('NP'), and makes various points pertaining to the soundness of the NP as far as it relates to the site in question.

2.0 Site and Location

- 2.1 Within the NP the site in question is referred to as Land off Rosemary Lane, Coltscroft and identified within Policy TH2 (i). The blue line in the image below indicates the area identified as this site in the NP. This differs somewhat from what is referred to as 'the site in question' or 'the subject site' within this representation, which is that indicated by the red line that accords with sites within the evidence base of the emerging Local Plan and the extant planning application on the site.



- 2.2 Regardless, the area in question is currently situated within the Green Belt, with the main 'Coltscroft' site (red line) covering an area of approximately 1.5ha, and the smaller area adjacent to 'West End Farm' approximately 0.16ha. They are located on the edge of the Green Belt settlement of Thorpe, approximately 400m to the west of Thorpe's historic core and just to the east of the Thorpe by-pass and the M25 London Orbital Motorway.

- 2.3 Through most of the time within which both the Local Plan and the Neighbourhood Plan have been produced a relatively large area of the site has been located within Flood Zone 2. However, recent updates to Environment Agency modelling has amended this to find that the whole site and its immediately surrounding area is within Flood Zone 1.
- 2.4 A large part of the Coltscroft site is currently used as a builder's yard (in accordance with certificate of lawfulness for existing use *RU.04/0238*) and this use incorporates the open parking and storage of materials and several outbuildings. Other than this the site contains the dwelling of *Coltscroft* and its residential curtilage, as well as an area of grass and scrub to the north and west. To the north and east on the Thorpe 'side' of the site are relatively low density residential dwellings of various ages and styles. To the south is the Frank Muir Memorial Field, which is identified as being an Area of High Archaeological Potential.
- 2.5 The West End Farm site is less complex in that it is currently in use as domestic garden space and is not subject or exposed to any additional policy and planning history constraints or factors, though West End Farm itself is grade II listed, which is understood to impact upon all land and features within its curtilage.
- 2.6 As well as both sites being currently in the Green Belt just outside the defined settlement of Thorpe, both are identified as being **within** the proposed revised boundary area of the village that will remove the settlement and these sites from the Green Belt. At the time of writing this representation, the ongoing Examination of the Local Plan has not indicated that this is likely to be modified and therefore it is assumed that the site is question will almost certainly be removed from the Green Belt in due course.

3.0 Development Potential

- 3.1 Notwithstanding the current live application for a residential proposal on the site in question (yet to be determined), it is the case that an alternative scheme –one that is arguably more in alignment with the emerging Neighbourhood Plan– is currently being developed.
- 3.2 With that being the case it is maintained that the site is suitable to accommodate development on a somewhat larger scale than that indicated in the consultation document. This representation is therefore made on this basis but without particular reference to specifics of potential future versions of proposed development on the site.

4.0 Relevant Planning History

'Coltscroft'

4.1 *RU.01/1008 – Withdrawn – Outline application for the erection of 43 dwellings with vehicular access of Rosemary Lane and associated car parking and open space provision following demolition of 'Elmside'.*

4.2 *RU.02/0736 – Refused – Outline application for the erection of 43 dwellings with vehicular access off Rosemary Lane and associated car parking and open space provision following demolition of 'Elmside' (Resubmission of RU.01/1008).*

This application was refused for several reasons. Primarily the proposals were deemed to be inappropriate development interrupting the openness of the Green Belt. In addition a lack of submitted information was found to insufficiently address the requirement to demonstrate planning policy justification, to provide affordable housing, to provide an appropriate mix of housing and to address the nearby high archaeological potential. Further, concerns were raised regarding perceived amenity/overlooking issues, highways/access, acoustics and the more general design and layout of the proposals.

4.3 *RU.07/0382 – Refused – Extension to internal access road and a new turning area and the repair and maintenance of the existing internal access road.*

This application was refused, with the given grounds being inappropriate development in the Green Belt and causing an undesirable increase in intensity of the existing use, harming the amenity of nearby dwellings. In addition a lack of a suitable Flood Risk Assessment was asserted to be a failure to demonstrate that the proposals would not increase flood risk elsewhere. It was granted after appeal with the Planning Inspector overturning all reasons given for refusal.

4.4 *RU.15/0213 – Approved – Erection of 5 no. two storey dwellings, car parking and landscaping following demolition of The Willow and associated outbuildings and former Mushroom Farm buildings.*

This application is related to a separate site off Rosemary Lane, and demonstrates the acceptability of development in the Green Belt in certain circumstances. In this case the LPA concluded that the proposals amounted to very special circumstances, "providing visual and landscape enhancement, that would preserve the open character of the Green Belt."

'West End Farm'

4.5 *RU.97/1256 – Refused – Erection of a detached four-bedroom house with detached garage*

This application was refused due to its lack of compliance with Green Belt policy as well as its perceived intensification of the existing pattern of development along Rosemary Lane. Any heritage/conservation impact on the listing of West End Farm was not given as a reason for refusal. A subsequent appeal was dismissed.

Entire Site

4.6 ***RU.18/1838 – Not yet determined*** – *Outline application for the erection of up to 83 dwellings and associated access.*

As referred to above this application is currently live and has no decision attached to it. A large number of objections have been received from neighbours. A number of technical matters have been raised and dealt with, including the potentially-contentious highways and access arrangements, which have been accepted by the County Council. Further progress on this application and its determination has been curtailed primarily due to the ongoing Local Plan delays. Until adoption the site remains within the Green Belt.

5.0 Runnymede Planning Policy Context

- 5.1 As part of its statutory duty as a Local Planning Authority, Runnymede Borough Council is responsible for looking forward and setting the level of housing and employment provision that is needed in the Borough up to the year 2035, within the Local Plan. As part of doing this numerous important questions have been explored and considered within the process of formulating the Local Plan, which is still in the process of Examination by the Planning Inspectorate.
- 5.2 This Examination has extended across a large duration now, primarily due to the the potential highways impacts of some of the proposed housing allocation sites and the need for the Council to gather more evidence in relation to this. Following the gathering of this evidence the final Hearing Sessions have now taken place and it is likely that further discussion between Council and Inspector, or the Inspector's suggested Main Modifications, will take place in early 2020.
- 5.3 Following this, in relation to the site in question it must be stressed that at previous Examination Hearing Sessions the settlement of Thorpe and its proposed removal from the Green Belt with boundary changes (as opposed to being a separate policy area 'washed over' by Green Belt) was discussed relatively briefly. Crucially, during the discussion that took place -while there was some debate on certain details including this site- the general principle of its removal from the Green Belt was not contested. As such, moving forward it can be reasonably anticipated that this will not change as the Plan moves through Modification stages towards adoption.
- 5.4 This is therefore the context against which the Neighbourhood Plan is currently set, and so for the purposes of this consultation response the Local Plan in its current form -at least as far as it relates to Thorpe and the site in question- is essentially taken at face value.

6.0 Pre-Submission Neighbourhood Plan

6.1 As set out in the previous section the consultation document –the Pre-Submission Thorpe Neighbourhood Plan– must be viewed within the wider context of the emerging Local Plan on the likelihood that, with regard to the settlement of Thorpe, very little (if anything) is likely to change from what was submitted to the Planning Inspectorate for Examination in Public. As a result, within this context there are certain points within the consultation document that we wish to offer a response on as discussed below.

Policy TH2 + Local Housing Need

6.2 In principal relation to the site in question and our consideration that it should be more effectively used to accommodate a larger scale of development, the key elements of the NP relating to housing need and site allocations must be assessed. In this regard Policy TH2 sets out proposed site allocations alongside some general discussion of housing need.

6.3 More specifically, the position set out within TH2 is informed primarily by AECOM's July 2018 Housing Needs Assessment, which projects that within the Neighbourhood Forum area there is a housing need of 185 dwellings over the plan period (to 2030). This is as opposed to Runnymede Borough Council's latest housing trajectory estimating the delivery of 98 dwellings over the plan period. While it is accepted that the HNA figure is 'unconstrained' it is clear that more can be done in order to fulfil more of this objectively assessed need within the constraints that do exist, and as such it is argued that this 'unconstrained' nature does not necessarily mean that the figure cannot be achieved.

6.4 As a result of the above a shortfall exists that is proportionally very substantial – 98 dwellings represents only approx. 53% of the OAN identified within the HNA. A reasonable part of this shortfall is made up by the additional proposed allocation under policy TH2 (iv) (land east of Tenacre Lane), which indicates a capacity of 'about 40' dwellings. That being the case though, a shortfall of 47 dwellings still remains between identified/allocated sites and the OAN established by the NP's own evidence base.

6.5 This therefore establishes a context in which if the Neighbourhood Plan is to plan proactively and positively for the delivery of the OAN in the NP area –as far as constraints allow– an increased number of dwellings must be planned for where possible. To this end it is asserted that the subject site has a greater capacity than currently indicated in the NP and this is discussed in the following section.

'Policy TH2(i) – Land off Rosemary Lane, Coltscroft'

- 6.6 A significant part of this assertion relating to the site's capacity relates to its physical state and constraints, based in part on the outline design evidence put together within the Neighbourhood Plan itself as well as its evidence base (Thope Village Illustrative Masterplan and Design Guidelines).
- 6.7 Within this context established by the NP, and the current application on the site, it is considered that in several respects Simco Homes' aspirations for development of the site already align with those set out as part of this consultation. The fundamentals of the design approach, in terms of form and what detail is referred to at this stage, are similar. Rather, it is felt that it is the difference in extent of site coverage by development that prompts what differences exist.
- 6.8 In this regard certain points in the consultation document must be raised that, it is considered, lead to these differences. In justifying the NP's restriction on the level of development on the site, a key example is the reasoning for leaving an undeveloped buffer to the west of the site adjacent to the by-pass and the M25. As well as forming open space the NP claims that this area will help to protect the amenity of future residents from unacceptable levels of traffic noise. This is, objectively, not the case. Leaving the relatively small amount of open space will do little, if anything, to reduce noise here. Noise attenuation is almost without exception better achieved by physical form, hence why dwellings adjacent to busy roads are protected by acoustic barriers rather than an arbitrary stand-off distance, for instance. In this case therefore it is not accurate for this to be held as a reason for leaving this area undeveloped, in fact appropriately designed development in this area would actually result in reduced noise exposure and better amenity for future residents.
- 6.9 Furthermore, the consultation document and its evidence base refer to this space repeatedly as a green/landscape 'buffer' at the edge of the Green Belt. This is referenced specifically within point 'ii' of TH2(i). Functionally, the Green Belt itself is in essence (and almost literally) a green 'buffer' at the edge of settlements. If it was the case that this strip of land in question needed to retain this function, then the correct planning approach would be for it to be retained as Green Belt within the Local Plan. This has not been done. It has been proven and agreed at Examination of the Local Plan that exceptional circumstances exist to justify its removal from the Green Belt – it is objectively suitable for removal from this function. As such, to then attempt to restrict it in the way proposed within the consultation document is at odds with the approach of RBC, the almost-adopted Local Plan and the Planning Inspectorate's assessment of it. Therefore, while some element of open space must surely be included as part of any scheme brought forward on the site, it is asserted that it is not at all appropriate for this whole area to be formally restricted by policy.

- 6.10 Beyond this, and with specific reference to point 'i' of TH2(i), the following requirement is objected to: 'primary consideration [must be] given to first time buyers and those looking to rent their first home'. It is not clear through what mechanism(s) such a requirement would be secured, or indeed whether there would be any recourse to deviate from this approach should it be found either through viability evidence or other market experience or evidence that this approach is not feasible. It is therefore considered that this is not an appropriate requirement to place on any development of the site (certainly not without alternative wording being formulated), but instead the site should be subject to standard RBC policy-compliant affordable housing requirements.
- 6.11 In addition to this, point 'v' seeks to impose a requirement for any vehicular access to the site to be provided from Rosemary Lane, 'with no vehicle access to be created onto the Thorpe By-Pass'. There is no valid reason for this constraint to be put in place as part of this policy. Indeed, the Neighbourhood Forum will be aware that the current application on the site proposed sole vehicular access via the by-pass, which already has approval of the Highways Authority. It must be stressed that the emerging NP must be NPPF-compliant and, in the absence of any valid planning or technical highways justification for imposing this restriction, it is not appropriate.
- 6.12 In summary of the above discussion it can be said that several of the factors that currently form Policy TH2(i) cannot be justified in their current form. The result of this is the conclusion that the site in question is capable of accommodating a greater number of dwellings than currently indicated in the consultation document.

Flood Risk

- 6.13 At a number of points (e.g. within the Sustainability Appraisal and the NP document itself) the extents of different flood zones are referred to, however these appear to now be out of date. The EA have recently updated their flood risk modelling for this area, including Thorpe, which removes some area (including the subject site) from higher flood risk zones.

Viability

- 6.14 As requested by the Neighbourhood Forum, and in accordance with the Framework and PPG, it is also Simco Homes' intent to offer reassurance (as far as possible at the current time) that the development of the site in question can be undertaken in a policy compliant manner. In this case we are able to confirm with a relatively strong degree of certainty that this is the case. Owing to the historic uses of some parts of the site a certain amount of remediation may be required which may represent abnormal costs of development, however this remains subject to more extensive intrusive investigation. Notwithstanding that the fact remains that the site is deliverable in terms of its suitability, availability, achievability, and viability.

7.0 Conclusions

- 7.1 In accordance with Simco Homes' previous activity relating to the site in question there is very significant support for the principle of bringing forward the site for development through a residential allocation.
- 7.2 However, as discussed, it is considered that the shortfall between the OAN and the capacity of current allocated/identified sites cannot be justified by the simple fact of the constraints present in the area covered by the NP. Rather, as set out it is the case that there remains reasonable capacity to deliver more of the OAN – specifically within the subject site on Rosemary Lane.
- 7.3 It is therefore asserted that, alongside the other more technical points relating to the subject site, the dwelling capacity of the proposed allocation in Policy TH2(i) should be increased.