



Twyford Parish Council

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Winchester District Local Plan – Part 1 Joint Core Strategy Examination

Written Representation on behalf of Twyford Parish Council

Day 1 –Issue 1

- i) **Does the joint core strategy (JCS) provide an appropriate spatial vision for the district over the plan period, consistent with national guidance in the NPPF and/or justified by clear and robust evident and, if not, what is the best alternative and why?**

In my comments on C19, I state this policy should be moved to the development strategy as DS2. It should be strengthened by repeating both the statutory purposes and the statutory duties as set out in DEFRA circular March 2010 para 6 and the duties set out in para 15 & 16 and how this applied throughout the plan.

Comments enclosed.

- ii) **Has the JSC been the subject of suitably comprehensive and satisfactory sustainability appraisal (SA), strategic environmental assessment (SEA) and an appropriate assessment (AA) and if not, what else needs to be done.**

The SEA is inadequate in its consideration of the impact of policies MTRA 1 – 4. There is none on MTRA 5 and particularly so on the SDNP.

Comments enclosed

Winchester District Local Plan – Part 1 Joint Core Strategy Examination

Responses to inspectors questions by Twyford Parish Council

Day 5 – TUESDAY 6th NOVEMBER 2012

MARKET TOWNS AND RURAL AREAS – Policies MTRA 1 -5, issue 8

Introduction

Twyford Parish lies at the extreme western part of the South Downs National Park. It is an ancient village which still sits within its recognisable boundaries and exhibits and contains historic and ecology assets of national and international importance. It is an active and varied village community and forms part of the setting of Winchester. It has a population of about 1500 and an exceptional range of jobs which more than balance those economically active and an exceptional range of facilities. It is accessible to rail, motorway, airport, population centres by foot, cycle and bus add to its accessibility. Its house prices are significantly higher than many of its neighbours. It's nearest large centre is Winchester (2 miles) and many people commute elsewhere to work. About 100 houses and major employment growth have been permitted in the last 10 years, mostly as departures from policy.

It is adversely affected by levels of traffic on B3335 which is bound to grow, and motorway and aircraft noise.

The comments which follow relate to Twyford but are also relevant to other villages, within the South Downs National Park.

i) Are the proposals for growth and change in these areas appropriate and justified, including in relation to NPPF, and in terms of environment, economic and social impact, are the clear and deliverable?

The policies MTRA 1, 3, 4 and 5 are a “business as usual” suite. It will allow the LPA additional development to be permitted in the Rural Areas including villages, unrelated to their needs or particular status. The past 10 years the local planning authority has been able to utilise similar policies to justify excessive development contrary to local wishes. While this may have been justified while Twyford was only one of many rural villages, now that it is within the South Downs National Park, a step change is required to recognise the additional duties imposed upon the LPA's by law. A resume of these laws will be given under CP19. Policies MTRA 1, 3, 4 & 5 all incorporate growth proposals/policies which do not appear to have been properly tested or to conform with NPPF power 115, nor does WJCS incorporate the criteria based policies required by NPPF paragraph 113.

The Growth policies which allow growth contrary to NPPF and National Park duties are as follows:-

1) MRTA 1

Each of these bullet point listed here have the potential to increase the level of development beyond the level set by the DEFRA circular March 2010 (English National Parks and the Broads) in which the focus of new development is more constrained, for instance in housing to primarily affordable housing (see DEFRA paragraphs 76-79). It encourages employment in the countryside in excess of those required by the local community.

2) MRТА 3

This contains two lists of villages, one with settlement boundaries (which includes Twyford) the other with no settlement boundaries. Both lists include villages both inside and outside the National Park. There is no distinction in policy between the two sets of villages. It is difficult to see how this can be in conformity with NPPF, paragraphs 115-113, the statutory duties and the DEFRA circular. Development within development boundaries sets a presumption in favour of development which is unlikely to provide community benefits, as most infill within villages results in highly priced dwellings which are unaffordable. This policy applied over the last 10 years with Twyford has resulted in destruction of local character. In the context of the National Park, it is not fit for purpose.

The settlement boundaries have been rolled forward from the previous local plan without re-evaluation; there is no up to date evidence base to support the continued application 15 years later. In Twyford's case there is, for instance an un-happy overlap between parts of the conservation area and the settlement boundary, and substantial areas of housing and other development which are excluded.

The Strategic Environment Assessment as summarised on page 48 (table 6.1) places 3 question marks for boxes on the 3 key potential indicators (bio diversity, heritage, landscape). There is no separation between National Park villages and others on separate identification of SDNP.

The inclusion of Twyford as a settlement boundary village appears at odds at DEFRA circular paragraph 78 which excludes National Park Settlements from general housing targets. A distinction needs to be made between national park Villages and ones outside as East Hampshire District Council is currently doing in their Local Plan.

The inclusion of the settlement boundary commits Twyford Parish Council to accept a level of development which may conflict with conclusions it reaches when it prepares its Neighbourhood Plan, since Neighbourhood Plans cannot reduce the level of development contrary to the approved local plan. As infill development has no strategic purpose in WJCS and can have none in National Park villages, settlement boundaries can be removed without affecting housing targets. A boundary can be considered within the National Park Plan, shortly to get underway.

3) MRТА 4

This policy also fails to distinguish between the countryside inside and outside the SDNP. WJCS makes no distinction between the Countryside in SDNP, that around Winchester, in PUSH where growth is the major strategic objective or remote areas to the North and West of Winchester. Each of these areas has differing objectives.

The Statutory purposes of the SDNP determine what is appropriate in the National Park.

Bullet points 2 and 3 in particular appear to allow development in excess of those established in DEFRA circular March 2012.

The SEA page 48 fails to separate out the National Park considerations and appears to be inadequate, it negative in the key considerations 11, 12 and 13.

4) MTRA 5

Twyford Parish Councils objection to MTRA 5 is for the same reasons as to the previous policy MRTA4. This is because of the uncertainty of what is concerned to be major commercial / educational establishments in the countryside. Twyford contains two possible candidates, Twyford School and the other the former Chicken farms now a major commercial complex. The policy fails to distinguish between sites inside and outside the National Park, in the body of the policy. It is not clear how the remarks in 3.91 WJCS would apply to these other sites which fall either under MTRA 5 or 4. Additional clarity is needed here, particularly within the SDNP to distinguish on how to apply which policy with extra criteria is for SDNP.

Environmental, Economic and Social Impact

The only analysis for the impacts of the MTRA suite of policies is in table 6.1 of the SEA which tests MTRA 1 – 4 but does not include MTRA 5 which appears to be untested. The testing is against the 15 potential indicators set out in table 12.1. It is not clear how individual judgements have been made. For instance in potential indicator 1, “Building Communities” the assessment is strongly positive for MTRA1 as a whole. It appears unlikely that this would be the case for continued development with Twyford or South Downs villages in SDNP terms.

Under potential indicator 4 economy and employment, MTRA 1 – 4 are all assessed positive. In Twyford’s case such is the level of existing and approved employment that additional employment is more likely to increase in-commuting and firms which could as well locate elsewhere. The assessment is insufficiently sensitive to protect SDNP settlements from inappropriate development.

iii) Is the categories’ of the settlement suitable and appropriate, and if not, what should be changed and why?

South Downs’s villages the categorisations are not suitable or appropriate. The South Downs Villages should be excluded, their settlement boundaries removed and criteria included to control development within them until replaced by South Downs Local Plan.

iv) Should the JDS define a network and hierarchy of centres?

The definition of a settlement as a centre with a particular function is generally accompanied by additional development. Twyford functions as a centre in a variety of ways. For medical, employment, educational and social activity. This level of activity has the potential to create tensions with its statutory purposes of the National Park. Any definition of network and hierarchy for the National Park villages is a longer term exercise to be done in partnership with the emerging National Park Plan.

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Day 6 –WEDNESDAY 7th NOVEMBER 2012

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ENVIROMENTAL POLICIES CP15-20

v) Settlement gaps

Winchester is protected by a ring of gaps on its Southern, Western and Northern edges. For some reason which has never been clear, the gaps between Twyford and Winchester, Twyford and Shawford and Twyford and Colden Common have never been included. These are of equivalent importance to the other Winchester gaps, and is more important than between Otterbourne and South Down.

The inclusion of the land within the gaps of imposes a policy under CP18 which appears significantly more restrictive of that within CP19 for the South Downs National Park.

The gaps policies would therefore strengthen the control of development between Twyford and its surround settlements to a greater degree of that imposed by either CP19 or the MTRA suite of policies. It would help protect the identity of Twyford. Alternatively it may be considered contrary to NPPF and South East Plan that the policy CP19 together with MRTA 1-5 allows more development than within the designated gaps, even those in the PUSH growth area and in the marginally land between Otterbourne and South Downs).

vi) Are policies CP19 & 20 likely to provide effective protection for the SDNP, whilst allowing some limited, suitable and appropriate development to continue?

i) Are the policies consistent with the NPPF?

Twyford's main case is to why CP19 is not adequate as the sole policy for the protection of SDNP are given in the detailed comments on MRTA 1 – 5 and under issue 8 which are attached. The SDNP policy towards the end of the plan, appear to occupy the position of subsidiary importance. Its proper place would be as DS2 to show the importance, attributed to SDNP by NPPF paragraph 1.13 and by legislation.

The Legal position is a follows:-

A statutory duty on all “relevant authorities” is imposed by a number of Acts including National Parks Act 1949, s.11a, and Environment Act 1995 s.62. This imposes duties on any authority making decision which may affect the National Park to have regard to the statutory purposes. The purposes and duties are set out in DEFRA circular March 2010 (English National Parks and Broads) and in the DEFRA guidance note Duties on Relevant Authorities to have regard for the purposes of National Parks, ANOB's and the Broads 2005. The guidance note stresses in paragraph 5 that the duties apply to any decisions and activities an authority may take affecting land. This includes decisions on planning authorities. As paragraph 6 makes clear, it applies outside the boundary of the National Park, if there is an impact. Paragraph 9 indicates DEFRA's expectation of all relevant authorities. The first of these is that they should consider “undertaking and making publically available an assessment of the impact on National Parks”. Other similar suggestions are made, the purpose being that the authority should be able to demonstrate compliance if challenged “for instance at any public inquiry” Para 10.

Despite my best endeavours I have not been able to discover any assessment either by Winchester or SDNP which submits those policies and proposals of WJCS to the necessary assessment.

Whether or not the statutory duty is judged to have been satisfied, CP19 policy in its present form appears only as a weak appendage brought into the plan at a late stage, when the bulk of the technical work had been done. It will not provide the National park with its proper level of consideration or assessment.