



Review of the Plaistow and Ifold Site Options and Assessment Report Our ref: CHI/16/01
Issued by AECOM in August 2016.

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1.0 INTRODUCTION

- 1.1 Colin Smith Planning Ltd have been instructed to review the Plaistow and Ifold Site Options and Assessment Report issued by AECOM in August 2016. The AECOM Report was commissioned as an essential piece of work to ensure that the housing site allocation methodology undertaken by the Parish Council was robust and would meet the Basic Conditions test that are employed by an Examiner before a Neighbourhood Plan can be made.
- 1.2 The request to review has come about due to the AECOM Report recommending that one of the two sites recommended by the Steering Group and presented to the Parish Council, be replaced with an alternative site, and because of the current proposal by Chichester District Council (CDC) to allocate in their emerging Site Allocations DPD a site for housing development on land to the north of Little Springfield Farm. The assessment by AECOM expresses the opinion that one of the original sites identified by the Steering Group (Little Springfield Farm) and the site identified by CDC are unsustainable and therefore not suitable for allocation.
- 1.3 In addition, the other purpose of the review is to prepare the Steering Group for a meeting with CDC Officers on 05.09.16. The review will also identify key issues that members of the Steering Group need to raise with CDC.
- 1.4 The AECOM Report refers extensively to a recent appeal decision Little Springfield Farm, Plaistow Road, Ifold- one of the Steering Groups preferred sites (PINS reference APP/L3815/W/15/3129444). The Inspectors decision letter is dated 01.03.16, and is therefore recent and would attract significant weight as a material planning consideration. Heavy reliance is placed on the comments of the Inspector by the author of the AECOM Report. *(Note- this is not the site proposed to be allocated by CDC in their Site Allocations DPD).*
- 1.5 The Inspector's decision letter has therefore been reviewed as part of this exercise. Reference is also made in this report to the National Planning Policy Framework (NPPF), which sets out the policy approach to sustainable development, and is also referred to in the AECOM Report.



2.0 REVIEW OF DOCUMENTS

2.1 Before summarising the review of the documents, it is useful to refer to the relevant parts of the NPPF.

2.2 The presumption in favour of sustainable development is identified in the NPPF at paragraph 14, and it is worth recording that for *plan making* this means;

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

2.3 For *decision taking*, the presumption in favour of sustainable development means;

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

2.4 The significant point to make here is that the presumption in favour of sustainable development means different things, depending on whether one is a decision taker (a Planning Inspector) or a plan maker (the Parish Council).

2.5 The NPPF also sets out at paragraph 7 that there are three dimensions to sustainable development- economic, social and environmental.

2.6 Other parts of the NPPF are relevant, but will be referred to below.



Inspector's decision letter PINS ref APP/L3815/W/15/3129444.

- 2.7 The Inspector was considering the decision of the council to refuse planning permission for the *“demolition of existing industrial buildings and erection of three detached dwelling houses with associated landscaping, surfacing, car parking provision and access works”* on land at Little Springfield Farm, Plaistow Road, Ifold. The Inspector identified that one of the main issues was *“whether the proposal would result in a sustainable pattern of development having regard to its accessibility”* (paragraph 5 of the decision letter).
- 2.8 It should be noted that the Inspector confined his consideration of “sustainability” to the accessibility of the site.
- 2.9 The Inspector also notes (paragraph 17) that the site is a brownfield site (previously developed land).
- 2.10 The Inspector assesses the sustainability of the site in paragraphs 17- 24. In paragraph 20, the Inspector identifies that in his view, the site is not in an accessible location, and that future occupiers would be “heavily reliant” on a private car, and concludes that this is an unsustainable location.
- 2.11 The Inspector then goes on, in paragraph 21 to weigh the current industrial use and the activity that this could generate against the conclusion reached in paragraph 20. (In my view, this is a confusion of two issues- accessibility and traffic generation. If the site is unsustainable because of its lack of accessibility, then a comparison with the traffic generation of an existing use will not change this. However, this is a side issue and does not add anything to the purpose of this report). The Inspector also sets out in paragraph 21 and in paragraph 23 that the emerging Site Allocations DPD identifies that CDC are proposing to allocate a site for housing outside the settlement boundary, but notes that this is *“properly a decision for the plan making process and consideration of the settlement boundary”*. In my view, this is a correct approach- it is for the plan making process to readjust settlement boundaries.
- 2.12 On this point (sustainability), the Inspector concludes, at paragraph 24, that the development *“would result in an unsustainable pattern of development, having regard to its accessibility. Consequently, it would conflict with policies 1, 2 and 39 of the CLP which amongst other matters require development to be sustainably located, within the settlement hierarchy and that can be accessed by sustainable modes of transport.”*
- 2.13 The Inspector is, in our view, justified in reaching this conclusion on the basis that he considers the site is not in an accessible location (“heavily reliant on the private car”) and contrary to the development plan (by being development outside the identified settlement boundary).



2.14 The Inspector has identified that the site is brownfield land. Paragraph 17 of the NPPF sets out the core planning principles, and one of these includes that planning should “*encourage the use of previously developed (brownfield) land, provided it is not of high environmental value*”. This is a positive benefit of the appeal proposal, as is the fact that there would be no material loss of industrial land which contributes to the local economy. However, the overall conclusion is that the development is not only unsustainably located but would also be harmful to the character and appearance of the surrounding area. These are not unreasonable conclusions to come to and are supported by the NPPF and development plan policies.

AECOM Report

2.15 AECOM were commissioned to undertake an independent site assessment for the Plaistow and Ifold Neighbourhood Plan on behalf of Plaistow and Ifold Parish Council (PIPC). The work undertaken was agreed with PIPC and the Department for Communities and Local Government (DCLG) in July 2016 and carried out during July and August 2016.

2.16 The purposes of the site appraisal report were;

- A review of the evidence and methodology underpinning the site assessment process carried out by the group and advice on any further steps that may be needed to ensure it is robust;
- To assess the results of the site assessment process so far to ensure they are justified and comply with local and national planning guidance; and
- To make recommendations on the most suitable sites to take forward for consideration in the neighbourhood plan, and the criteria/evidence that would underpin these recommendations.

2.17 The Report concludes that the actual process of site appraisal methodology resulted in “broadly sound” conclusions on six of the seven sites assessed including the site north of Little Springfield Farm, which CDC are proposing to allocate in the emerging Site Allocations DPD. However, the Report considers that the conclusions in relation to Little Springfield Farm, which the Steering Group propose to be allocated, are flawed and would not currently meet the Basic Conditions, and the conclusions of the appeal Inspector are cited in evidence of this.

2.18 It is important for members of the Steering Group to raise and discuss with CDC Officers that the AECOM report conflicts with the SA/SEA work carried out by CDC (a statutory requirement) during preparation of the Site Allocations DPD. It is important to understand why CDC’s SA/SEA states that the site north of Little Springfield Farm is suitable to allocate when the land to the south subject of the appeal at Little Springfield Farm is identified as not being suitable for allocation. There is a clear inconsistency here which needs to be addressed. Members of the Steering Group should seek to ascertain whether or not CDC



Officers consider the AECOM Report to be a robust piece of work and, if not, why not.

- 2.19 The main differences between the two sites are that the appeal site is a brownfield site, and that the CDC proposed site is considered adjacent to the settlement boundary (being only separated by the road) and the appeal site is separated from the settlement boundary by a stream and a residential curtilage (of the property known as Tawlbrook). Tawlbrook, fronting Plaistow Road, is a private residence which shares a small section of the access road with Little Springfield Farm (who owns the land). The land around Tawlbrook is residential curtilage and the small field alongside is agricultural land used for a chicken run and other livestock. There is a belt of ancient woodland to the east of the appeal site. It is noted that the CDC Sustainability Appraisal of the Site Allocation: Preferred Approach Development Plan Document (November 2015) identifies that;
- Option 6 (land at Little Springfield Farm- the appeal site) *“is separated from Ifold by fields, increasing its negative impact on landscape and urban forms. The site is also adjacent to ancient woodland”*;
 - Option 7 (land north of Little Springfield Farm) *“is adjacent to the existing settlement boundary of Ifold (albeit on the other side of the road) and is the only site not on or adjacent to ancient woodland. In that sense it is the least worst option environmentally, with positive impacts for housing and employment”*.
- 2.20 It is questionable as to whether the description (“separated by fields”) is accurate, and also whether identifying a site as the “least worst option” falls within the definition of positive planning set out in paragraph 14 of the NPPF. It could also be argued that the use of the brownfield site for residential would have less of an impact on the ancient woodland than a commercial/industrial use. These assumptions may need to be challenged, both at the forthcoming meeting and through the formal consultation process of the Site Allocations DPD.
- 2.21 The Report identifies in the second bullet point on page 6 that *“Plaistow is effectively the only settlement in the parish that could be considered suitable for new housing development”*. This is a strong statement to make, and the reasons for it are not immediately clear. It is justified by reference to *“the approach to sustainable development in the English planning system as set out in the NPPF and reiterated in both Chichester’s adopted Local Plan and in the Little Springfield Farm appeal decision”*.
- 2.22 Whilst the paragraph does go on to refer to the balance between the encouragement to develop brownfield land and the lack of services and facilities at Ifold, having regard to the Inspector’s decision noted above, further policy backing could have been given to this statement. For example, paragraph 7 of the NPPF identifies the three dimensions of sustainable development- economic, social and environmental.
- 2.23 Had the Report referred to these three dimensions and included these within the



assessment, then it may well have drawn the same conclusions, but with a more robust and understandable justification. For example;

- Economic role- all of the sites would be comparable when considered against this dimension, in that they could all potentially contribute to the local economy in some small way during the construction phase, apart from the sites near to Plaistow, where the additional population (albeit a potentially small increase) could help to sustain the local shop and pub in the longer term. The other sites, being further away and car dependant, would not necessarily make such a longer term contribution;
- Social role- apart from the Plaistow sites, the other sites are generally more isolated and lack opportunities to connect to other settlements and facilities, particularly on foot. It is accepted, following the closure of the Ifold local stores, that there are no facilities in the settlement boundary of Ifold apart from a village hall. Development at Plaistow would help to support the local school, and would be in a place where social interaction and opportunities to meet other members of the community were more readily available;
- Environmental role- all of the site are outside settlement boundaries, and to that extent are unsustainable. However, the site proposed to be allocated by CDC in their Site Allocations DPD is adjacent to the settlement boundary (ignoring the road) and in that sense adjoins most closely a settlement boundary. However, it shares the same accessibility issues as the development to the south dismissed at appeal. Some of the Plaistow sites are adjacent to or within the setting of heritage assets (Listed Buildings and a Conservation Area), but sensitive detailing and design, and siting could minimise the impact. None of the sites score well in relation to this dimension, but some score “less badly” than others.

2.24 Clearly, the above is a fairly superficial overview and given the time constraints, a detailed analysis of the sites against the three dimensions is not possible. However, it is likely that given the existing constraints that affect all of the sites (being in the countryside), the locational advantages of the Plaistow sites close to the local services and facilities in the village would give them an advantage over the other sites further away from Plaistow, including the site previously identified by the Steering Group.

2.25 An assessment explicitly including the three dimensions referred to in paragraph 7 of the NPPF would have therefore added more support to the Report’s conclusions, and probably not changed them. This would have been helpful for two reasons;

- given the recommendation to replace one of the previously identified sites in Ifold with one in Plaistow (resulting in two sites in Plaistow and none in Ifold), a strong and coherent argument is necessary to explain and justify this to the local



- community;
- the proposed allocations, either those originally proposed, or those recommended by AECOM, do not include the site proposed by CDC, and a robust assessment based on the NPPF would help the Parish Council in arguing that their sites are more sustainable than CDC's.
- 2.26 As a minor point, the second bullet point on page 6 refers to *"Ifold's overall lack of sustainability as a location for new growth."* This is a little inaccurate, as in Policy 2 of the Chichester Local Plan, Plaistow/Ifold is identified as a Service Village, where provision will be made for *"small scale housing developments consistent with the indicative housing numbers set out in Policy 5"*. Thus it is not entirely correct to identify Ifold as an area for "new growth" (as these are the higher order settlements), but rather for smaller scale, limited housing developments.
- 2.27 Incidentally, it is not clear why the Local Plan links Plaistow and Ifold in the text to Policy 2 and on the Key Diagram. Physically, the two settlements are separate, with limited pedestrian links between them, and when read in conjunction with the Settlement Boundaries section of Policy 2, there is an apparent conflict within the policy. The conflict is that the first part of Policy 2 and the Key Diagram identifies Plaistow as part of a Service Village within which small scale housing development will be directed, but the section of the policy referring to "Rest of the Plan Area" (i.e. small villages, hamlets, scattered development and the countryside- all the land outside settlement boundaries, which includes Plaistow), development is restricted to that which requires a countryside location or meets an essential local rural need or supports rural diversification.
- 2.28 The conflict is exacerbated by the identification in Policy 2 that there is a presumption in favour of sustainable development within the Settlement Boundaries, reflecting the general approach of ensuring good accessibility to local services and facilities. It is a matter of fact, and referenced in the Inspector's appeal decision, that the settlement of Ifold (with a settlement boundary) has a hall and a Scout HQ but no shops, services or other facilities such as pubs, schools or access to health provision. Plaistow (with no settlement boundary) does have a school, a hall, a church, a football field, a village green with a dedicated children's playground, a youth club, tennis courts, a pub and post office services once a week.
- 2.29 This is an issue that members of the Steering Group need to raise with Officers from CDC at the forthcoming meeting on 05.09.16.
- 2.30 In addition to the above, it would also have been helpful to refer explicitly to the requirement of paragraph 14 of the NPPF, for plan makers to "plan positively". Again, it would not necessarily have changed the recommendation of the report, but would have provided more support and justification.



- 2.31 For example, as identified above, all of the sites face clear environmental constraints (by being outside of settlement boundaries). However, the requirement to “plan positively” could have led to referencing an assessment of the sites against the three dimensions of sustainability identified above. Paragraph 8 of the NPPF sets out that these roles cannot be taken in isolation, and should be sought jointly and simultaneously through the planning system. From such an assessment, it could have been possible to conclude that the allocation of the sites was a matter of seeking the best balance between the environmental, social and economic roles, and that the Plaistow sites give the best combination of the three. Taking a positive approach, the gains economically and socially of allocating the Plaistow sites outweigh the environmental constraints of allocating countryside sites and the potential impact on heritage assets. This approach would have been supported by the Inspector’s conclusions in the appeal decision letter.
- 2.32 The AECOM Report could also have made reference to more general, long standing planning principles such as “small scale infill” development and limited additional housing developments in rural areas, similar to the rural exception sites principle.



3.0 CONCLUSIONS

- 3.1 Overall, the AECOM Report's conclusions are considered to be correct, but there could have been greater justification and more robust arguments set out to support the recommendations. This would have assisted the Steering Group in being able to demonstrate to the Parish Council and wider community why one of the sites proposed was now no longer suitable, and given this was a popular site and well supported through the consultation exercises, this would have been helpful.
- 3.2 In addition, CDC have identified a site which is some way from Plaistow and although adjacent to the Ifold settlement boundary, has similar accessibility issues as the dismissed appeal scheme. It would be helpful for the Parish Council to have a clear and coherent robust argument, based primarily on the NPPF, as to why the Plaistow sites are to be preferred rather than this site. As the AECOM Report is presented, the greater weight is placed on the Inspectors decision letter. Whilst this is a material consideration, this is part of the decision making/development management process, and not expressly part of the plan making process (a point the Inspector makes clear when referring to the settlement boundary issue in paragraphs 21 and 23). In making a plan, the requirement is to "plan positively"; in making decisions, the requirement is to "approve proposals that accord with the development plan". As a result, in our view, greater emphasis should have been placed on the policies of the NPPF, together with established general planning principles such as infilling for example, and positively seeking to accommodate the objectively assessed needs (identified housing numbers), rather than relying more heavily on the comments of an Inspector considering a planning application in isolation.
- 3.3 The AECOM Report has, in our view, raised some serious issues that need to be addressed with CDC regarding the conflict between AECOM's approach and the SA/SEA work undertaken by CDC in the preparation of the Site Allocations DPD. The AECOM Report will be in the public domain and can certainly be submitted with any further representations made by the Parish Council in response to the Regulation 19 consultation required under the Local Plan Regulations 2012 for the emerging Site Allocations DPD.
- 3.4 Issues to raise with CDC;
- As a general point, do CDC accept the AECOM Report as a robust piece of evidence? If not, why not?
 - Do CDC accept the conclusions/recommendations?
 - Are CDC confident that the descriptions of the various options in the November 2015 SA document accurate?
 - Is a "least worst" option compliant with the requirement for "positive planning in paragraph 14 of the NPPF?



- Will CDC use the Inspectors decision letter to review their proposed site allocation?
- In the light of the NPPF policy requirements identified above (particularly paragraphs 7 and 14), are CDC still committed to their proposed site allocation?
- Do CDC accept the conflict in Policy 2 of the adopted Local Plan that identifies and links Plaistow to Ifold as a Service Village, and yet does not draw a settlement boundary around Plaistow?
- What, if anything, are CDC proposing to do (if they do accept the conflict identified above)?