

Say NO to Sandleford Closing statement to the Public Examination Resumed Hearings

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I just wanted to over a few things that I think have not been covered by the hearing to date. As ever I will try to keep this short and to the point and try to avoid repeating what has already been stated.

I want to look at Sandleford and the appraisal process that got us to where we are today in light of the nppf. The nppf has at its core the expression **sustainable development** which is helpfully defined in the introduction as setting the conditions for economic growth *ensuring better lives for ourselves don't mean worse lives for future generations*. This I think is key and I will come back to it. In addition the nppf rests on three tenets which it deems to give equal weight: the economy – creating an environment for a competitive economy by ensuring the right infrastructure is in place; a social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of current and future generations; and an environmental role – contributing to protecting and enhancing our natural, built and historic environment, helping to improve biodiversity, using resources wisely and moving to a low carbon economy.

If we look first at the environment then what has Sandleford to offer? There have been two ecological reports on the area, the first already mentioned published in August 2008 (CD10/50) relies on material dating back to 1985: hardly compliant with clause 158 of the nppf which says reliance should be made on up to date data. There is a lot of material one could delve into however I want to highlight three things:

1] Skylarks – a bird that is suffering declining numbers and is protected under UK and European legislation. Moreover our own BBOWT has as its objective: “Increasing numbers of nationally and locally important species, including: skylark, woodlark, adder, dormouse and purple emperor...” However the Sandleford proposal involves building an estate over land where I have seen at least three nesting pairs – it is hard to see what mitigation can overcome this destruction of their habitat.

2] Bats – we know that WYG conducted a survey of bats in September 2011 but we do not know the outcome of the survey and so we have to rely on our own observations. Anyone who cares to walk along the footpath through Sandleford at dusk will see bats fly from Gorse Covert along foraging runs that take them straight through areas of proposed development.

3] The report Sandleford Park Nature Conservation Management Strategy published Sept 2010 (CD10/62) is in fact mitigation measures for the development. Reading it gives you a warm glow as it talks of revitalising the area and enriching the bio-diversity through re-establishing hedgerows that have fallen in to disrepair; managing woods to encourage more species through reintroducing a programme of copping and doing away with the over intensive pheasant shoots; getting rid of rubbish that has accumulated in some areas such as dumped cars, re-vitalising ponds that have been allowed to silt up and the canopy to grow over killing aquaeous life. Who wouldn't want this it sounds like paradise? Until one remembers that what these mitigation measures are have nothing to do with the development but are just correcting years of neglect and decline that has impacted the bio-diversity of the area. And who has presided over this? The Sandleford Partnership has owned the land for 26 years. The report is littered with examples of their neglect: 2.2.2.2 and 2.2.2.3 being just two examples.

For them to promise to clean up the area on the back of a major housing development is a bit like rewarding the landowner who buys up an area of regency houses, fails to invest and allows them to

decline into slums with all the associated social problems, and then comes up with a spanking plan to clean up the area if they are only allowed to build a brand new shopping centre. It is a strange system of reward.

The nppf is quite clear in clause 130 although in a slightly different context:

Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision

So in short the mitigation measures consist of putting the land back to where it was before the Sandleford Partnership got hold of it, with the mere addition of 2,000 houses and street lighting that goes with it.

And what of the accoutrements that come with human settlement: the kids who want to play in the woods, the cats and dogs that will be running around. The mitigation consists of leaflets educating people on wildlife conservation, encouraging people to walk with their dogs on leads through designated areas and keeping their cats in doors at night.

The current inhabitants of Sandleford have been able to survive the years of neglect by Sandleford Partnership, it is hard to see how they will survive the influx of 2,000 homes.

However even if there were no environmental considerations to concern us there are still a myriad of reasons as to why the choice of Sandleford as a strategic site should be considered unsound.

I will not retrace the copious evidence of Mr Colvin QC however I would add one point about whether the process directed by the Inspector following the suspension of the hearing in August was followed in anything but name. In your note on 7 September 2011 explaining the decision to suspend the then hearings you state:

“The Council should not assume at the outset that its decisions will be the same as before. The process must not be simply the retro-fitting of the SA/EA report to justify the decisions already made. Such a course would not meet the requirements of the Regulations. As I have previously stated, it is not simply a matter of presentation, but of substance to ensue that a compliant SA/EA report has served its proper role in the overall process.”

Yet on 30th December 2011 Councillor Alan Law wrote the following in an e-mail to me:

“It is clear to me from your recent public pronouncements and indeed your arguments below (with many inaccurate facts and dates) you really do not understand the basis concept of a Local Plan and what are you really questioning is the whole basis on which a Local plan is constructed, tested and examined. To say we have time to rethink is totally wrong and demonstrates my conclusion.

The planning laws and regulations of the country have dictated how the plan was developed and examined over the last 5 years. We march to that tune... We cannot now at the 59th minute of the 11th hour, decide we should somehow have a rethink, simply because you and your supporters have come late to the process and don't understand it or more importantly do not like its conclusions!

As I have explained to you before, central to a Local Plan and Core strategy is a requirement to "prove" an adequate supply of developable land for the whole period of the plan. The housing numbers and distribution is something which has been presented in great detail based on much evidence over several presentations, papers and consultations and fully tested and examined by the Inspector in a Public Examination. For you now to question the basis of the housing numbers and distribution in and around Newbury in an attempt to somehow prove the core strategy numbers are wrong is something I will not lend valuable officer time to.”

This was written at a time the Planning Officers were still compiling the response to the Consultation and it would be several weeks before their report would be ready. The

significance of Alan Law and the Planning Officers having already made up their minds escaped me prior to hearing last weeks evidence. As we know the subsequent debate on the 14th February 2012 was non existent and left many laypeople, myself included fuming. The vote went down strictly party lines – but it was pre-determined weeks if not months before, making the consultation exercise a waste of everyone's time.

At the Council meeting Councillor Law was able to commend the Core Strategy making the point that the Planning Policy Task Group “had recently reviewed the feedback received from the consultations and concluded that none of the feedback represented any new or significant evidence that meant a change was required to the documents put before the Full Council on 1 November 2011.”

Yet this ignored the one significant new fact which was the strength of local opposition to Sandleford as evidenced by opposition from every Council south of Newbury, Newbury Town Council, a packed town council meeting at which WBC refused to send anyone, and an ever growing petition. Should the strength of local opinion be taken into account? May be not, although this clearly would be in conflict with the nppf, where under section 8 clause 69 it states: “Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning.”

But even without this it shows a clearly different approach in their consideration of Sandleford when compared to their appraisal of other sites in earlier appraisals where under 11:20 of their October 2011 Strategic Sites SA/SEA Policy Paper they state:

“A possible strategic site at **Pincents Hill** generated a large number of objections prior to and during the ‘Options for the Future’ consultation, highlighting a considerable level of concern in the local area. Consultation is an important part of the evidence base and responses were taken in to account along with the technical evidence base and policy issues as part of the decision making process. An outline planning application for 750 dwellings was submitted to the Council in July 2009 which resulted in further technical information about the site being considered through the development control process. The application also generated a high degree of public awareness for the proposal. Through the consultation on Options for the Future, it became apparent that Pincents Hill is a valued area of open space. Maintaining the separate identity of the different parts of the District has remained an objective throughout the preparation of the Core Strategy and is included in the Area Delivery Plan policies and Policy CS20: Historic Environment and Landscape Character.”

Yet the volume of objections to Sandleford is not considered a matter that should be used in the evidence base.

I think the inadequacies of the appraisal process has been adequately highlighted. However I would add that I was contacted as part of the campaign by a planning expert who lectures on Planning, who was curious as to where the appraisal form for comparing sites had come from as he had never seen it before and was genuinely interested in its provenance, and as to why the Council used this as opposed to one of the more recognised template forms available nationally as used by most councils.

Back to the nppf and its central theme of sustainable development. There is nothing sustainable about planting 2,000 homes out of town at the top of a long and quite steep hill. There is nothing sustainable about building a community that at best is on the other side of town from where the jobs are, at worse many miles from their workplace. There is nothing sustainable about building a community whose nearest shopping centre is an out of town retail park, which by definition was built around the car, and where pedestrian access from Monks Lane is frankly an unpleasant experience. There is nothing sustainable about building a community where all the entertainment facilities lie in the town centre and where parking to the spanking new shopping centre lies to the north of the town (and it is noticeable that since it opened car parks in the south are at near capacity; and that is prior to either the Racecourse development or Sandleford coming on stream).

Building a community that is car dependant in this day and age is frankly irresponsible. 40% affordable

housing would suggest that a large part of the estate will be occupied by those least able to afford a car. Where will that place them in 30-40 years time when car travel is likely to be a luxury done rarely or on special occasions? Fuel poverty is already a real issue for those on fixed incomes. Without some major technological breakthrough this is the future more of us have to look forward to.

It is hard to think of a less sustainable location for development, and is certainly not one that won't cause worse lives for future generations.

But even if we forget about the future generations and look at the here and now. There is no capacity for parking at the railway station. I have been told that capacity at the main station will be relieved by parking at the Racecourse for Sandford residents. Yet as part of the Racecourse development we have learnt that the land for parking is privately held and therefore may not be deliverable in the timeframes envisaged in the plan.

We have also been through the traffic mitigation measures as highlighted in the IDP and subsequent Traffic Assessments. We have seen the Council backtrack from these measures as being non essential to Sandford but without explanation. Yet one key measure for ensuring the town doesn't grind to a halt at certain times of the day is reducing key stretches of the A339 to one lane to persuade traffic to take alternative routes. One of these is to persuade traffic from North Hampshire to take the B4640 to Tot Hill services. This ignores the fact that North Hampshire's approval of the route of the A34 was conditioned on alleviating pressure on this road that WBC now wants to use as a bypass route for Newbury. This is an example of collaborative working with neighbouring councils.

There is a key concern regarding Park House and the scope for it to expand. We are not even sure how many pupils it needs to accommodate although Liz Alexander said numbers were shared with Park House at a meeting on the 1st May of this year. We have repeatedly asked for this information but have been stonewalled by the Council, being told that this information would be available at a later stage after discussions with the developers. It would be good if the Council could now share numbers with us but in the meantime we are left to ponder the notes of the masterplanning meeting of the 30th March 2010 where planning officer David Appleton commented that "the Park House expansion would mean the school would have to move off site". This point was reinforced in a separate working group where Derek Carnegie commented: "The Council will need to consider the best comprehensive solution in educational and transport terms because travel to school could be affected by moving a school's location or access". A quick look at the map and the restricted space available to Park House illustrates the problem. The site offers little scope in terms of expansion hence the officers view that the school would need to move. Yet in the appraisal process the location of Park House was cited as a positive in Sandford's favour.

This highlights the fact that an Infrastructure Delivery Plan has not been determined for delivering Sandford, and as such it is a false statement by the Council to say that problems with the site have been mitigated.

Add to all this is Sandford deliverable? The question remains that Sport England have yet to be consulted on the change of use of rugby land and given the loss of playing field that has already occurred without their involvement are likely to say no without some compensation in the playing area. But Sandford has no where to go in offering this. As such if the Council push forward with it it is highly likely that Sport England will call it in for review by the relevant minister. As such the "certainty of delivery" that Liz Alexander spoke of last week does not exist in respect to this site.

And I am not even going to do to the loss of community playing fields and open spaces that is highlighted in the nppf.

The Council poses the question of what are the alternatives? The Council has given itself an artificial straight jacket by ruling out development either in the east or west of the town. And for reasons that are not clear from the appraisal process the north is deemed less suitable than the south. As a result the Council is proposing an unprecedented build programme to the south of town without providing the infrastructure to support it. Development can take place around the battle site to the west. Indeed the nppf states in clause 137 that with imaginative design heritage sites can be enhanced or better reveal their significance. Looking at fields with hedgerows that were non existent at the time of a battle cannot really give a flavour of what happened. In Wash Common our daily lives are reminders of the 1st Battle of Newbury with street names and the Falkland memorial. Some might regret the building over the site where the royalists had their artillery, personally I find it hard to see what has been really lost and today build can be far more sensitive to

our history. To the east is Thatcham which we have already debated at length but where the Council has still to adequately explain how the town centre can be re-vitalised without further development. Again I think the arguments around North Newbury have been adequately aired.

However I should be clear we are not seeking to displace 2,000 homes from one side of Newbury to another. We believe that this scale of development on any one site around Newbury is wrong and will cause serious issues wherever it is located. When the Council realised that the town's infrastructure would not support an urban extension of this scale it should have re-visited its earlier conclusions as to how best to deliver this number of houses. But as I have asserted before the Council was less concerned about following a process than a linear progression to their preferred option.

There are alternatives. Councillor Vickers outlined a few that the Council has chosen to find problems with rather than opportunities for in town developments. Clause 157 of the nppf lays out the challenge for the Council to positively engage, something that they have been woefully short on for anything other than their own preferred options.

Finally where do we go from here. Is it sensible to further modify the core strategy to make it sound? Whilst much in the core strategy is good the fact is that it has been too long in the gestation with much of its evidence base out of date. Moreover it has become overly complex and does not deliver certainty in areas where it should. In the forward to the nppf the minister states:

In part, people have been put off from getting involved because planning policy itself has become so elaborate and forbidding – the preserve of specialists, rather than people in communities.

This National Planning Policy Framework changes that. By replacing over a thousand pages of national policy with around fifty, written simply and clearly, we are allowing people and communities back into planning.

WBC needs to take its lead from this and to re-build the ldp from the ground up with the involvement of the community affected. This not some minor build programme but is adding 1/3 to the current size of Newbury's housing stock. As such WBC needs to actively engage and this can only be achieved through simplifying the ldp using the guidelines of the nppf as their template.