



## LAND AT LODGE ROAD, STAPLEHURST – REPRESENTOR 19216

### WRITTEN SUBMISSIONS IN RELATION TO HEARING SESSION 7: RURAL SERVICE CENTRES – QUESTION 7.26

I write in advance of the Local Plan Hearing Session 7 relating to Rural Service Centres on behalf of my clients Civils Contracting Ltd, owners of land at Lodge Road Staplehurst. Representations have previously been made at Regulation 18 and 19 stages, proposing a mixed use allocation of the site, broadly based on:

- The suitability of the site having regard to its sustainable location and relationship with the adjacent Hen & Duckhurst Farm allocation site;
- The Council's own employment land evidence base that identifies the limitations of the 'rural south' in contributing towards meeting the Borough's strategic employment needs;
- The lack of any uptake in employment floorspace, despite long-standing employment allocations and permissions;
- There is a need for additional housing allocations in order for the Plan to adequately deliver and meet the Borough's objectively assessed housing need as required by the NPPF.

As the Inspector has identified in the Hearing Agenda, the Staplehurst Neighbourhood Plan is well advanced, having gone through examination and with the benefit of a resolution of the Borough Council's Strategic Planning, Sustainability & Transportation Committee to accept the Inspector's recommendation and allow the Plan to proceed to referendum. The referendum is scheduled for 3<sup>rd</sup> November 2016 and it is therefore expected that the results will be known in advance of this hearing session.

The Plan includes land at Lodge Road as a mixed-use allocation, with the Inspector recognising the appropriateness of the site for such an approach. Accordingly, the LPA have now proposed a modification to the Local Plan to include land at Lodge Road as a mixed-use allocation, suggesting the following text:

**H1 (XXXX)** – *Land at Lodge Road, Staplehurst Land at Lodge Road as shown on the policies map, is allocated for development of approximately 90 dwellings at an average density of 30 dwellings per hectare. In addition to the requirements of policy H1, planning permission will be granted if the following criteria are met.*

#### Design and Layout

1. *The eastern part of the site including the existing pond will be retained as a landscaped/ecological area and the integrity and connectivity of the existing framework of ponds, hedgerows and trees within and adjoining the site shall be retained and enhanced.*
2. *Retain and enhance hedges and trees along the boundaries of the site including the hedge/tree line which separates the site from employment land to the northeast and east.*
3. *The development shall integrate well with, and complement, any development on site H1(49) to the west and south and employment development to the northeast and east to ensure good connectivity and an appropriate relationship between the sites.*



### Landscape/Ecology

4. *The development proposals are designed to take into account the results of a landscape appraisal in accordance with the principles of current guidance.*
5. *The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.*
6. *The development proposals are designed to take into account the result of a phase 1 habitat survey and any species specific surveys that may as a result be recommended, together with any necessary mitigation/enhancement measures.*

### Access

7. *Vehicular access to the site shall be from Lodge Road.*
8. *The development shall provide a pedestrian/cycle path link to site H1(49) to the west and/or south, which shall run through the site to Lodge Road and also link to employment land to the northeast and east of the site.*

### Noise

9. *Development will be subject to a noise survey to determine any necessary attenuation measures in relation to the railway line and existing and potential employment uses.*

This proposed modification is fully supported by the landowner, being consistent with their representations made to date and Officer's original recommendations to Members when a mixed use allocation was supported. The proposed criteria are all consistent with the preliminary site design and feasibility work undertaken to date, which indicates that a scheme of this nature would be deliverable. This work has indicated that a yield of up to 100 dwellings is achievable, although "approximately 90" is not considered to be inconsistent with this.

The only amendment to the proposed modification wording sought is to delete "including the existing pond" from criterion 1 of the policy, as this pond is in separate ownership and not in the control of my client. Reference to it in the context of this policy is not therefore justified or effective.

It is strongly felt that an allocations policy is the most appropriate way to secure this modification as it will be consistent with how other sites in the plan are treated, ensures the plan is positively prepared and leaves no ambiguity for decision-makers.

If the proposed modification is not accepted, future proposals for any residential development would not be in accordance with the Local Plan, as the Inspector has noted in the agenda question 7.26. Despite conformity with the Neighbourhood Plan, the Local Plan would take precedence. Notwithstanding the weight of evidence to support a mixed use allocation as the most suitable way forward in any event (which the Neighbourhood Plan approach is an apt reflection of), such a scenario would effectively render the Neighbourhood Plan process undertaken worthless. In these circumstances, the Plan could not be said to be justified as the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Representations have previously been made by the landowner setting out the need for the allocation in the context of housing supply, however this matter is dealt with separately at other hearing sessions and so that case is not rehearsed again here.