

The following statement has been produced by Persimmon Homes Teesside in response to selected questions set out within Matter 2 of the Inspector's Matters, Issues and Questions (ref: EX/INS/15). Whilst we have not attempted to provide a response to every question, we have, where applicable, included the Inspector's Issues and Questions in **Bold** above our response for ease of reference.

Issue 1 – Does the overall spatial strategy for the Plan present a positive framework which is consistent with national policy and will contribute to the achievement of sustainable development?

Spatial Vision, Themes and Objectives and Policy LS1 Locational Strategy

Q2b. Has the preparation of the plan considered reasonable alternative spatial strategies? Does the updated SA Addendum (EX/HBC/25) capture the reasonable alternative strategies (see pages 10-16) and unreasonable growth alternatives (see pages 17-19) and present cogent reasons why they are not reasonable or preferred options?

- 1.1 The updated SA Addendum (EX/HBC/25) explores a number of alternative spatial strategies, however in respect of the scenario's relating to Persimmon Homes' interests at the South West Extension (Growth Scenario C) and Hart Farm (Growth Scenario F), these have been assessed in the context of substituting development from elsewhere which is not the basis of our argument for these sites to be allocated and/or safeguarded.
- 1.2 As explored in detail within our response to Matters 3 and 10 respectively, the proposed supply of housing identified within the plan fails to provide a significant buffer against the housing requirement. Additional sites should therefore be identified to ensure that the failure of any allocated sites to come forward will not have significant consequences on the supply of housing, particularly given history of under-supply within the borough and the fact that Table 7 and Graph 1 of Publication Local Plan identify an undersupply of housing against the housing requirement in the last five years of the plan. In order to meet this shortfall later in the plan period, our representations to the Publication Local Plan (Pub0115) suggested that further suitable, available and achievable sites, such as Hart Farm, should be allocated for residential development. It is in this context, rather than to replace development in the rural villages which the land at Hart Farm has previously been promoted for residential development.
- 1.3 In relation to the South West Extension, the context of our representations to the Publication Local Plan relates largely to the restrictive nature of the proposed development limits and strategic gap designations and the subsequent lack of flexibility provided within the plan. In order to provide built-in flexibility within the plan, we propose identifying 'Safeguarded' or 'Reserved' land which could come forward as part of the plan's review mechanisms for addressing any housing delivery shortfall during the plan period. This would provide the plan with greater flexibility, whilst also ensuring that the long-term expansion of the town continues to be plan-led with consideration given to the longer-term needs of the borough beyond the current plan period.

1.4 Given the above, whilst the updated SA Addendum does explore alternative spatial strategies, the SA fails to consider alternative housing strategies which involve an increased level of supply which is what we have advocated through our representations to the Publication Local Plan. This distinction is considered to be important in the context of our interests.

Q4. Is the Plan strategy over-reliant on a small number of large strategic sites?

1.5 In terms of the proposed allocations in isolation, it is accepted that the plan is heavily weighted towards a small number of large strategic sites. However in terms of supply throughout the plan period, there is considered to be an appropriate blend between the allocated strategic sites and the other potential sources of delivery.

1.6 When the non-strategic allocations are combined within the total number of extant permissions (Appendix A of the Council's Five Year Land Assessment (Ref: EX/HBC/57)) these sites have the potential to deliver 3,123 units over the plan period. This is in comparison to the 3,192 units allocated on the strategic sites at the South West Extension, Wynyard and High Tunstall. There is clearly therefore a pool of alternative sites within the borough which can come forward in the early years of the plan to plug any shortfalls in housing supply whilst the strategic sites get up and running. The approximate 50/50 mix of strategic allocations to other sources of housing supply is considered appropriate and will allow the plan to deliver housing throughout the plan period.

1.7 Whilst we cannot comment on other sites, we are confident that the South West Extension (Policy HSG4) can make a significant and early contribution to meeting Local Plan's spatial vision, themes and objectives. Alongside the plan-making process the site has been promoted via a hybrid planning application (Ref: H/2014/0405). The application has sought detailed planning approval for an initial first phase of 144 units alongside supporting infrastructure and access with the remaining 1,116 units in outline. The scheme has been minded to grant subject to the completion of a Section 106 Legal Agreement. Negotiations on the Section 106 have been complex but are at an advanced stage with the core sums and triggers agreed with Councillors at a recent planning committee (12th July 2017). The final draft is expected to be executed in the near future with a view to a site start in 2018.

1.8 Given the above, Persimmon Homes' national stature and our experience of the local housing market following our involvement in the former strategic extension at Middle Warren to the north of the town, the South West Extension should clearly be considered deliverable in the early stages of the plan. We therefore consider the blend of sites throughout the borough to be appropriate and not over-reliant on a small number of sites.

Q7. Would the delineation of 'limits to development' and the identification of a strategic gap restrict sustainable development? What would be a reasonable alternative policy that would provide

sufficient certainty to communities and developers as well as efficient and effective decision-making?

- 1.9 Naturally given their form and nature there can be no dispute that the delineation of 'limits to development' and the identification of a strategic gap will restrict sustainable development that is well related to services and facilities but beyond the limits of the settlement. This will be particularly true where development limits and the strategic gap are drawn tightly against the existing and/or proposed built form.
- 1.10 We acknowledge however that Development Limits are a long accepted and established approach to controlling unregulated urban sprawl. Persimmon Homes therefore have no immediate objections to the delineation of Development Limits, providing that sufficient flexibility is built into the plan to allow a rapid response to changes in economic circumstances as per the NPPF, or account for the non-implementation of sites. In this respect we would again refer to our response to Matters 3 and 7 whereby we detail our concerns with the existing 'buffer' of only 49 units over and above the identified housing requirement.
- 1.11 If the approach to Development Limits is to be taken forward into the adopted plan, it must greater reflect the requirements within the NPPF for Local Plans to be flexible and positively prepared. In this regard a greater buffer of suitable, available and achievable sites, such as Hart Farm, should be allocated for residential development. This is particularly prudent given the previous levels of under-delivery within the Borough and the recommendations from the Local Plan Expert Group (LPEG)¹ which suggest that:
- "Local Plans should make a further allowance; equivalent to 20% of their housing requirement, in developable reserve sites as far as is consistent with the policies set out in this Framework, for a minimum fifteen year period from the date of plan adoption, including the first five years (this recommendation does not apply where it has been demonstrated that a local authority does not have sufficient environmental capacity to exceed its local plan requirement). The purpose of reserve sites is to provide extra flexibility to respond to rapid change (for example, to address unmet needs) and/or to help address any actions required as a result of the Government's proposed housing delivery test."*
- 1.12 We support the LPEG recommendations and suggest that 20% buffer is applied to the housing supply to ensure that the plan is sufficiently flexible and positively prepared in view of the development limits policy. This should be through a combination of additional allocations and safeguarded/reserved land.
- 1.13 In terms of the Strategic Gap, as set out within our response to Questions 8 and 9 below, we continue to have significant concerns with the designation. It is Persimmon Homes' view that the current policy cannot be justified and should therefore either be removed completely in its entirety or be amended to

¹ LPEG (March 2016): Local Plans Detailed Recommendations

provide sufficient flexibility within the plan to allow sustainable development which does not jeopardise the core aims and objectives of the 'Gap' designation. Should the policy designation not be removed, we would subsequently support the following amendment to Policy LS1 so as not to restrict sustainable development:

"To maintain the separate identity and amenity of settlements and to prevent the urban area coalescing with the villages, the spread of the urban area and the villages outside of the limits to development, as defined on the proposals map, into the Strategic Gap will be strictly controlled. Development within Strategic Gaps (as shown on the proposals map) ~~will be strictly controlled and limited to development associated with farming and rural businesses~~ will only be permitted where:

- *the open or undeveloped character of the gap would not be significantly adversely affected;*
- *the separate identity and character of the settlements would not be harmed; and*
- *the landscape setting of the settlements would not be harmed.*

The likely impact of the proposal in conjunction with any other developments with extant planning consent will be taken into account."

Q8. Is the delineation of the strategic gap reasonable in terms of its primary objectives in Policy LS1? Are there any comments on the suggested amendments in the Council's evidence (EX/HBC/22 – pages 46-54) to the proposed strategic gap? Does the Council intend to propose any modifications to reflect these suggested amendments?

1.14 Whilst we accept that it is important to maintain the separation between the Hartlepool and the surrounding rural villages, we do not consider the strategic gap delineation to be reasonable or robustly justified.

1.15 The objection stems to the Council's blanket approach of identifying the full western edge of the town as a strategic gap, despite the admission within paragraph 6.12 of the Publication Local Plan that the only "*immediate concern is the coalescence of Hart and Greatham villages with the urban area if not carefully managed.*"

1.16 It is noted that strategic gaps were first referred to in policy guidance in PPG7 'The Countryside'. The PPG made clear that strategic gaps are local countryside designations which carry a lesser weight than national designations, such as Green Belts, and should only be maintained or extended where there is good reason to believe that normal planning policies cannot provide the necessary protection. Whilst strategic gaps are not designations included within the NPPF, the approach of identifying strategic gaps is one which we accept would align with the principles of the framework but only where they can be justified to allow for the creation of distinctive local plans which reflect the needs and priorities of their communities.

1.17 The Council's recent publication of the Strategic Gap Assessment (Ref: EX/HBC/22) is noted but it fails to provide such justification. The report has effectively been produced retrospectively of the policy and whilst it assesses the proposed gap in terms of its form on the ground, it fails to provide robust evidence supporting the need for a strategic gap adjacent to the full western edge of the town. In this regard, the report does not:

- Clearly identify the settlements that may be in danger of merging or where the gap may be at risk of being significantly eroded due to development pressure;
- Assess the context of the land / gap in relation to the emerging Local Plan Allocations and the implications this proposed development will have on the character and appearance of the surrounding countryside;
- Demonstrate that reliance on countryside policies alone, without the added protection of strategic gaps, would be unlikely to provide sufficient protection against development which would harm the separate identity, character and/or landscape setting of settlements.
- Identify areas where development may be possible with limited impact upon the character, identity and independence of the surrounding villages. In this regard it is not considered to be positively prepared.
- Identify a hierarchy of settlements within the rural area, for example 'Brierton' is referred to as a village (Page 39) when in reality it is a collection of farms in close proximity to one-another. Coalescence between Hartlepool and these farms should not be considered a limiting factor.

1.18 Our objections to the policy therefore remain and in respect of the suggested amendments (Page 46-54) to the proposed strategic gap the report provides no evidence of significant development pressure within these areas and as such no indication that the extension is justified or required.

1.19 Persimmon Homes therefore recommend that the strategic gap designation is removed in its entirety or amended as per our comments to Question 7 above. The current policy provision has not been justified, has not been positively prepared and will arbitrarily restrict sustainable development. Whilst we acknowledge that there are pressures around the villages of Hart and Greatham, the Council has failed to produce any evidence which demonstrates that reliance on countryside policies alone, without the added protection of strategic gaps, would be unlikely to provide sufficient protection against development which would harm the separate identity, character and/or landscape setting of settlements. The current policy therefore cannot be supported.

Q9. Does the strategic gap evidence lend support to the Home Builders Federation suggestion [representation Pub0108] and others that there are areas of lesser value (or higher capacity) that could serve as contingency or reserve areas?

1.20 As set out within our response to Question 8 above, it is Persimmon Homes' view that the strategic gap evidence presented by the Council (EX/HBC/22) is

insufficient to address the concerns raised by the HBF, ourselves and others to Publication Local Plan.

- 1.21 It continues to be Persimmon Homes' opinion that there are areas of lesser value that could service as contingency or safeguarded/reserved sites however the Council's assessment fails to take a holistic approach and assess the strategic gap in the context of the development proposed within the Plan. This development will undoubtedly change the character and appearance of the urban fringe but these impacts are not considered by the report.
- 1.22 To the south west of the town for example there will be over 2km between the western edge of the first phase of the South West Extension and Newton Bewley to the south west. As per our representations to the previous stages of the plan, we consider there to be potential for a greater allocation at the South West Extension, on par with that previously proposed by the withdrawn 2013 Local Plan. Whilst the wider development would extend approximately 160 metres beyond the first phase, it has the potential to facilitate a further 1200 units and will be naturally contained by Dalton Back Lane and onsite landscaping.
- 1.23 Visually the impact of this wider development on Newton Bewley, circa 2km to the south west, would be negligible given the distance and topography of the existing countryside and therefore would not jeopardise the future coalescence of the settlements.
- 1.24 A similar argument can also be made at Hart Farm to the north of the town. The site effectively forms an infill opportunity on the edge of the settlement given the extant permissions at Upper Warren to the north and east, and the Reservoir to the south. The site will not extend development any closer to the village of Hart than already proposed and as demonstrated within our Deliverability Statement to the Publication Local Plan, can overcome the identified site constraints and incorporate a landscaping buffer. Development both physically and visually is therefore expected to be minimal on the village of Hart.
- 1.25 These examples, whilst it is accepted are Persimmon Homes' interests, support our view that there are areas of lesser value within the Strategic Gap which have the potential to be sympathetically developed as contingency or reserve areas without compromising the identity, character or appearance of the surrounding rural settlements. The strategic gap evidence current fails to explore these opportunities so is not considered to be robust or positively prepared.

Q10. Is there reasonable consistency between the emerging Neighbourhood Plans and the strategy and policies in the Local Plan? Does the Local Plan avoid duplicating planning processes that will apply to the neighbourhood areas?

- 1.26 As set out within the Preferred Options Consultation Document (HLP01/18) the Council have justified the identification of the strategic gap by stating that the designation is “reflective of the Rural Neighbourhood Plan”. This is also repeated within paragraph 6.12 of the Publication Local Plan.
- 1.27 The current policy however attempts to limit all development within the Strategic Gap unless it is associated with farming and rural business. The Neighbourhood Plan (EX/HBC/67) on the other hand is more flexible in its approach, permitting development where it “*does not compromise the openness of the countryside between the villages, Hartlepool and Billingham.*”
- 1.28 The two policies, whilst related, are not consistent and therefore cannot be considered effective or thereby sound. This gives weight to our view that the Strategic Gap designation therefore needs to either be removed in its entirety or be amended as per our suggestion within Question 7 to greater align with the Neighbourhood Plan and provide sufficient flexibility to permit sustainable development where it does not jeopardise the objectives of the ‘gap’.