Three Rivers District Council

Examination of Sites Allocation Local Development Document
(reopened Inquiry 16 July)
Modifications MM44 and MM54
Site Killingdown Farm - Client P Foster
1 July 2014
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1.1 The requirement to roll-back the Green Belt is the result of the identification of the housing need and the absence of being able to deliver the level of housing need within the urban edge.

1.2 The Inspector’s letter of 28 November 2013 provides a detailed and robust examination of housing need, having regard to the NPPF. Three Rivers Council has accepted the conclusions, as do we. We do not consider that the reopened Inquiry is a platform for re-examining the overall level of housing requirement during the Plan Period, viz. 2026. This housing requirement was objectively assessed in relation to the development needs of the area, and indicates how the presumption is to be applied locally. None of the representations take objection to the level of housing need, and none provide alternative solutions to meeting that need other than by a Green Belt release. The level of housing requirement and the absence of urban sites to meet the development needs of the area represents the exceptional circumstances for rolling back the Green Belt.

1.3 The NPPF (para 83) provides that Green Belt boundaries should be altered through the Local Plan process, having regard to their intended permanence in the long-term. Para 85 identifies the criteria by which boundaries should be defined:

1.4 **Bullet point 1:** The location of Killingdown Farm satisfies the tests of a sustainable location. It adjoins the urban edge, and it is within close proximity and walking distance of the schools, both primary and secondary (Site S(d)), local shops, Doctors’ Surgery, and a public transport – bus route.

1.5 **Bullet point 2:** It is not necessary to keep the land at Killingdown Farm permanently open if it is to meet part of the housing need within the area.

1.6 **Bullet points 3, 4, and 5:** These are inter-related. The Core Strategy pre-dates the NPPF. It is a matter for the Council to consider whether it needs to redefine the boundaries within a Local Plan Review to take into account development needs beyond the Plan Period.

1.7 **Bullet point 6:** The proposed Green Belt boundary around Killingdown Farm meets the requirements. The boundaries to the south and south-east adjoin the existing urban edge. The eastern boundary is a mature single and double-hedgeline with a public footpath in-between. The western boundary comprises of Little Green Lane, and the northern boundary, again, is Little Green Lane or the garden boundaries of Nos. 1-3 Little Green Cottages, and adjacent houses. All the boundaries are physical features that are readily recognisable and likely to remain permanent.

1.8 An objector has raised the matter of a letter by the Minister, Mr Boles MP, of 3 March 2014. This has been clarified in an exchange of letters with Sir Michael Pitt; the concerns related to the use of language by an Inspector rather than a change of Government policy. The Government policy remains that
alterations to the Green Belt boundary should be as a result of a Council's acceptance, and a path it has chosen, which has regard to competing development needs, as well as the protection of the Green Belt. We reproduce the series of letters between Mr Boles and Sir Michael Pitt on this matter in Appendix 1.

1.9 A specific objection to Killingdown Farm refers to the erosion of the Green Belt buffer between Croxley Green and Sarratt. Development on Killingdown Farm will not result in a loss of the Green Belt functions and purposes (para 80 of the NPPF) between these settlements. The village of Sarratt is 2.25 miles from Killingdown Farm.

2 MM54 – Killingdown Farm

Phasing

2.1 We have made submissions on behalf of our Client to the Modifications Consultation, copies of which are provided in Appendix 2.

2.2 The Council proposes that housing at Killingdown Farm is for post-2026. The Core Strategy Plan Period is to 2026. The housing requirement is to meet the identified need during the Plan Period and, therefore, housing at Killingdown Farm should be delivered and occupied by 2026 at the very latest.

2.3 It became evident during the course of the previous Sites Allocations Inquiry that the Council will need to undertake a review of the Local Plan to comply with the NPPF. Whilst the outcome of the evidence base cannot, at this stage, be pre-judged, the strong likelihood is there will be a requirement to deliver greater housing numbers than currently provided for within the Plan. If further releases of Green Belt land were required, then it should be implicit that the current Allocated Sites should come forward in advance of any new sites identified.

2.4 In addition, the general approach on phasing should be that the housing does not run ahead of the infrastructure required to service it. The main infrastructure locally is the provision of a Secondary School, which is included within the Plan. This general approach, however, may be mitigated by other external factors. The history of a housing allocation at Killingdown Farm is that it was included within the Further Preferred Options of the Council (2009) as an enlarged site, which would accommodate around 160 houses. As part of that public consultation at the time, undertaken on behalf of the Landowner, there was also inclusion within the scheme for a new combined Doctors' Health Centre. We attach in Appendix 3 the letter written on behalf of the local doctors, which is self-explanatory. At the time, the practices were on the priority list for new premises. There were then Government changes where the priority list was further restricted due to financial constraints on budgets on Government Departments, brought about by restricting public finances as a result of the recession. We understand from the Doctors' Agent that the emerging preference from the Primary Care Trust is, once again, for a combined Health Centre
accommodating both the Doctors' practices in Croxley Green, and this will come to the fore once Government finance restrictions have eased. A combined Doctors' Medical Centre would require up to 0.2 hectares of land.

2.5 The consultation by the Parish Council with regard to the Croxley Green Neighbourhood Plan identified the Village Centre Project, and made provision for a new Health Centre as a replacement for the New Road Surgery. The Village Centre Project is ambitious, comprising a Village Hall, leisure facilities, gym, Youth Club, indoor sports, coffee shop, as well as the surgery. There is no information how Village Centre Project development will be financed. The suggestions are that the surgery will be accommodated within a mixed use building and this, in itself, will create funding issues unless the District or County Councils were in a position to finance the building and lease part of it for the surgery.

2.6 Redevelopment of the New Road Doctors' Surgery as enlarged and extended premises is not economically viable. In order to provide the early delivery of a new medical facility, there is likely to be a need for gap funding from external financial sources. The potential is that development at Killingdown Farm could provide the catalyst for delivery of new medical facilities for Croxley Green. The existing lease of the surgery comes to an end in 2020 and, realistically, if the doctors are to be relocated to a new facility, the finance and development agreements need to be in place by 2017, planning permission granted by 2018, to enable completion of the project by 2020. We enclose in Appendix 4 a letter from the Doctors confirming their operational requirements prior to the Lease expiry.

2.7 We, therefore, propose that the modifications be amended, so that the housing delivery date can be brought forward if, and only if, by doing so this would enable a new Medical Centre to be provided.

2.8 In any event, in the absence of the Killingdown Farm housing scheme being the catalyst of the early provision of a new Health Centre, its phasing should be 2021, which will mean that housing numbers at Killingdown Farm can be delivered within the Plan Period 2026; this allows time to obtain Reserved Matters, undertake off-site and on-site infrastructure, a build-out period for up to 180 units, and the sales of those units within the market and occupation by 2026.

2.9 The proposed modification is, therefore, "phasing 2021-2026 or earlier if the housing development at Killingdown Farm enabled a new Health Centre to be built and fitted out prior to occupation of the thirtieth private market dwelling".

**Conservation Area/Setting of Listed Building**

2.10 These issues will be addressed within the Planning Application (Policy DM3). Whilst they represent constraints, this can be overcome by design, and does not prevent the delivery of 140-180 dwellings.
2.11 The Conservation Area boundary comprises the two fields fronting Little Green Lane, and the majority of the Farmyard buildings. Conservation Area policy does not seek to prevent development, but is there to ensure that development does not harm the character of the Conservation Area. Other than the Farmhouse and its immediate curtilage buildings, the remainder of the buildings within the Conservation Area are modern utilitarian agricultural buildings, and their replacement by well-designed dwellings is more likely to be regarded as an enhancement to the appearance of the Conservation Area.

2.12 The setting of the Listed Buildings is protected by Policy DM3, and it is not envisaged that the Farmhouse, its curtilage or the associated historic buildings adjacent to the Farmhouse will be changed. Nos. 1-3 Little Green Cottages are also Listed, and a sensitive design scheme will not impact upon their setting.

2.13 The area of land included within the proposed allocation, and which lies outside the Conservation Area boundary, extends to 4.65 hectares (11.5 acres). At a density of 25 to the hectare (10 to the acre), that would accommodate 115 houses. In addition, using the Council’s original figure of 30 dwellings for a development around the Farmhouse this provides a total site capacity in the order of 145 dwellings.

Access

2.14 As originally envisaged for the larger scheme, there were two points of access to service the development, one from Little Green Lane, the other from Grove Crescent. Our Client controls the land frontage to Little Green Lane where traffic generation resulting from the farming associated activities has been significant. A Highway Engineer’s Report is provided in Appendix 5 identifying the access possibilities for a development of this size.

2.15 Access from Grove Crescent would require third party land. Three Rivers District Council own two blocks of lock-up garages, either of which could provide a secondary means of access. The Council has confirmed that it would not suggest that Killingdown Farm is undeliverable on highway access grounds, neither does it suggest that any Highway Consultants should proceed on the basis the Council’s land would not be made available for access. In addition, Thrive Homes, who are supportive of the Killingdown housing allocation, also own a number of properties in Grove Crescent, which could provide an alternative secondary means of access. Thrive Homes has confirmed its support under Representer Reference 00658, where it has stated that Grove Crescent is an area with considerable potential for remodelling, and that there are tangible benefits in undertaking a masterplan for sustainable redevelopment comprising both sites. Thrive Homes has confirmed it will co-operate in providing a Secondary means of access (Appendix 6).

2.16 The Summary of the Highways Report is that to serve up to 180 dwellings at Killingdown Farm Little Green Lane is inadequate, and a second means of access is required. The logical point for a second means of access is from Grove Crescent. The Highway Engineer has produced a junction layout using
Grove Crescent which can be transposed to a number of locations along Grove Crescent. The most logical, and which would cause least inconvenience, is to use the Council's lock-up garages, but Thrive Homes also control alternative access points, and are supportive of the Scheme.

Archaeology

2.17 Representer Reference SC0/0006 (Herts County Council) have raised the issue of desk-based studies. We enclose in Appendix 7 a copy of the Archaeological Desktop Study undertaken on behalf of our Client. This confirms the site has a negligible archaeological potential for archaeology of local significance. In any event, Policy CM3 makes provision for dealing with this at the planning application stage.

Ecology

2.18 Representer Reference 04587 has referred to the hedgerows and grassland, and to a former orchard.

2.19 The Ordnance Survey Sheets in the early 1960's identifies the orchard as being to the north of the Farm building Appendix 8. The fruit trees positioned to the south of the Farm buildings were, in fact, planted by our Client in the mid-1960's, and many of these trees are now dead or dying.

2.20 Due to time restrictions and the need to undertake walk-over surveys, we have been unable to get a Phase I Ecology Survey; however, we do enclose copy of a Bat Survey Report (Appendix 9) that was undertaken in respect of a Farm building. The summary of that report is that no bats were found.

2.21 Issues of Biodiversity are dealt with under Policy DM6 to be considered at the planning application stage.

Primary School Capacity

2.22 Herts County Council as the Education Authority has promoted the provision of new schooling within the area to meet future needs. As the Education Authority, they have identified those needs requiring, in principle, the provision new Secondary Schools, one of which is in the Croxley Green area, which is included within the Local Plan. The County Council has not identified a need for a new Primary School in the Croxley Green Area. A housing development at Killingdown Farm would be the subject of a Section 106 Agreement, and Education Contributions.

3 Summary

3.1 None of the specific representations made with regard to the Killingdown Farm housing proposal are "show-stoppers" to its delivery and development, and to the extent the modifications relate to Killingdown Farm housing allocation the Plan is sound, and we have no doubt that position remains the same for the remainder of the Plan.