South Kesteven District Council
Site Allocations and Policies Development
Plan Document Hearing Statement
Session 7 – LSC Allocations

Prepared on behalf of The Welby Estate

19 October 2012

Contact details

The Welby Estate

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1 Introduction

1.1 Knight Frank LLP is instructed by the Welby Estate to submit a Hearing Statement in relation to South Kesteven’s Site Allocations and Policies DPD.

1.2 This statement relates specifically to the village of Harlaxton, and in particular the allocation LSC1e, land adjacent to the doctor’s surgery, Swine Hill, Harlaxton.

1.3 Knight Frank will appear at the Hearing Session 7 LSC allocations on behalf of the Welby Estate on Wednesday 14th November 2012, to expand on the issues set out in this statement.

2 Scope of Statement

2.1 This Statement has been prepared in response to the Schedule of Matters and Issues for Examination as set out in the Inspectors agenda and relates specifically to the allocation of land in Harlaxton. One housing site has been allocated in the site allocations DPD on land adjacent to the doctors surgery, Swine Hill.

2.2 The issues identified and commented on in the statement are:

- Has selection of the site taken proper account of the heritage assets?
- Is the site the most appropriate choice for development in Harlaxton?

2.3 A further written statement has been prepared for Session 8: Omission Sites, which outlines in more detail an alternative site for housing development in Harlaxton.

3 Harlaxton

3.1 Harlaxton is an identified Local Service Centre in the adopted South Kesteven Core Strategy. The settlement is well served with facilities including:

- Primary school.
- Food and local shops.
- Post Office
- Village hall.
• Church
• Public house
• Doctors

3.2 The village benefits from a regular bus service to both Grantham and Melton Mowbray and is considered a sustainable settlement capable of accommodating an appropriate level of future development.

4 History of Local Plan Representations and Allocations

4.1 South Kesteven District Council issued a Site Allocations and Policies DPD Suggested Sites Consultation Document in 2009, which had eight suggested sites for housing allocations in Harlaxton. Following this consultation response, a further consultation document in Summer 2010, entitled, Site Allocation and Policies DPD Additional Sites Consultation presented an additional site, ADD17, Land West of Swine Hill, which was part of a previously larger site considered as HARL07.

4.2 South Kesteven District Council then undertook a review of these sites. Two suitable sites for residential development within Harlaxton remained under the site analysis demonstrated in the evidence base for the site Allocation and Policies DPD. HARL06 – Adjacent to the doctors surgery, Swine Hill and the land owned by the Welby Estate under reference ADD17 – Land west of Swine Hill.

4.3 South Kesteven District Council have subsequently issued the Site Allocations DPD, which is the subject of this Examination with just the one housing allocation in Harlaxton, that of HARL06 which is referred to as allocation LSC1e in the document.

Matters and Issues for Examination

Has Selection of the Site Taken Proper Account of the Heritage Assets?

4.4 SKDC undertook an assessment of all the residential sites proposed in Harlaxton. The concern is the detail and level of assessment on the important issue of Heritage Assets. Following these Assessments, site LSC1e has been promoted as the preferred residential site in Harlaxton.

4.5 SKDC have provided background information which has been used as the evidence base for the DPD. Both the individual pro-forma assessments and the site assessment spreadsheet present a lack of depth and somewhat surprising lack of consideration in their conclusion which form a key part of the evidence base for the DPD.
Site Assessment Spreadsheet

4.6 The Site Assessment Spreadsheet (Appendix 1) is a simplistic summary document, colour coded red, yellow and green as a signal of key constraints and opportunities. For the Councils preferred site, HARL06 there is nothing included in the relevant column for “Wildlife and Heritage Assets”.

4.7 Other sites in Harlaxton that were assessed contain entries such as their proximity to a Listed Building or adjacent to a Conservation Area. A lack of any entry on the preferred site raises serious concerns over the quality of the Councils process given the true constraints of the site.

4.8 In the column “Constraints to Development” the input for the preferred allocated site is amber, rather than yellow which is used for all the other sites and it has no text, unlike all the other sites. These two differences raise questions about what appears to be a lack of concern over the important designation of a Grade II* Historic Park and Garden and setting of the Grade I Listed Harlaxton Manor.

4.9 The final column of the spreadsheet “Any other comments” makes reference to overcoming issues of parking provision at the school and surgery as it does on site ADD17, on the opposite side of Swine hill. The final line states “Consider impact on setting of Harlaxton Manor”. This is a statement rather than an assessment, therefore implying that no such assessment has been made.

4.10 The colour coded spreadsheet was a mechanism for the Council to provide an assessment of any “show stoppers”. It is unclear why the column assessing Heritage Assets is not colour coded. It is clear that if the site had been thoroughly assessed and the column colour coded it would surely have been red given the significant heritage assets. Had this been undertaken at the initial stages of the Local Plan process it is suggested that this site would not have made it beyond the early stages of consultation.

Site Assessment Pro-Forma

4.11 As well as the colour coded spreadsheet, each site assessed was summarised in a single sided pro-forma. The details for HARL06 (Appendix 2) are again misleading and lacking any clarity or depth in the analysis of the site on Heritage Assets.

4.12 There is an acknowledgment of the site falling within the Grade II* Harlaxton Manor Historic Park and Garden designation. It recognises a constraint but there is no assessment of the impact. There is comment that the site has “a significant impact on landscape character”. Surely if this assessment has been made, it must follow that a similar assessment should have been made on the impact on the Heritage Asset. If it had, given the Historic Park and Garden designation, it is suggested that the landscape impacts would have similar negative impacts on this heritage designation.
4.13 The above view is supported in the English Heritage representations to the proposed allocation of this site in their October 2011 response to SKDC.

4.14 It appears from the evidence available that a greater emphasis has been placed on the need to provide parking facilities for the school and surgery rather than any impact on Heritage Assets. This is reaffirmed by the conclusion on the Council's pro-forma which states:

“Highway Authority concerns may restrict the capacity of the site. If the proposal included some car parking for the surgery and school, these concerns would be overcome.”

There is no reference to the Heritage assets, concerns or assessment in this conclusion.

4.15 Without the need or desire for parking at the school and surgery we would suggest that this site would not have made it past an initial assessment, based on the impact on Heritage Assets.

Summary

4.16 The designations of Grade II* Historic Park and Garden as well as the setting of the Grade I listed Harlaxton Manor should have been addressed in a simple red designation based on initial assessments of the various housing sites by SKDC.

4.17 SKDC have clearly failed to adequately assess the Heritage impacts and there is a presumption that such an allocation would not harm the setting or character of either heritage asset. Our previous representations in 2011 made it clear that this assessment was inadequate, a view also expressed by English Heritage during the same process.

4.18 Since the last consultation the National Planning Policy Framework (NPPF) has been adopted and as a result English Heritage have prepared guidance to Local Authorities entitled “How to create a sound plan under the NPPF”.

The first element of a plan being considered unsound under this heritage guidance is if:

“there has been no proper assessment of the significance of heritage assets in the area, including their settings ..”

… this guidance continues to state that historic landscape character may form part of that heritage assessment. As the Council conclusion on this site is that it has a “significant impact on landscape character”, this must form part of the heritage asset considerations given the specific designations.

Reference was made in previous representations to the National heritage guidance at that time within
PPS 5 which stated that substantial harm to, or loss of designated heritage assets of the highest significance, including Grade I and II* listed buildings and Grade I and II* registered parks and gardens should be “wholly exceptional”. The process undertaken by SKDC has clearly not been undertaken with that guidance at the forefront of the exercise.

Is the Site the Most Appropriate Choice for Development in Harlaxton?

4.19 SKDC assessed the sites as set out earlier in this statement and following this two sites were shown as being appropriate and preferred for future housing development in Harlaxton (the preferred site and ADD17, to the west of Swine Hill). This justification was based on the various colour coded assessments which showed that the only red designations were because neither sites were previously developed land.

4.20 It has been demonstrated that as a result of the inadequate review of Heritage Assets for the preferred site LSC1e, which should therefore have been flagged as a major concern or red on the spreadsheet. The Council do confirm that the site has “a significant impact on landscape character.”

4.21 Site ADD17 is assessed by the Council as needing to address the same highways constraints but doesn’t have the same heritage constraints. This demonstrates that the site on the west of Swine Hill (ADD17) would have been the highest scoring site and subsequently the preferred allocation on the SKDC Site Allocations DPD.

4.22 Site ADD17 is capable of providing the same improvements to the parking situation at the school and surgery, together with pedestrian linkages as the preferred site in the DPD. The Councils pro-forma for ADD17 concludes that the site “may be suitable if other less constrained or better located sites are not available.”

4.23 It is our view that the due process demonstrates that there is a better and more appropriate site than the current preferred site and ADD17 should replace HARL06 as the allocated site for housing development in Harlaxton. The case for ADD 17 will be outlined in more detail in a separate Session on the Omission sites, outlining the full merits and deliverability of the site.

5 Summary and Conclusions

5.1 Harlaxton is identified as a Local Service Centre within the District of South Kesteven. It has been allocated as such due to its location, facilities and as a LSC Harlaxton has been designated as capable of accommodating additional housing. Within Harlaxton long standing issues have been raised with regard to parking facilities and highways issues surrounding the primary school. It has been established that any development within the village presents the opportunity to assist in the
mediation of these problems.

5.2 This statement outlines the fundamental issues with the evidence justifying HARL06 as the most suitable site for housing development with Harlaxton. The site lies within a Grade II* Listed Parkland and within the setting of a Grade I Listed Building. PPS5 at the time clearly stated that any loss of heritage assets should be wholly exceptional. The Council have failed to undertake sufficient assessment of the Heritage Assets.

5.3 There is no justification of why development should occur in the grounds of such an important heritage asset when alternative sites are available. We would expect a strong representation from English Heritage given an allocation within the DPD will in effect act as an outline planning permission for housing development within a Grade III* Listed Parkland. An objection from English Heritage could render the site undeliverable, as such the site should not be allocated and relied upon to deliver housing.

5.4 There has been insufficient evidence to explore the alternatives to provide parking at the school site. Any options which do not impact so greatly upon a heritage asset should be fully considered prior to allocating land for development solely on the justification it can provide community benefit. In this case ADD17 could provide the same level of community benefit without the loss of Grade II* Listed Parkland.

5.5 We strongly believe the evidence on which the site allocation is based is not sufficiently justified and the proposed site does not form a deliverable option for housing development within Harlaxton. Due to this we believe the Site Allocations and Policy DPD is not ‘sound’ and fails to accord with National Planning Policy in its current form.
Appendix 1 - SKDC Site Assessment Spreadsheet
<table>
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<th>Site Ref. No.</th>
<th>Prop. Use</th>
<th>Alternative use</th>
<th>current use</th>
<th>ITP</th>
<th>Vehicle Access</th>
<th>Defendeditzer</th>
<th>Flood Risk</th>
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Appendix 2 - SKDC Pro-forma for Site HARL06
Site Reference: HARLO6 (3.08 ha)
Location: Adj doctors surgery, Swinehill

Site Description
Large site located on the southeastern edge of the village. Comprises a large agricultural field.

Summary of Assessment
Constraints:
Highway Authority: sustainable. Access close to school. Transport assessment required to assess the impact on networks and junctions. Access to be positioned so as to achieve maximum visibility. drainage and parking concerns on Swinehill.
Site falls within the Harlaxton Manor entry on the Register of Parks and Gardens of Special Historic Interest - GII*

Impact:
Edge of settlement site which is large and extends into open countryside. The site adjoins the medical centre (north) and the school (northwest). The properties opposite the site are single storey. There are views of Harlaxton Manor (a Grade I Listed Building) from the site, which falls within the registered historic garden. Development in this location would encroach on open countryside and have a significant impact on landscape character (high) of the open countryside and the visual character of the village.

Consultation Response:
17 representations were received as a result of the consultation in October 2009 cover the following points:
- concerns about volume of traffic, and parking, on Swine Hill which is narrow
- part of site needed for car park
- localised flooding issues - LCC action not cured problems
- support modest development (less than 12) if car park provided for school - will not have too much visual impact
- support because it keeps village near facilities
- support because there is room to build houses with gardens

Conclusion
Highway Authority concerns may restrict the capacity of the site. If a proposal included some car parking for surgery and school, these concerns would be overcome.
Appendix 3 - SKDC Pro-forma for Site ADD17
Site Reference: **ADD17** (4.19 ha)
Location: **land west of Swine Hill**

**Site Description**
Large site located on the southwestern edge of the village. Comprises a large field in agricultural use.

**Summary of Assessment**
**Constraints:**
Highway Authority: concerns regarding development of such a large site via an access that is constrained by width, visibility and proximity to the school. Some small development may be acceptable, subject to detail. Likely detrimental impact on the local network if whole site developed.
Adjacent Conservation Area.
Adjacent Listed Building.

**Impact:**
Edge of settlement site which is to the rear of residential properties fronting Swine Hill. These are all single storey. Development in this location would encroach on open countryside and have a significant impact on landscape character (high) of the open countryside and the visual character of the village.

**Consultation Response:**
27 representations were received as a result of the consultation in August 2010 cover the following points:
- concerns about the impact on Harlaxton Manor
- concerns about the impact on the open countryside
- concerns about traffic and access to the site, school and surgery
- concerns that localised flooding would be exacerbated by development
- concerns about the capacity of the school

**Conclusion**
This is a large site, in open countryside on the edge of the village. Highway Authority concerns, including car parking for surgery and school, would need to be overcome, and these may restrict the developable area. Proposed access strip to the south of existing development on Swine Hill would extend the built form of the village into the countryside. May be suitable if other less constrained or better located sites are not available.