Hearing Session 9a – Allocated and Alternative Sites in Hay on Wye

Session 9a – Day 9

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Barton Willmore – Ben Stephenson

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Appendices

Appendix 1 Transport Statement
Appendix 2 Ecology Report
Appendix 3 Development Advice Map Extract
Appendix 4 Photograph of site from the B4350 west of Hay on Wye
Appendix 5 Illustrative Masterplan
Appendix 6 Proposed Extended Allocation boundary
Appendix 7 Housing Land Supply Including Commitments by Settlement
1.0 DBR-HOW-A - Land opposite The Meadows (Gypsy Castle Lane)

1.0 This Hearing Session Paper provides focused responses to the key questions and issues raised by the Inspector in relation to the above site.

1.1 The southern 1/3rd of the site is proposed to be allocated for the delivery of 20 homes in the Deposit LDP.

1.2 This Paper addresses our representations to the Deposit Plan, which seek the expansion of the proposed allocation so that it encompasses the whole of our client’s site at Gypsy Castle Lane. This provides the opportunity to deliver up to 60 homes along with significantly more land to enable the delivery of appropriate landscaping and public open space to aid the integration of the development of this site into Hay on Wye and the surrounding landscape of the National park.

a) How would the development of the site contribute to the aims and strategic objectives of the Plan?

1.3 Housing development of the site as proposed by our representations will contribute positively to the aims and strategic objectives of the Plan (SQ1-SE9) for the following reasons:

- Development at the site and the proposed extended allocation will comply with SQ1 helping to conserve and enhance the special qualities of the National Park, by providing housing development within a Key Settlement, thereby minimising the need to deliver housing at more dispersed, less sustainable settlements and villages. The site is also well integrated and seen within the context of the town of Hay on Wye, adjoining existing homes, employment uses and set against significant landscape belts which will serve to contain the proposed development and assimilate it into the overall landscape of the National Park.

- The proposed development will also secure much needed additional housing (up to 60 homes) at a key sustainable settlement close to services and facilities, thereby minimising the need to travel, in accordance with SQ2 of the LDP.

- The site has the potential to deliver up to 60 homes (as per our representations) providing a mix of dwellings on a deliverable site which is integrated with Hay on Wye a Key Settlement. This will also reduce the reliance of the Plan upon the delivery of windfalls, small sites, and previously undelivered UDP allocations or
existing commitments, providing a Plan Led system and certainty of supply and delivery. The site on the basis of delivering up to 60 homes would also deliver 18 affordable homes at this Key Settlement in accordance with SE2 of the LDP.

- Whilst the proposed allocation site is greenfield in nature, there are limited opportunities to deliver housing on previously developed land within Hay on Wye and such sites are already proposed to be allocated in the LDP. Accordingly, development at the site would accord with SQ3.

- The proposed allocation will also create a logical rounding off to the settlement of Hay on Wye, defined by strong defensible boundaries, which along with existing and proposed landscaping will ensure that development is assimilated into the landscape. This will comply with the requirement of SQ3. The proposed allocation will have no material effect on the historic built environment, cultural heritage, biodiversity, geodiversity or natural resources of the National Park, complying with objectives SQ5, 6, 7, 8 and 10. The site is grazed agricultural land, with no protected species or features on or adjoining site.

- The site is already or capable of being readily serviced by the necessary infrastructure to deliver the proposed homes. Additionally through design it will be able to incorporate measures to reduce waste and encourage recycling, complying with SQ9,11 and 12 of the LDP. Complying with objectives CC1-CC4 the site is sustainably located and will be designed to be responsive to climate change, is not a risk from flooding (CC4) and will be designed to incorporate renewable energy/efficient measures.

- Through its location at Hay on Wye, it is within walking distance of existing and potential future employment opportunities in accordance with SE3, this also serves to reduce the need to travel (SE4). Furthermore, additional housing at this site will serve to support the existing services and facilities within Hay on Wye in accordance with SE6-9.

1.4 The proposed allocation at Gypsy Castle Lane and our representations, which seek to expand the proposed allocation, comply with the strategic key objectives of the LDP.
b) Is the allocation appropriate?

1.5 The principle of allocating the site at Gypsy Castle Lane for housing is appropriate as the site complies with the search sequence and allocation process provided in Planning Policy Wales. In accordance with paragraphs 4.7.2 and 9.2.9 of PPW, the site is:

- Sustainably located at the sustainable Key Settlement of Hay on Wye as defined in the WSP and the LDP and adjoins existing residential uses.

- Within walking and cycling distance of key services, facilities and employment opportunities within Hay on Wye, thereby minimising the need to travel particularly by private car. (Appendix 1 – Transport Statement).

- Located in a settlement and a location that will be resilient to climate change (the site is not at risk from flooding) and any other impacts of climate change can be dealt with through design and other mitigation measures.

- Located such that it is already well served by existing and necessary infrastructure to support the proposed development.

- Is not subject to any physical or environmental constraints on development including flood risk or ecology. (Appendix 2 – Ecology Statement and Appendix 3 Welsh Government Development Advice Map).

1.6 In relation to the objective of PPW to utilise previously developed land in preference to greenfield sites (paragraph 4.7.2, 4.9.1 and 9.2.8) whilst the site is greenfield in nature, opportunities for the use of previously developed land in Hay on Wye are limited and have already been identified in the LDP. Accordingly, the proposed development of the site accords with the requirements of PPW, paragraph 4.7.2, 9.2.8 and 9.2.9.

1.7 Accordingly, the allocation of the site and the proposed extension to this allocation is appropriate against the tests of PPW.

c) Should the whole site be allocated for housing?

1.8 The proposed allocation identified on the Proposals Map is arbitrarily defined and does not relate to any physical features or naturally defensible boundaries on the site. The proposed allocation does not provide a logical boundary to Hay on Wye by way of a
rounding off to the settlement. The present boundary will create a staggered
development edge to Hay on Wye which does not relate to adjoining features and
existing development.

1.9 An elevated and heavily wooded former railway line embankment encloses the northern
boundary of the site. This provides a strong physical enclosure and defensible
boundary to Hay on Wye and the existing residential development located to the east of
the site.

1.10 To the west of the site are the large Hay Books Industrial buildings. These are
approximately 9m to ridge. These buildings and the associated large landscape bund
define the western edge of Hay on Wye. In views from the west these structures create
a strong and significant built form that will screen development on the proposed
extension to the Gypsy Castle Lane Allocation. An example view of the site from the
B4350 on approach to Hay on Wye is provided at Appendix 4.

1.11 The proposed development boundary is therefore not realistic and appropriate having
considered the relevant alternatives and does not appear to be founded on a robust and
credible evidence base. Accordingly it fails test of Soundness CE2

1.12 The attached illustrative masterplan demonstrates that the site could be developed to
provide upto 60 dwellings, along with a significant structural landscaping belt on the
site’s northern western boundary and new landscaping and improvements to the site’s
northern boundary. Appendix 5.

1.13 The larger site would allow for a natural and logical rounding off to the settlement
boundary following an alignment with the extent of existing residential development
located off Warrens close adjoining the railway line and sweeping south west wards
across the site at Gypsy Castle Lane and to the north of the Hay Books buildings and
landscape bund. Appendix 6.

1.14 This will in turn provide greater space to incorporate significant and appropriate
structural landscaping to screen the proposed development and soften the transition of
built form into the rural fringe and countryside.

1.15 Furthermore, the larger site will provide the opportunity to deliver a wider range and
mix of homes including greater numbers of affordable homes than the proposed
allocation.
In contrast, the proposed allocation seeks the delivery of 20 homes on a site of approximately 0.6 ha. However Gypsy Castle Lane is marked by a large mature hedgerow, which would need to be retained in any development. This hedge prevents a layout whereby homes would face and take access directly from Gypsy Castle Lane. Accordingly, development of the site, will need to be set back from the hedge and serviced off an internal road. To allow for this, along with necessary turning areas, landscaping, public open space etc would likely reduce the developable area to circa 0.5 ha. This would require a net density of 40 dwellings per hectare to deliver 20 homes. This would potentially be somewhat overly dense given the edge of settlement nature of the site and would not allow a sensitive transition from the existing urban form, to a less dense rural edge and beyond into the countryside. The proposed allocation for 20 homes on the basis of the area identified in the LDP therefore does not appear realistic or founded on robust and credible evidence, failing test of Soundness CE2 and therefore is potentially unsound.

Is the National Park Authority’s decision not to allocate the alternative sites for housing based on a robust and rational site selection process?

There appears to be no rational to allocate only the southern third of my client’s site for the reasons identified above, failing test of Soundness CE2 and therefore is potentially unsound.

Why is the allocation of the alternative sites required in order to make the LDP sound?

The site is already proposed to be allocated accordingly the principle of development at the site has been accepted by the National Park.

Of the LDP residual requirement (1806 dwellings) the LDP proposes the allocation of 998 dwellings and relies on the delivery of 638 homes windfalls/small sites which account for 34% of the residual requirement and approximately 65% of the overall proposed allocations. The Plan therefore relies heavily upon unidentified sites for housing throughout the National Park.

Allocating this site for upto 60 homes would reduce the Plan’s reliance upon windfalls and small sites. This would have a significant benefit in terms of ensuring delivery of market and affordable homes at a sustainable location and key settlement, as opposed to the unplanned and dispersed development throughout the National Park.
<table>
<thead>
<tr>
<th>Requirements</th>
<th>Homes</th>
<th>% of Residual Requirement</th>
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</thead>
<tbody>
<tr>
<td>LDP Requirement 2007-2022</td>
<td>1990</td>
<td></td>
</tr>
<tr>
<td>Completions 2007-2011</td>
<td>184</td>
<td></td>
</tr>
<tr>
<td>Residual Requirement 2011-2022</td>
<td>1806</td>
<td></td>
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<tr>
<td>Supply:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commitments</td>
<td>185</td>
<td>10%</td>
</tr>
<tr>
<td>Allocations</td>
<td>989</td>
<td>55%</td>
</tr>
<tr>
<td>Windfalls/Small Sites</td>
<td>638</td>
<td>35%</td>
</tr>
<tr>
<td>Total Supply in LDP</td>
<td>1812</td>
<td>100%</td>
</tr>
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</table>

1.21 In broad strategy terms, only 61 homes are proposed to be allocated within Hay on Wye, which is the second largest settlement in the National Park and is a Key Settlement defined within the WSP and the Strategy of the LDP and which therefore should a focus for growth.

<table>
<thead>
<tr>
<th>Hierarchy</th>
<th>Settlement</th>
<th>Homes</th>
<th>Distribution</th>
<th>Sustainability Score</th>
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<tbody>
<tr>
<td>Primary Settlement</td>
<td>Brecon</td>
<td>386</td>
<td>39%</td>
<td>39</td>
</tr>
<tr>
<td>Key Settlement</td>
<td>Crickhowell</td>
<td>40</td>
<td>4%</td>
<td>30</td>
</tr>
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<td>Key Settlement</td>
<td>Hay on Wye</td>
<td>61</td>
<td>6%</td>
<td>36</td>
</tr>
<tr>
<td>Key Settlement</td>
<td>Talgarth</td>
<td>47</td>
<td>5%</td>
<td>33</td>
</tr>
<tr>
<td>Key Settlement</td>
<td>Sennybridge and Defynnog</td>
<td>69</td>
<td>7%</td>
<td></td>
</tr>
<tr>
<td>Settlements</td>
<td>Other Rural Settlements</td>
<td>386</td>
<td>39%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>989</td>
<td>100%</td>
<td></td>
</tr>
</tbody>
</table>

1.22 In contrast, less sustainable and lower order settlements in the Plan hierarchy are identified for greater levels of housing development than at Hay on Wye or other Key Settlements. This does not reflect the settlement strategy hierarchy within the WSP or the requirement of PPW. This does not provide a coherent strategy from which allocations logically flow and therefore fails test of soundness CE1.

1.23 Furthermore, when existing commitments are taken into account, from NLP’s Housing Supply Update (January 16th 2013) it is evident that less sustainable settlements dominate the overall housing land supply, in contrast to the requirements of the WSP, PPW and the LDP’s own strategy. Appendix 7. This situation fails tests of Soundness
CE1, C2 and C3. The LDP should seek to redress this situation, by allocating further land at Key Settlements and reducing the proposed allocations at settlements.

1.24 Additionally the largest allocation in Hay on Wye is CS136. This is a former UDP allocation H6 - Former Health Centre. This comprises land, which contains two privately owned and operating dental surgeries, along with a former health care building. Furthermore access from the former Powys Community Centre appears sub-standard and compromised. Given the potential multiple owners to the allocation, the fact that the site was allocated in the UDP there are inevitable questions over the true availability and deliverability of this site for 22 homes as proposed by the LDP.

1.25 Allocating the entire site at Gypsy Castle Lane will therefore allow the delivery of upto 60 homes at this site and the key settlement of Hay on Wye. This would increase the distribution and delivery of housing at key settlements, helping to rebalance the plan such that the proposed allocations are aligned more closely with the objectives of the spatial strategy, i.e. delivering development at more sustainable key settlements.

Have the alternative housing allocations sought been considered in respect of the Strategic Environmental Assessment/ Sustainability Appraisal? Would the change be likely to have significant effects that require re-assessment? If so, has such an assessment been carried out? What was the outcome of the process?

1.26 As the southern 1/3rd of the site is proposed to be allocated for housing purposes in the LDP, the site has already been subject to a SEA/SA process by the authority. The proposed extension to the allocation to encompass the whole site would not result in any material changes to this assessment process, given that no additional adverse impacts would arise or which could not be mitigated through appropriate design or other measures.

d) Are there any significant obstacles to the delivery of the site?

1.27 There are no significant obstacles or constraints to the delivery of development on the whole site.

1.28 The site is entirely within one ownership there are no third parties owners, easements or other title impediments that could prevent the delivery of this site for the proposed 60 homes.
The site has no physical constraints or obstructions that would prevent its overall development. The site is grazed farmland and does not contain or adjoin:

- Protected trees or hedgerows;
- Woodland;
- Watercourses or water bodies;
- Power lines or other utilities;
- Ecological features (See enclosed ecology report);
- Ground conditions or contamination given its agricultural nature; or
- Listed buildings or other protected structures.

The site is readily accessible by pedestrian, cyclist, public transport and private vehicles. The Transport Statement (Appendix 1) demonstrates that the site is sustainably located within walking, cycling distance of key services, facilities, and employment opportunities within Hay on Wye.

Suitable vehicular and pedestrian access can be provided to the site off Gypsy Castle Lane. The enclosed Transport Statement demonstrates that a suitable access can be achieved. Furthermore, the Transport Statement demonstrates that development of the site for circa 60 homes would not have any materially adverse impacts on highway safety or the efficiency on the local network.

It is understood that there are no capacity issues in relation to sewerage infrastructure in the local area.

Suitable surface water drainage from the site, can be achieved through the implementation of a sustainable drainage system to attenuate run off from the site to the rates required by the Environment Agency. Surface water from the development of the site can be discharge to the existing surface water drainage system, which runs along the site's western boundary.

e) When could the proposed development be delivered?

The site is under the ownership of my client and is available for development.

Subject to confirmation of the allocation in the LDP the site would be marketed to potential developers. Interest in developing the site has already been received from a major house builder.
Subject to marketing, the selection of a developer, completion of necessary detailed drawings, surveys and reports, pre-application discussions with the National Park, the statutory planning process, initial site preparation and infrastructure works it is reasonably anticipated that development could potentially commence on the site by 2015. The likely build out rate will be governed by market factors in 2015 with 3-4 years for completion based on 15-20 dwellings per year would be appropriate and a good rate of delivery in Hay on Wye.

**Is the National Park Authority’s decision not to allocate the alternative sites for housing based on a robust and rational site selection process?**

The northern 1/3rd of the site is proposed to be allocated. However, for the reasons set out above, the basis of the allocation does not appear to be robust or follow a rational process for defining the extent of the proposed allocation.

The extent of the proposed allocation appears arbitrarily defined, unrelated to existing physical features on the site, the immediate adjoining existing development to the east, west and south, or the significant physical barrier and landscaping belt created by the former railway line along the site’s northern boundary.

Furthermore, given the limited nature of the proposed allocation, it is questionable whether it would be possible to deliver the proposed 20 homes on the area identified in the LDP, without having to extend beyond the area proposed to be allocated.

**Why is the allocation of the alternative sites required in order to make the LDP sound?**

The proposed extension to the allocation at Gypsy Castle Lane, will firstly help to reduce the reliance of the Plan upon windfalls and small sites, which can not be guaranteed to be delivered. This will provide increased certainty for the delivery of housing on specific sites at sustainable Key Settlements.

Presently alongside existing allocations and commitments the Plan is heavily dominated by a supply at unsustainable settlements in contrast to the requirements of PPW, the WSP and the LDP’s Strategy.

The proposed extension to Gypsy Castle Lane would increase the housing land provided at a Key Settlement.

Development at the site as proposed would accord with the objectives of PPW, WSP and LDP of delivering housing at key settlements which should be the focus for growth given
their accessibility to employment, services, public transport and other day to day facilities.
Appendix 4

View of Site and from B3450
Gypsy Castle Lane site obscured by Hay Books Industrial buildings and seen within context of Hay
Appendix 7

Housing Land Supply Including Commitments by Settlement