

**Uplyme Neighbourhood Plan
Neighbourhood Planning (General) Regulations 2012
Consultation under Regulation 14**

Comments Form for the Neighbourhood Plan

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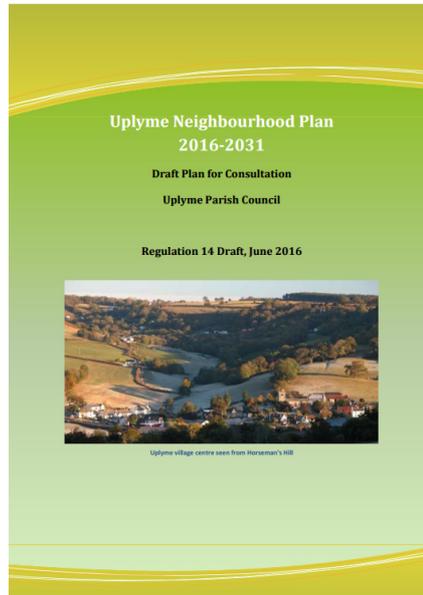
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40	Policy EN7- Proposed Green Space Sites & Localities, E - Open Undeveloped Land at Glebelands	Objection to proposed designation E - See attached statement
52	Policy EN7- Proposed Green Space Sites & Localities, Appendix F – Proposed Green Space Area	Objection to proposed designation E - See attached statement

Please return to Lois Wakeman via email: lois@lois.co.uk by 22nd August 2016 or post to:
Horseman's Hill Barn, Gore Lane, Uplyme, Lyme Regis DT7 3RJ

Statement of Comment on: -
Uplyme Neighbourhood Plan 2016-2031
Regulation 14 Draft, June 2016



By

Betterment Properties (Weymouth) Ltd

Prepared by agents at Sibbett Gregory

S.E.Hoida MPlan, MSc, MRICS

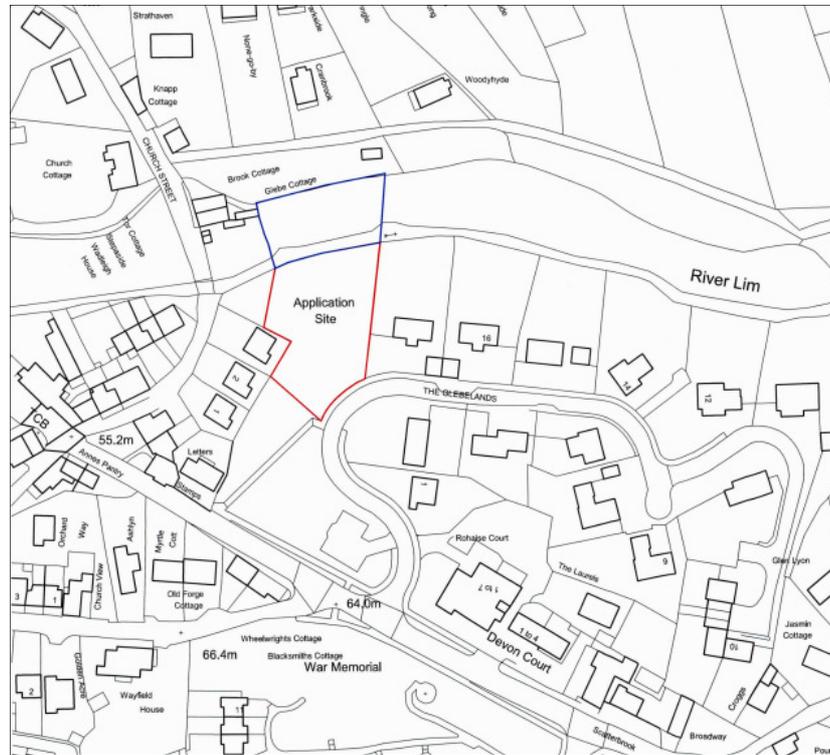
&

M.D.Brown FRICS, MRTPI



1. INTRODUCTION & BACKGROUND

1.01 This statement of comment is on behalf of the freehold landowner (Betterment Properties Ltd) in respect of land outlined in red and blue on the plan below:-



1.02 The landowner purchased all the land surplus to requirements of the Devon Hotel in 2001 with the benefit of outline planning permission for the erection of 16 dwellings. Both the original and renewed outline permissions and the submitted details in 2001 show a dwelling situated on the subject site. In September 2002 an amended detailed application was approved and subsequently 16 dwellings were constructed and the subject site was left undeveloped. Land south of the subject site was given over to open space and landscaped as such by the developer.

1.03 Since 2004 the developer has been actively pursuing the development of this site. A recent application was submitted earlier this year, the planning officer felt that any amenity impact of the previous proposals had been reduced to an acceptable degree. He considered the size and design to be in keeping with other plots on the estate. Viewing the proposal in the context of existing development he considered that the reasons for refusal of the previous applications had been sufficiently addressed and that on balance it was acceptable.

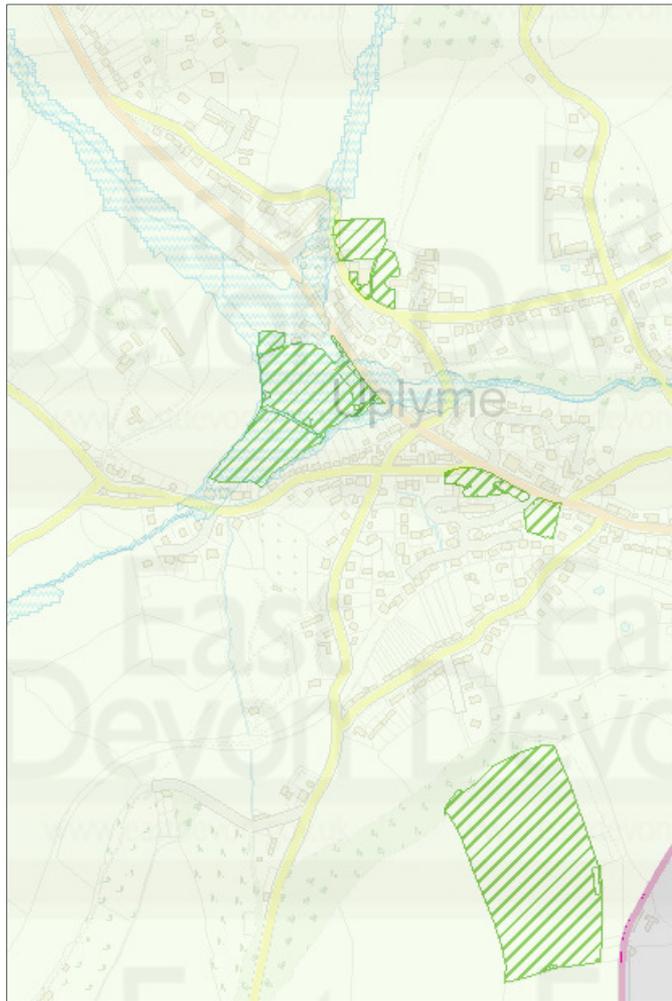
2. OBJECTION TO PROPOSED POLICY

- 2.01 The above private land falls within a proposed policy of the draft Uplyme Neighbourhood Plan: - EN7 - Proposed Green Space Sites & Localities, specifically *“E - Open Undeveloped Land at Glebelands”*. This statement is an objection comment with regards to this ‘Proposed Green Space Area’.
- 2.02 The case for green space value and the community benefits of the proposed designation of this site is stated in the Neighbourhood Plan as: - *“This area provides an attractive tree-bounded setting for the development and links directly to the adjacent open space F.”* Adjacent open space F comprises of a privately maintained green space within the estate and a residents car park.

3. GROUNDS FOR OBJECTION – LACK OF A NEEDS ASSESSMENT

NPPF Para 73

- 3.01 *“.....Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required”* (NPPF Paragraph 73.)
- 3.02 No evidence of an assessment for ‘specific needs for open space’ has been published. This should be carried out in order to quantify the supply and quality of existing open space in Uplyme. Without an assessment how can the level of need for new provision, and type of open space that may be required, be determined.
- 3.03 In terms of existing Local Green Space, we note that the *East Devon Local Plan Proposals Map - Uplyme Inset (Online)* contains a number of sites in Uplyme as designated Open Space. See inset below:



We have been tabulated the designated open space as follows:

Open Space Designation	Site area (Ha)
War Memorial and Greens	0.55
Mrs Ethelstons C of E Primary School Playground	0.06
St Peter and St Paul's Church Churchyard	0.24
Uplyme Burial Ground	0.43
King George V Croquet Lawn	0.10
King George's Field Tennis Court	0.06
King George's Field Play Area	0.12
King Goerge's Field	1.37
Uplyme Football Club	0.95
Woodroffe School Playing Fields	5.23
Total	9.11

3.04 According to the draft Neighbourhood Plan the population of Uplyme was 1,663 in 2011. Using these figures, the amount of designated open space per resident equates to 50 square metres of Open Space per resident.

3.05 The existing designated supply of 50 Sq M per person appears to be in excess of the quality standard expected within *Strategy 43 - Open Space Standards* of the *East Devon Local Plan 2013-2031*. Suggesting an existing surplus of Open Space.

3.06 The draft Neighbourhood Plan includes some of this existing designated land, however additional surplus land is proposed to be included as new Open Space. Identified in Appendix F of the Neighbourhood Plan as:

- *C - Hacker's Mead;*
- *D - The Glen;*
- *E – Open Undeveloped Land at Glebelands (Housing Development Site);*
- *F - The separate area of open space within Glebelands; and*
- *part of G - Barnes Meadow estate open area.*



(Extract - Appendix F Draft Uplyme Neighbourhood Plan)

4. GROUNDS FOR OBJECTION - INAPPROPRIATE DESIGNATION

NPPF Para 77

4.01 NPPF Para 77 states that: *“The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used...”* then follows a set of 3 criterion:

1. *“where the green space is in reasonably close proximity to the community it serves;”*
2. *“where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and”*
3. *“where the green area concerned is local in character and is not an extensive tract of land.”*

4.02 Areas A, B, C, D, G and H hold a level of local significance and can be demonstrably used by the community as existing local green space. We have no objection to such policy designation at these locations. We do object to the proposed policy at area E. The development site at Area E does not serve the community, it holds no particular significance in terms of history, beauty, recreational use or richness of wildlife. Therefore, it fails to satisfy the tests under the first two criterion of the NPPF Para 77. Although we do not object to designation of area G, this site may also not pass the test, further weakening the case for designation of this policy at site E.

5. GROUNDS FOR OBJECTION – LOSS OF SUSTAINABLE DEVELOPMENT SITE

5.01 Uplyme is identified in the East Dorset Local Plan as a sustainable location for future growth:

- Strategy 27 - Development at the Small Towns and Larger Villages
“The following settlements vary in size and character but all offer a range of accessible services and facilities to meet many of the everyday needs of local residents and they have reasonable public transport...” The list includes Uplyme.

NPPF Para 76

- 5.02 *"...Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period."*
- 5.03 Turning the site over to Local Green Space would result in the loss of a sustainable housing development plot.

6. GROUNDS FOR OBJECTION – PLAN IS NOT ‘SOUND’

NPPF Para 182

- 6.01 NPPF Para 182 states that: *"The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound" – namely that it is.."* then follows a set of 4 criterion:
1. *"Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;"*
 2. *"Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;"*
 3. *"Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and"*
 4. *"Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework."*

6.02 The Neighbourhood Plan has:

- Not been positively prepared:-
It seeks to prevent housing development by blanketing policies over the development sites within the built up area boundary and there is no provision for market housing. For example it seeks to use Local Green Space policy to block development upon a site (Site E) which is not demonstrably special to the local community and is within the Built Up Area Boundary.
- It is not Justified:-
‘Proportionate evidence’ and ‘reasonable alternatives’ have not been applied to demonstrate the policies are the most appropriate strategy;
- It is not effective:-
No apparent sign of effective joint working on cross-boundary strategic priorities; and,
- It is not consistent with national policy:-
The plan conflicts with:-
 - NPPF Para 73 (See section 3. of this statement)
 - NPPF Para 77 (See section 4. of this statement)
 - NPPF Para 76 (See section 5. Of this statement)

6.03 The Neighbourhood Plan does not support potential long term growth of Uplyme, which is not positive, nor in keeping with the Local Plan:

- Strategy 26C - Development at Uplyme of the East Dorset Local Plan
“The District Council will work with West Dorset District Council, Uplyme Parish Council and Lyme Regis Town Council to undertake joint evidence gathering, including on constraints, and if necessary bring forward proposals of an appropriate scale to support the potential long term growth of Uplyme and Lyme Regis”