

# **Allocations & Development Management Options Examination**

**Representor No. 61** Mark Strawbridge MRTPI IHBC

Day 3 of Examination - Southwell Area

## **CAMplan on behalf of Mr Roger Pearce (Caunton Properties Ltd)**

### **Introduction**

My name is Mark Strawbridge. I am a Chartered Town Planner, Landscape Architect and Heritage Consultant; My qualifications are BA(Hons) Post-Graduate Diploma in Planning, Post-Graduate Diploma in Landscape Architecture and D.Arts(Hon). I am a member of the RTPI and IHBC.

I am asked to make representations on behalf of Mr Roger Pearce (Caunton Properties Ltd).

### **Summary Conclusions**

The plan in respect of this site and its context as it stands is not 'sound'.

Site So/MU/02 should be reclassified as a full housing allocation. Development in the manner and at the scale proposed would result in a number of high quality homes in a sustainable location, with adjacent amenity space and the retention and potential interpretation of the SAM. 'Mixed Use' would not necessarily deliver anything different.

Reasoned analysis of the site in its context raises no issues of principle that would suggest that it cannot be developed for housing in a manner that respects the important archaeology on site and enhances the setting of listed buildings in the immediate area and that is consistent with the quality and character of the Conservation Area.

Objections to development are based, largely, on no analysis of context or the site.

Alternative proposals for the site are unfeasible and do not represent the best use of this brownfield site.

## Representation

The script of my original written representation (Ref: ADM/OR/2211) is attached as Appendix A.

Paragraph 182 of NPPF states:

### *Examining Local Plans*

*182. 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:*

***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;

***Justified*** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

***Effective*** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

***Consistent with national policy*** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

It is considered that the plan is not ‘sound’ in respect of allocation So/MU/02. Initial assessment of this site, stated in the DPD draft, was as a full housing allocation. Changing to a proposed allocation as ‘Mixed Use’ is considered to be a compromise in response to objections raised. As such it is unsound, in that consideration is not based on a rational and dispassionate assessment of the impact of the proposed use on the area, nor has it been thought through what ‘mixed use’ might actually entail in this context and as such has not been positively prepared.

The view of the National Trust (see below) is shared, in that the rationale used to arrive at the general landscape policy proposed is inconsistent with the core strategy and current best practice and therefore is unsound as it is not consistent with national policy.

## Site Assessment

### Conservation Area DPD

The Conservation Area Assessment carried out by the LPA (before the former school building was demolished) summarizes the principle issue relating to the site So/MU/2 thus:

*The design and layout of The Minster School site on Church Street impinges upon the character of the area. Reasons for this includes size, shape and massing in comparison to the nearby prebendal houses. Sensitive redevelopment of the site will be a major enhancement of the appearance and character of the area and there is a strong need to enhance views of the Minster in any potential redevelopment of the site.*

Arguably, views have since been improved simply by removing the school building. The requirement now is for a sensitive development proposal, having regard to the current situation. Ensuring that a development would be compatible, however, requires an overlapping series of assessments to fully understand the context, and plan accordingly:

#### *Landscape assessment*

Newark and Sherwood Council undertook a limited study of the area and produced the view cones as indicated on Map 6 – Southwell Proposals. This was flawed in both application and interpretation, to the extent that the National Trust, English Heritage and others made representations stating, *inter alia*, that it was neither appropriate nor would be effective in its aims.

The LPA then commissioned a landscape assessment from Nottinghamshire County Council. This has provoked similar comments, from the National Trust notably, who submitted a holding objection (ADM/OR/1167) stating (in summary) that the view policy does not accord with the Core Strategy; is not based on transparent methodology and does not represent current best practice. Although flawed and not in sufficient detail, particularly in terms of views, to be able to assess sites in close proximity to or within the Conservation Area, it should be noted that the long-range views of the Minster did not reveal the proposal site So/MU/2 at all. (See figure 8 and viewpoint 5 of the Southwell Views document).

#### *Detailed assessment of the environs*

A detailed site specific assessment of the immediate area around site So/MU/2 was carried out and submitted as part of the supporting documentation with the 2011 planning application; this is reproduced and attached as Appendix B. The conclusions of this detailed assessment were that, in respect of the Minster, the group is of monumental scale, prominent and dominant in the general views from all approaches to the town and also available localised views. That dominance, coupled with screening provided by intervening large scale mature vegetation, would suggest only a major development of a scale, use and nature completely out of keeping with the rest of the local domestic scene would have a material impact upon its setting or the group's contribution to the Conservation Area.

### *Site development opportunity and constraints*

As with any site, So/MU/2 is constrained by physical factors and in urban design terms by the character and form of its surroundings. The imperative to minimise the impact of highway requirements on the site, hydrological and other factors, the impact on site use of archaeology, etc. combine to produce an opportunity for a development of real quality and character, in keeping with the nature and grain of the town. It would be likely to be a housing scheme comprise a number of dwellings, and open space encompassing the SAM. This is 'housing' with ancillary amenity space rather than a 'mixed use' which could suggest something more intensive.

### *Archaeology*

The overall site encompasses a Scheduled Ancient Monument and a significant area of the whole is covered by this designation. However, the remainder of the site has now been the subject of excavation and analysis and the interim findings are, to date, that only the SAM area is considered to be of national importance. With appropriate design and controls over implementation, there now should be no constraint to sensitive development of the site integrated as proposed.

Overall, the content of these assessments suggests that a Mixed Use allocation, depending on the scale and nature of the detailed proposal, would have no different impact than a full Housing allocation in this instance.

## Other Representations

A number of representations have been made, in both the positive and the negative, about site allocation So/MU/2 and various aspects around development in relation to the area. A selection is as follows:

<b>Representation Ref:</b>	<b>Content Summary</b>	<b>Commentary</b>
ADM/OR/2404	Development of the site would be appropriate	Naturally, we would agree with this
ADM/OR/2381	There would be a negative impact on views of the Minster	There is no suggestion of any analysis of the situation to substantiate this comment, nor any idea which if any viewpoints were taken
ADM/OR/2354	Opposed to development of So/MU/2 prior to full investigation of the archaeology	Timing is not a factor in considering allocations, but in any event the archaeology has now been fully investigated
ADM.OR/2352	Opposed to development due to national significance of archaeology and loss of open space	Only the SAM area is of national importance, and proposed development includes the provision of landscaped space where there is none at present.
ADM/OR/2362 plus 2	The whole of So/MU/02 should be open space	This is a brownfield site in a sustainable location and as such should be considered for development in advance of other less sustainable sites.
ADM/OR/1662 plus 1	Concerns over setting of the Minster and views	This comment appears not to be based on any analysis of the situation
ADM/OR/1461 plus 2	Designate the whole area (including the former school site) as greenspace	This is a brownfield site in a sustainable location and as such should be considered for development in advance of other less sustainable sites.
ADM/OR/1438	SO/MU/01 is ideally suited to intensive housing for young people and elderly residents	SO/MU/01 is in many ways similar to SO/MU/02 in that it is a sustainable location but there are constraints imposed by heritage assets on the site.
ADM/OR/2405 plus many	Referring to the views policy, - 'Views of the Minster should be protected, the green wedge should not be built on'	No views have been identified, and SO/MU/02 is brownfield land, not in any 'green wedge'

ADM/OR/1780	The areas (of the view cones) are purely arbitrary and there is little or no public access	Agreed
ADM/OR/1167	(The National Trust) objects to the view policy as proposed as it does not accord with the core strategy; is not based on transparent methodology and does not represent best practice	A very similar set of views was expressed in our prior representations.
ADM/OR/673	Housing on SO/MU/2 would destroy site (sic) lines to the Minster. The proposal is of low architectural quality	This is not based on any analysis at all. The allocation is essentially in abstract and therefore matters of detail and architectural quality are not under consideration.

### **Critique of Alternative Proposal(s)**

There is an alternative proposal for the site currently to convert the land to a landscaped tourism/educational roman heritage park (N&SDC reference no 11/01291/FULM), albeit not supported by the landowner. The application has been made without permitted access to the site, and therefore some of the technical content is flawed. It is considered that the application as a whole is deficient in a number of ways, reflecting the superficial nature of the process. It falls far short of the standard of information required for a serious proposal.

The proposed 'landscaped tourism/educational roman heritage park' is:

- Not a 'mixed use' and therefore would be contrary to this emergent policy were it to be ratified in its current form;
- Not supported by a reasoned planning and landscape argument;
- Not representative of the most economical use of pre-used i.e. brown field land
- Not justified by the quality and nature of the archaeology found on the site; there is no case for wider interpretation other than the SAM area which remains unaffected by the proposed development in any event,
- Not supported by a feasibility study or business plan; it would be highly unlikely to be sustainable either in financial or business viability terms; and
- Unlikely, overall, to deliver the public access to information and interpretation of the site without significant external (i.e. public) investment.

The proposed development, on the other hand would meet policy objectives (whether ultimately it is decided to allocate as 'housing' or 'mixed use'); be supported by reasoned and valid planning argument; represent a good economic use of pre-used land; be of a scale and nature concomitant with the value of the site archaeologically; and at the same time be both viable and sustainable. It would also contribute to the maintenance of the '5 year' housing supply and therefore be of direct

benefit to the local community. The development has to date delivered considerable access and analysis of the archaeology of the site at significant cost, without recourse to the public purse.

### **Summary Conclusions**

The plan in respect of this site and its context as it stands is not sound.

Site So/MU/02 should be reclassified as a full housing allocation. Development in the manner and at the scale proposed would result in a number of high quality homes in a sustainable location, with adjacent amenity space and the retention and potential interpretation of the SAM. 'Mixed Use' would not necessarily deliver anything different.

Reasoned analysis of the site in its context raises no issues of principle that would suggest that it cannot be developed for housing in a manner that respects the important archaeology on site, and enhances the setting of listed buildings in the immediate area and that is consistent with the quality and character of the Conservation Area.

Objections to the development are based, largely, on no analysis of the context or site.

Alternative proposals for the site are unfeasible and do not represent the best use of this brownfield site.

**Appendix A** (Cross reference: ADM/OR/2211)

Allocations & Development Management Options Report Consultation

Attachment to Comments Form

My ref: 0261/11/2011

24.11.2011

**CAMplan** on behalf of Mr R Pearce, Caunton Properties Ltd.

Policy referred to: **Southwell Views Policy**

**Para 5.30 states:** *In line with the requirements of SoAP 1 Role and Setting of Southwell the District Council has identified important landscape Views of Southwell Minster and Thurgarton Hundred Workhouse and these are identified on Map 6. It is proposed that within this View areas (sic) the following approaches will be taken.*

- *Within the Views of Southwell Minster Area new development with negatively impacts upon the views or setting of Southwell Minster will be refused.*
- *Development in the area around the workhouse which negatively affects the setting and detracts from the openness of the area will be refused.*

**Question 5.9** *Do you agree with approach set out at paragraph 5.30 and the view areas identified on the Southwell Map?*

**Response**

1. Referring to the first point, relating to views of Southwell Minster, it is our view that:
  - There is no clear methodology behind the definition of the view areas
  - There is no assessment or statement of quality or value of views against which to judge the impact or otherwise of proposals
  - There is confusion between the possible availability of views of the Minster and what would be considered to constitute its setting. This is inconsistent with current advice and best practice.

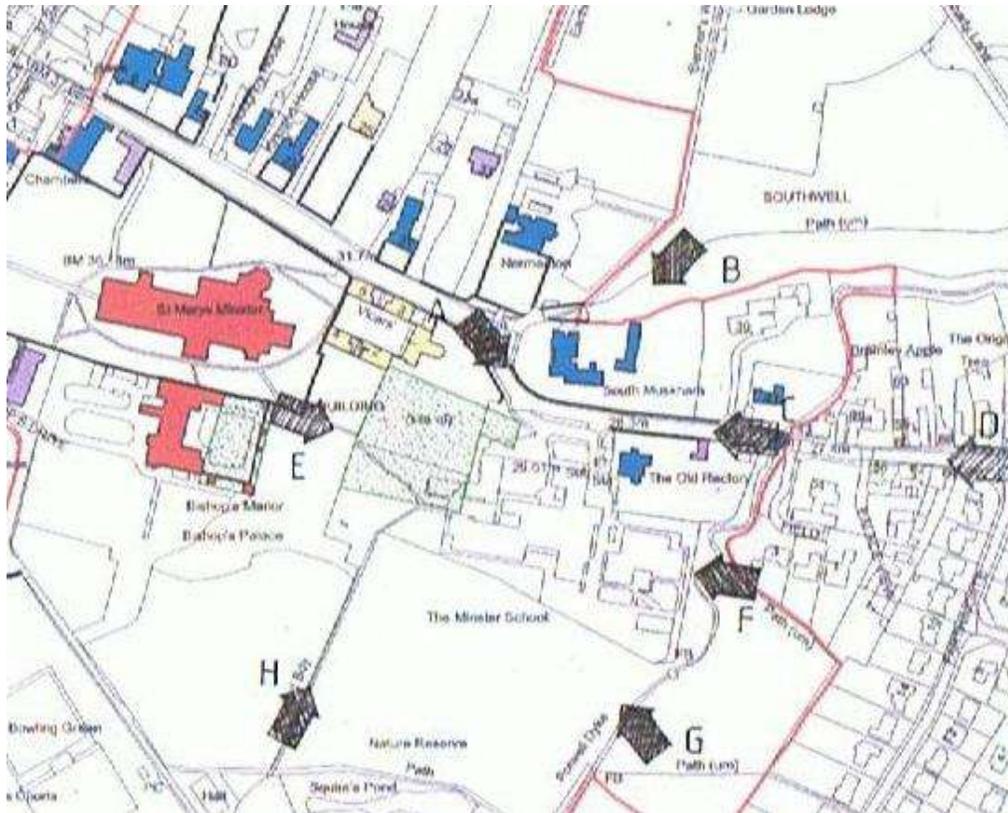
- The approach, such as it is, is inconsistent with the action plan of the Newark & Sherwood Landscape Character Assessment (2010 - ref: MN PZ 38)
- The view areas are extensive; the vast majority of the land covered is not in the public realm, Intervening built forms and topography affect the availability of views.
- The view area to the south includes non-existent viewpoints but excludes generally accepted views of value, identified in the Southwell Conservation Area Assessment (2005).
- Policies in the Adopted Local Plan (1999) sought to protect 'green wedges.' This provision also had the effect of maintaining open views from within the landscape whilst not constraining appropriate development within and adjoining settlements. The emergent Local Development Framework contains similar policy objectives.

**It is concluded** that this part of the Southwell Views Policy is unclear, inconsistent and an unnecessary duplication.

2. In terms of the second point, relating to the Workhouse - no comment.

## Appendix B Extract from report accompanying previous application on site So/MU/2

### Key Views in Context



### Key Views

In order to assess the potential impact, it is necessary to define not only the character of the specific location and context, but also the 'setting' of listed buildings that may be affected in the first instance. Whereas in many cases this is straight forward – in that it is the surrounds, frontage and back-drop of principal view(s) in cases of public buildings and complex townscape - the definition is often dependant on more subtle distinctions. It is also important to assess the nature of the view to be taken – e.g. is the view tangential or invited? Is it casual or studied? Framed or part of a series? The following defines key views accordingly:

<b>View</b>	<b>Nature</b>	<b>Commentary</b>
A	Serial	The views along Church Street, travelling west, are truncated by the alignment of the road and the site is not visible until level with Normanton, at which point a view directly into the site is afforded. If driving, the view quickly becomes tangential and fleeting thereafter.
B	Invited	Users are expected to enjoy view(s) from the Heritage Trail. However, the lie of the land and the intervening boundary walls, buildings etc mean that the site is all but invisible from here. The rear of South Muskham dominates the proximate view.
C	Serial	The frontage of the site becomes most evident in the view whilst travelling from the East. The principal element however is the expanse of mature vegetation and the change from urban to sub-urban character is marked, about at the bridge.
D	Serial	The longer view does have a glimpse of the Minster at points, but the mass of vegetation is again the key landscape element. There is a distinct feeling of moving along a well defined corridor at this point
E	Casual	As one pops out of the Minster Precinct via the footpath towards the Hall and Nature reserve, the view is of the playing fields, the vegetation along the Potwell Dyke and C20th residential development beyond, on slightly rising ground. Being on foot, the view is taken for a longer interval, but it is an adjunct to the main activity, of going from A-B
F	Invited	The public footpath around the field adjacent the Dyke largely used, it is suspected, for informal recreation and views will be taken as part of that experience. The Minster is visible above the tree belt, and it is doubtful whether a domestic scale development of any kind could affect the dominance of the element.
G	Invited	This view would have had the best appreciation of the former school of any vantage point, and similarly the new development.

		Again, there will not be appreciable harm to views of the Minster. The Old Rectory is exposed to some view at the present, but that is only on account of the removal of the school complex. It is debatable whether there is a 'setting' argument in this instance.
H	Casual	This longer view, taken whilst moving northwards along the footpath was formerly a view of the school over attendant playing field and grounds set against the backdrop as E above.

From inspection of the OS plan, the buildings' settings potentially affected are the Minster group, The Old Rectory, South Muskham and Normanton. Inspection on site suggests that the Minster group is dominant in the general views from all of the available approaches to the town. That, coupled with screening provided by mature intervening vegetation, would suggest only a major development of a scale, use and nature completely out of keeping with the rest of the local scene would have a material impact upon its contribution to views into the Conservation Area. Views out from the group are limited to beyond the periphery and, looking towards the east, the view is one of the former playing field and school complex bounded by domestic scale residential development on slightly rising ground. Again only a truly-out-of scale development would alter this common impression to a material degree<sup>1</sup>.

The setting of the former prebendary house Normanton, due to the enclosed and private nature of the property, its disposition in relation to Church Street and the relatively singular aspect of the available view, is relatively straightforward to define. Even tangential and serial views taken whilst travelling along Church Street would be unlikely to be affected by development other than were it to be within or immediately to either side of the main frontage view.

In the case of South Muskham, the situation is less clear cut. The building can be viewed from all sides, from accessible viewpoints on the road and local footpaths (parts of the heritage trail), and due to its location and the curving alignment of Church Street at this point, whatever goes on within or either side of the Church Street frontage or the public footpath to the north is likely to have an

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<sup>1</sup> English Heritage, in a consultation response to the approved scheme in 2008, concluded that the setting of the Minster would not be compromised by development of the site.

impact of some kind (although any impact would be ameliorated to some extent by the substantial wall and mature vegetation along Church Street (See picture below). Currently, for instance, the open frontage to the former school site (site hoardings notwithstanding) is a weak and unsatisfactory sub-urban element in an otherwise well-defined street 'corridor'.



### ***Frontage to South Muskham***

South Muskham forms a truncation of the view whilst travelling East past the Minster, along Church Street; this series of views would only be affected by development in front of the house or a development of such scale, either behind, beyond or to either side, to which the eye would be drawn away.