

Text from email from Mr Fothergill dated 7th September 2018 .

Dear Sir/Madam

Written statement for the Independent Examination of the New Forest National Park Local Plan

I have attached my original representation for reference and attach new documents to question Matter 4 – Objectively Assessed Need and the Housing Requirement. In particular, whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the overall provision for housing and the housing requirement.

4.13 The numbers of dwellings must be used as data from each Call for Site questionnaire proposal for future development appraisal. The SHLAA does not include dwelling numbers for each site proposed, contrary to NPPG. For example, the site at the Ramblers and Ivy Cottage, Exbury was submitted by Savills as 10 dwellings. A future allocation of 3 dwellings under an Estate Plan (maximum 3 dwellings per site or more in phases) could be placed on this site that is achievable and immediately available.

However, the site is not available or achievable for 10 dwellings as indicated within the red boundary unless the black line on my land is incorporated which indicates a drainage route. The New Forest National Park Authority has agreed following an ICO investigation (finding a breach, see attached document dated June 2018) that a site survey was undertaken in Stage 1 using NPPG guidelines and therefore has assessed the site including drainage and access. Please also see the letter from Mr Illsley, Policy Manager.

The Interim Housing Topic Paper attached has all the dwelling numbers proposed for each site in a table at the end of the Paper which have not been put forward into the SHLAA.

The Authority did not provide a Housing Trajectory, only after being asked by the Planning Inspectors in their letter to the Authority dated 12 June 2018. 'Can you please provide a housing trajectory as at 31 March 2018 setting out the anticipated output per annum over the Plan period for each of the allocated sites and each source of supply identified in Policy SP19 of the Plan.' The Authority's response dated 22 June 2018 shows a table on Page 27 and states that windfall sites now incorporate sites from Estate Workers dwellings, Rural Exception Sites and so on. The Defined Villages can be 're-defined' including new villages during the next 20 years. There is no information on how Estate Plans will be delivered. A meeting was held between the Estates and the Authority in May 2016 but no information has been provided on how land will be allocated through the Estate Plans and what constitutes a site for 3 dwellings (can larger sites be phased or divided into separate sites), for example in Exbury owned by Exbury Estate. Each source of supply has not been set an anticipated output per annum, but has been grouped as 20 dwellings per annum. Page 26 reads: 'The Authority has not explicitly set out a separate

estimate of housing supply from the provision of rural exception sites, commoners dwellings, estate workers dwellings and tied agricultural dwellings as these are expected to come forward under the general umbrella of windfall sites. They have therefore already been factored into the estimate of 20 windfall dwellings per year.' There is no breakdown of numbers of dwellings for all these categories and their locations (provided with each Call for Site proposal) which should be provided from the data held from the Call for Sites Questionnaires and published within the Interim Housing Topic Paper but not published in the SHLAA. This is not correct.

4.14 The methodology is not appropriate. The Authority has not followed a site survey for each site correctly and has relied upon the landowner's view that a site is available. There is no point in undertaking a survey if the landowner's approach is accepted.

An example is The Ramblers and Ivy Cottage. The proposed site includes a paddock rented out by Exbury Estate. Originally there were extended gardens, but the garden use has ceased many years ago. Please see a photograph of the paddock attached including hedges and mature trees on all boundaries of the paddock. Does the Authority, from their mapping resource, believe this land area (almost half the proposed development site) to be an extended garden of an Exbury Estate owned dwelling (as stated by Savills on the Questionnaire) or a paddock, following their site survey in Stage 1 of the NPPG SHLAA. The paddock has been grazed by horses under a rented agreement by Exbury Estate since I owned Daphne Cottage, Exbury, for over 10 years.

4.15 Which factors and constraints have been taken into account?

The Local Government and Social Care Ombudsman has stated in a published report in November 2017 with regard to the proposed site at The Ramblers and Ivy Cottage, Exbury that the Authority does not have to verify or check all information on a Call for Sites Questionnaire. I am disputing this statement in the Royal Courts of Justice under an appeal.

The Ramblers and Ivy Cottage, Exbury site states on the Questionnaire. Ownership Issues - 'No constraints. Have discussed proposal with adjoining residents without conflict over ownership.' My solicitor made it clear in writing to the Authority in May 2016 before the Interim Housing Topic Paper was published in October 2016 that I was not aware of the proposal and I had not agreed anything with Savills or Exbury Estate.

The new build dwelling to the south of the proposed development (Woodside, Exbury) has septic tank water from existing dwellings, including Daphne Cottage, running onto its land. A new proposal of 10 dwellings will require significant foul drainage work that can be readily solved by crossing my land above the corner of the existing paddock which floods. The Authority are aware of this septic tank water. Savills stated on the Questionnaire – no constraints. There are no constraints if my land is used. My boundary fence was opened up during drainage works by Savills.

Vehicular access to the proposed site is not possible for 10 dwellings within the red boundary of the site. There are no pavements in Exbury because the verges are

privately owned which will make any access onto the public highway unworkable. The Questionnaire stated – no constraints, using one access from the west and two access points from the north. Access to the west can use land owned by a neighbour adjoining my land. Access to the north can use Ivy Cottage land adjoining my land (where a boundary wire was moved around my tree which obscures a future access sight line).

Are the reasons for selecting the preferred sites and rejecting others clear?

Approximately 30% of the Call for Sites proposals were rejected because of a limited range of local services. However, SP39 states that the provision of local community facilities will be encouraged, and the Calshot Village site allocated in the Draft Local Plan for 30 dwellings does not currently have adequate services (stated by the Authority) but these will be provided at a later date through future works at the Fawley power station site. Many of the rejected sites can be put forward following service improvement through development and developer contributions. For example, Exbury village can have a cash point provided. What are the criteria for sufficient services? Exbury has a village hall, a playground, a post office, bus stops and a future shop (a recent retail use has been granted on a barn in Exbury Gardens).

If The Ramblers and Ivy Cottage, Exbury site is put forward at a later stage (within 2018 – 2032), the number of available dwellings of at least 10 (on 1 hectare, this can be increased to 20 dwellings, especially if the sizes of dwellings are reduced) must be declared at this stage for the assessment by the Authority to be correct.

The methodology has not been defined clearly. This led to a protracted ICO investigation to understand what had been assessed by the Authority on each site. For example, at The Ramblers and Ivy Cottage, Exbury site, the reason for rejection was 'Stage 2 - the village of Exbury has a very limited range of services'. The site should have been rejected in Stage 1 as not being immediately available. The ICO investigation found that all the sites were assessed using a site survey in Stage 1. This means the sites with their information were verified and checked yet the outcomes are not correct.

Yours faithfully

Alexander Fothergill