

**TOWN AND COUNTRY
PLANNING ACT 1990**

**Written Representations on the
Haversham-cum-Little Linford
Submission Neighbourhood
Development Plan 2016-2031**

*Objection in respect of Policy
HLL6 and the proposed
designation of land as a non-
designated heritage asset - Land
at Old Haversham*

December 2022

**Statement on behalf of
Mr and Mrs Cross, Haversham
Manor**

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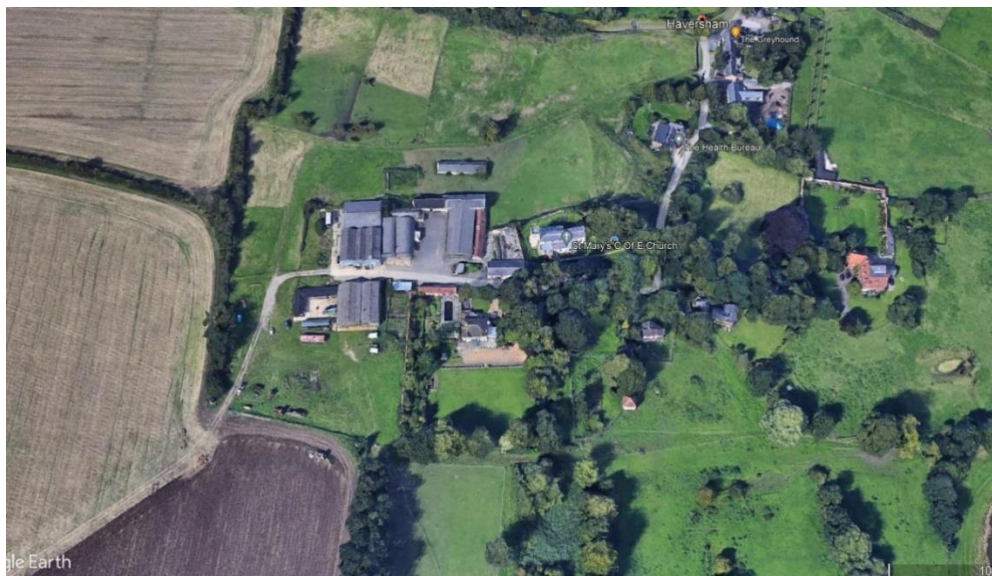
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CONTENTS

	Page No
1. Introduction and Background	3
2. Environment and Design Task Group Report	4
3. Strategic Environmental Assessment	5
4. Assessment of Character of proposed non-designated heritage asset	6
5. Changes sought to Policy HLL6	9
6. Legal Requirements of the Plan	10
7. Conclusions	12

1. INTRODUCTION AND BACKGROUND

- 1.1 My name is Nigel Ozier, I am a Director at Aitchison Raffety, Chartered Town Planning Consultants and a member of the Royal Town Planning Institute. I have an Honours Degree in Urban and Regional Planning and have over 40 years' experience as a Chartered Town Planner.
- 1.2 The purpose of this Statement is to set out, on behalf of Mr and Mrs Cross of Haversham Manor, our objection to the Submission Haversham-cum-Little Linford Neighbourhood Plan. Essentially, these representations confirm and maintain our objection made at the pre-submission stage of the Neighbourhood Plan to the proposed Policy HLL6 and the proposed designation of land and buildings in their ownership as a non-designated heritage asset and the definition of the proposed Local Area of Special Character covering their land.
- 1.3 As well as the Submission Neighbourhood Plan, where relevant to the objection I refer to the Strategic Environmental Assessment, the Consultation Statement (September 2022) and the comments made on the statutory consultations (which includes our objections) by Oneill Homer.
- 1.4 The existing farm comprises land and buildings set around Haversham Manor and stretching mainly to the south and west, up to new Haversham, and east encompassing the Scheduled Ancient Monument. Saint Mary's Church is located immediately east of the existing farm buildings. These existing buildings include stone, wood and modern agricultural structures some of which are close to the Manor. Access to the farm buildings is over the farm track to the north of the church. The southern access is for Haversham Manor.
- 1.5 As contained in the pre-submission document, Policy HLL6 in the Submission Plan indicates that the Neighbourhood Plan defines two Local Areas of Special Character as non-designated heritage assets and these are shown on the Proposals maps, Inset Map 2. It is noted that in response to the objection made on the area designated as a Local Area of Special Character at Old Haversham, the Submission Plan has proposed a minor change to the boundary of the Area with the omission of the farm buildings immediately to the west of the Haversham Manor. This small proposed change to the Area covered by the designation does not overcome our objection and it is considered that the proposed designation covering the majority of the land and farm at Haversham Manor is inappropriate and is based on an unsound assessment. I will deal with the evidence base used below.
- 1.6 In addition, it is considered that current policies and designations already covered by national and development plan policies provide the necessary protection of designated heritage assets. The inclusion of much of the land within this designated Area is inconsistent when considering the approach on other areas which have not been considered in the same way and no designations made. The proposed designation will harm the current farm business and places unfounded obstacles to the business and to future farming needs.
- 1.7 The pre-submission draft Neighbourhood Plan should also be considered against national and development plan policies which remain a material planning consideration in considering any proposals for development of the farm. It is unnecessary and inappropriate to include land which is part of the existing farm as a heritage asset or Area of Special Character when very clearly the impact of the farm is and will be substantial.



Google image of Haversham Manor and farm buildings

2. ENVIRONMENT AND DESIGN TASK GROUP REPORT

- 2.1 In our objection to the pre submission version of the Plan, I referred to the Report from the Environment and Design Task Group, originally completed in February 2020 and with some additions added in June 2021. The report covers issues and work completed by the Environment and Design task group and was intended as an input to the drafting of the Neighbourhood Plan. A survey of residents was also completed by the Parish Council in 2018. It is indicated that results from this have influenced the work and recommendations as referred to throughout the report.
- 2.2 A Character Assessment of the three main settlement areas within the Parish was undertaken: New Haversham (the Estate), Old Haversham (the Village) and Little Linford (including Mill Road, Haversham). Annex 2 to the report summarises this work and provides the context within which the proposals have been framed. Annex 2A consists of brief descriptions of the important viewpoints identified during the assessments. Annex 3 describes the important historical heritage of the area with summary descriptions of all the Listed Buildings and historic monuments in the parish. Annex 4 provides details of the sites proposed as Local Green Spaces.
- 2.3 The report sets out the Character assessment notes for each of the three settlement areas. It is surprising that in describing the topography and land uses, there is little mention of the farm and its associated buildings, with reference made only to 'two barns'. It is noted, to some degree, that the minor change proposed in the Submission Plan to the designated Area removes two modern designed buildings and an older building. In terms of layout of Old Haversham, the earlier reference to linear form is understood but while there is a clear connection between the High Street and Haversham Manor, little reference has been made to the impact on form, on character and layout. It is noted that reference is made to 'two old barns' on the farm north of the farmyard but no assessment is made on their condition or any historic importance they would have outside the use by the farm.
- 2.4 The assessment refers to Spaces (vehicular routes, pedestrian pathways, cycle paths, shared surfaces, rights of way, bridleways, alleyways, etc) and identifies the Churchyard, Glebe Field/church car park (opposite the church) and 'The Triangle'. In terms of landmarks (distinct

and instantly recognisable local features including buildings, statues and monuments, and other locally significant features of the local area, both built and natural) the assessment identifies St Mary's Church, The Greyhound, The Old School, Water tower, The Grange, Fingerpost sign and Horse chestnut tree. Green and natural features are identified as trees, hedgerows, streams, rivers, ponds, lakes, woodland and landscaped areas. Several mature trees at the southern end of the High Street, in the churchyard and surrounding area are indicated as well as the sailing lake and other lakes (not accessible to the public).

- 2.5 Streetscape and Views are the remaining items in the assessment which include lamp posts, benches and seating, street surfacing materials, signage, boundary treatments, stone garden walls and the old finger post near the pub. Important views in and out of the character area are identified which include the view from north of the church and west of the farm buildings.
- 2.6 While the assessment looks at some of the features and describes the character in the three main settlement areas, no reference is made in the comments published on the Pre-submission Plan consultations to character and essentially the only change to the Plan now proposed in the Submission version is the omission of two modern buildings. It is illogical that this change is seen as the only revision when clearly the overall farm activity and ownership is more extensive and important to the farm business. There is no assessment or clear description of the existing farm as part of the settlement. The Plan and the assessment have concentrated mainly on the Church and smaller landmarks in Old Havesham. As indicated in the comments by Oneill Homer, it is recommended that the evidence base is updated to respond to our objection. This has not been done and the assessment and Submission Plan is inadequate and arbitrary in terms of this Area.
- 2.7 The assessment also underestimates the impact and importance of the farm complex and surrounding land and does not identify the extent and definition of the proposed area defined as the non-designated heritage asset. With only a short reference to two views of St Mary's Church from the north and west of the farm buildings (the view from the west is not included on the Inset Map), the reference to the land either side of the farm is no sound basis for the boundaries to the defined area on the Inset Map. The fact that any view of the Church from the north would still be framed by the farm buildings is possibly understandable given the open field between the footpath and church whereas the other views from the west or south are only possible through the farm buildings which has not been assessed or linked into the area. Therefore, the Plan needs to recognise the location and extent of the current farm. In support of this objection, I set out in the next section an assessment which takes into account the form and character and the impact of the farm and the importance of recognising the need to ensure in the Neighbourhood Plan that the existing farm and business can prosper.

3. STRATEGIC ENVIRONMENTAL ASSESSMENT

- 3.1 The Neighbourhood Plan includes the Strategic Environmental Assessment which largely assesses the various sites proposed for new housing development. The report identifies that the NPPF requires that planning authorities should seek to sustain or enhance the significance of all heritage assets and that substantial harm to designated heritage assets should be wholly exceptional. Also, it states that archaeological remains (in particular) that are of national interest should be treated similarly. It advises that planning authorities should seek to avoid or minimise conflict between the need to conserve heritage assets (either designated or non-designated) and any aspect of a proposal under consideration.

- 3.2 The report indicates also that where development could result in harm to heritage assets that cannot be avoided (including through the development of alternative sites), it requires that this be clearly justified on the basis of public benefits that could not otherwise be delivered. It seeks to ensure that all designated, and other non-designated but important assets, are conserved and where possible enhanced. The report confirms that in preparing the draft Neighbourhood Plan, the HNP Steering Group have taken into consideration, when assessing plan options, their potential impact on the historic environment.
- 3.3 It is our view that the Submission Plan does not consider the potential conflict which the proposed area defined as a non-designated heritage asset causes and where other policies and controls already exist. The Neighbourhood Plan does not need to deal with matters adequately covered by national and local planning policies. The Submission Plan remains unsound on terms of understanding the needs of the farming business, future possibilities and the character of the area as a whole. The minor change to the Area proposed in the Submission Plan is inadequate and based on an unsound assessment.

4. ASSESSMENT OF CHARACTER OF THE PROPOSED NON-DESIGNATED HERITAGE ASSET

- 4.1 At the pre submission stage of the Neighbourhood Plan we sought through our objections the removal of the designated Area of Special Character under Policy HLL6. This objection remains and we continue to request the removal the proposed identified non-designated heritage asset from the Neighbourhood Plan as currently shown on the Proposals Map Inset 2. The arbitrary change made to the boundary of the Area of Special Character has been made with no update provided on the assessment or acknowledgement of the farm and associated activity.
- 4.2 There are a number of features in the proposed area which are already protected through existing national and local planning policies. These relate to the controls over Listed Buildings and their setting and to the Scheduled Ancient Monument. There is no clear basis on which to identify such a wide area of land and existing farm in order to protect the landmarks and views identified in the assessment which has been used to create this policy. More importantly, the assessment which has formed the basis for the policy has not assessed the area in full and not made any meaningful reference to the existing farm and buildings. The area now omitted has no clear reason when other buildings and land is similar in relationship to the farm, buildings and heritage assets. This is evident when considering the area of land north of the existing agricultural buildings. The Submission Plan proposes to omit a small area of the land immediately south of the buildings from the designated Area but not to the north which ignores the same impact which these buildings have on character as with the area to the south.
- 4.3 In the previous objections, I included a number of photographs of the farm buildings and their context which assist in identifying the character and form of the area. It is important that in setting a blanket and arbitrary defined area, the Neighbourhood Plan has failed to identify the key elements of the farm and effectively restricts the continued development of the farm business. The photos below emphasise the character of the area and the proposed omission of a part of the farm from the designated Area still lacks clear assessment.



Existing agricultural building on the north west edge of the farm complex

- 4.4 This is a typical agricultural building and as seen from the open area to the north west of the buildings already screens the Church. While it is proposed to omit the land immediately south of the buildings from the designated Area, this part of the farm remains within the proposed Area when clearly its character is also significantly affected by the farm buildings.



Existing agricultural buildings

- 4.5 The agricultural buildings above are within the existing farm complex and located on the northern side of the current group. As such they are an existing and important part of this area and of the character and form of this part of Old Haversham. Removing these buildings alone

from the designated Area fails to make a realistic assessment on character of the Area and the impact these buildings have.



View within farm complex showing church tower

- 4.6 The photograph above shows the view from within the farm complex of buildings. The tower of the church is visible and it is clear that buildings which are part of the farm are a significant part of the character of this part of the village. The agricultural buildings vary both in terms of design and materials and are functional to the farm. The proposal in the Submission Plan to now remove these buildings from the designated Area again shows that the assessment has been arbitrary. The area to the north of the buildings remains in the designated Area and yet the impact on the character by these buildings is more significant.
- 4.7 Also, it can be seen another way in that if the setting of the church is important then to merely remove the farm buildings from the designated Area as proposed fails to understand the setting and character of the farm and associated buildings. The way in which the Area has been assessed is not appropriate and does not relate to the form, character or correct assessment of the area. The omission from the designated Area of a number of the buildings and a small area of land to the south of these shows that the assessment fails to take the overall area's character into account. National and local policies provide sufficient controls and the proposed designation of the Area of Special Character should be removed from the Plan.



View looking west with in the farm complex

- 4.8 The view above again indicates the various agricultural buildings within the farm complex. These have now been removed from the designated Area and yet are the closest to the Church. The area of land to the north of these buildings remains in the designated Area and but development which exists is now accepted. The assessment has not been undertaken correctly and the arbitrary inclusion of land and the omission of some buildings shows a misunderstanding of the character of the Area. The designated Area will unfairly prohibit future changes as agricultural use would be unfairly impacted upon by the proposed policy.
- 4.9 As can be seen on the google image included earlier in this statement, the area which has been defined under Policy HLL6 is a mix of uses and has been arbitrarily proposed. It is indicated that the basis for the designation is set out by the Environment and Design Task Group. However, the report which has been produced does not include an overall assessment of the farm buildings and concentrates only on the church and footpaths. The boundaries to the north of the church and to the west, including the farm buildings, is arbitrary and has no proper basis. The important features within this part of Old Haversham are already protected through national and local planning policies and any development within this area should be judged in relation to those policies and not an arbitrary and poorly supported new designation. Our objection seeks the removal of the proposed non-designated heritage asset and Area of Special Character from the Plan and as shown on the Proposals Map Inset 2.

5. CHANGES SOUGHT TO POLICY HLL 6

- 5.1 Policy HLL6 relates to the proposed non-designated heritage assets. Through this proposed policy, the Neighbourhood Plan defines two Local Areas of Special Character as non-designated heritage assets, as shown on the Policies Maps. Land at Old Haversham is one of two areas defined and the policy states that development proposals located within this Local

Area of Special Character should demonstrate that they have paid full regard to the characteristics that contribute to the significance of its local architectural, historic and archaeological interest.

- 5.2 The supporting text indicates that in a community survey in 2018 nearly all respondents (95%) indicated that preserving the historic heritage of the parish was important or very important to them. The Neighbourhood Plan indicates that the Local Area of Special Character designation is regarded as 'non-designated' heritage asset as per Annex 2 of the NPPF and provided for by Policy HE1 of the Milton Keynes Plan. It is considered in the Neighbourhood Plan that the Local Areas of Special Character are designated by way of their architectural, historic and archaeological interest.
- 5.3 The supporting text to the Policy refers to the Environment and Design Report included in the evidence base which it is considered demonstrates why the areas are worthy of designation. I have assessed the evidence base and consider this is inadequate and does not provide a sound basis for the proposed designation or any specific guidance on its extent or its boundary. The proposed small change to the Area as now contained in the Submission Plan fails to correct the assessment. The summary provided on the Policy indicates that the Old Haversham Area of Special Character includes several buildings and structures already listed, but also many which are not; that it is a historic area and the land is likely to cover remains of buildings, structures etc. which may go back to 12C or before; that the area spans the corner of High Street and includes the Greyhound pub, the interconnected 'Old Forge' buildings, the prominent old horse chestnut tree in front of the pub and St Mary's Church and surrounding buildings.
- 5.4 The bulk of the buildings surrounding the church relate to the farm complex and the Submission Plan proposes to remove some of these from the designated Area. However, some land has also been removed and other land also affected by the buildings remains within. This is illogical and fails to understand the character of the overall area.
- 5.5 It is accepted that Listed Buildings and the Ancient Monument should be protected and will be under existing development plan policies, national policies including the NPPF and other relevant Acts. As recognised in this section of the Neighbourhood Plan, the protection to the various listed properties is already in place. The proposed inclusion as a non-designated heritage asset of the area described as Old Haversham is not sound or based on an accurate assessment. The proposed changes in the Submission Plan shows this. There is no firm basis for the area as defined and the current farm complex and buildings have not been understood correctly in respect of the assessment of the character of the area.
- 5.6 Therefore, the objection seeks the removal of the designation as currently set out in Policy HLL6.

6. LEGAL PLANNING REQUIREMENTS OF THE PLAN

The National Planning Policy Framework (NPPF)

- 6.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied in respect of plan-making and decision-taking (paragraphs 1, 6 and 13). It provides a framework within which local people and their accountable Councils can produce their own distinctive Local and Neighbourhood Plans. The requirements set out in the Framework have now been supplemented by the Neighbourhood

Plan section of Planning Practice Guidance (PPG) and sections on Viability, Housing Land Availability Assessment and Strategic Environmental Assessment. The provision of the Framework and the PPG are mandatory material considerations for the purposes of basic condition 8 (2) (a).

- 6.2 Under the Framework, there is clear guidance requiring Neighbourhood Plans to be in general conformity with the strategic policies of the Local Plan. Neighbourhood Plans should reflect these policies and positively support them. Importantly, Neighbourhood Plans and Orders should not promote less development than set out in the Local Plan or undermine its strategic policies.
- 6.3 Paragraph 7 of the NPPF recognises that the purpose of the planning system is to contribute to the achievement of sustainable development; while paragraphs 15 to 223 taken as a whole constitute the Government's view of what sustainable development means in practice for the planning system in England. Paragraph 8 recognises there are three dimensions to sustainable development which include economic, social and environmental roles.
- 6.4 At the heart of the NPPF lies the presumption in favour of sustainable development (paragraph 14) which should be seen as a golden thread running through both plan-making and decision-making. For plan-making this means that plan-makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.
- 6.5 The application of the presumption has implications for neighbourhood planning (paragraph 14). Critically it means that neighbourhoods should: -
- *develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;*
 - *plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and*
 - *identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.*
- 6.6 The Framework seeks to build a strong, competitive economy and within paragraph 21 states that *"Planning should operate to encourage and not act as an impediment to sustainable growth... Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing"*

Planning Practice Guidance

- 6.7 Neighbourhood planning is described within National Planning Practice Guidance as providing *"a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider area"* (Paragraph 001, reference ID: 41-001-20140306).
- 6.8 Paragraph 40 (ID 41-040-20160211) states that the evidence required to support a Neighbourhood Plan should be proportionate, based upon robust evidence to support the choices made and approach taken. The Planning Authority is also required to provide constructive comments on an emerging Plan or Order before it is submitted (Paragraph 53 ID: 41-053020140306). The Authority should discuss the contents of any supporting documents, including the basic conditions statement. If a Local Planning Authority considers the draft

Neighbourhood Plan may fall short of meeting one or more of the basic conditions, they should discuss their concerns with the qualifying body in order that these can be considered before the draft Plan or Order is formally submitted, in accordance with paragraph 67 ID: 41-067-20140306.

- 6.9 Written representations will be taken into account by the examiner as set out within Paragraph 56 ID: 41-056-20140306. Furthermore, a Neighbourhood Plan or Order must not constrain the delivery of important national policy objectives. The National Planning Policy Framework is the main document setting out the Government's planning policies for England and how these are expected to be applied (Paragraph 69 ID:41-069-20140306).
- 6.10 We consider that Policy HLL6 in its current form fails to comply with the various key paragraphs of the Framework and PPG. The basis of the policy and the designation in Old Havesham fails to meet basic conditions as required by the Act. The evidence needed to support a neighbourhood plan is clear in the guidance and while there are prescribed documents that must be submitted with a Neighbourhood Plan or Order there is no 'tick box' list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft Neighbourhood Plan or the proposals in an Order. A local planning authority should share relevant evidence, including that gathered to support its own plan-making, with a qualifying body.
- 6.11 I do not consider the proposed non-designated heritage asset at Old Havesham has been supported by a robust or credible evidence base. There has been no justification why the selected viewpoints from the west and north of the farm complex reflect a higher landscape value or heritage value than elsewhere.

7. CONCLUSIONS

Assessment against the basic conditions

- 7.1 We object to the Submission Neighbourhood Plan which potentially restricts future changes at Havesham Manor and farm complex under Policy HLL6 which is not considered reflective of the NPPF or PPG and based upon an unsound assessment.
- 7.2 This objection seeks to remove the proposed identified non-designated heritage asset from the Neighbourhood Plan as currently shown on the Proposals Map Inset 2 and referred to in Policy HLL6. There are a number of features in the proposed area which are already protected through existing national and local planning policies. These relate to the controls over Listed Buildings and their setting and to the Scheduled Ancient Monument. It is not necessary to identify such a wide area of land and existing farm in order to protect the landmarks and views identified in the assessment which has been used to create this policy. More importantly, the assessment which has formed the basis for the policy has not assessed the area in full and not made any meaningful reference to the existing farm and buildings. The proposed removal of a small area of buildings and land from the designated Area has been arbitrarily made.
- 7.3 The bulk of the buildings and lane surrounding the church relate to the farm complex and yet these are included within the defined area. It is accepted that Listed Buildings and the Ancient Monument should be protected and will be under existing development plan policies, the NPPF and other relevant Acts. As recognised in this section of the Neighbourhood Plan, the protection to the various listed properties is already in place. The proposed inclusion as a non-

designated heritage asset of the area described as Old Haversham is not sound or based on an accurate assessment of the setting and character of this area. There is no firm basis for the area as defined and the current farm complex and buildings have not been understood correctly in respect of the assessment of the character of the area.

- 7.4 Therefore, the objection seeks the removal of the designation as currently set out in Policy HLL6. If part of this area is to remain then it is only relevant to include the area east of the Church in light of the views from the footpath and land around the Scheduled Ancient Monument.
- 7.5 We oppose the Submission Neighbourhood Plan for reasons set out within this statement, and request changes are made as set out in this objection.