

Bluntisham Parish Council Opposition to Huntingdonshire Proposed Local Plan Submission 2017-2036 Submission 2017/18

We have recent received the 'Proposed Local Plan Submission 2017-2036' for comment and accordance with the instructions issued, oppose the 'Plan' in both '**Soundness and legality**'

For the avoidance of doubt the Tests of Soundness are that the plan:

- has been 'positively prepared';
- is 'justified';
- is 'effective'; and
- is 'consistent with national policy' positively prepared

The National Planning Policy Framework (NPPF) advises that

'positively prepared' means that the plan 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 NPPF advises that 'justified' means that the plan is the most appropriate course of action, when considered against reasonable alternatives, based on proportionate evidence.

Effective The NPPF advises that 'effective' means that the plan is deliverable over the period of time it covers and is based on effective joint working between the bodies that are responsible for delivering the elements of the plan and on effective joint working between bodies where cross-boundary strategic priorities exist

Consistent with national policy The NPPF advises that 'consistent with national policy' means that the plan will enable the delivery of sustainable development in accordance with the policies of the National Planning Policy Framework.

The test for 'legal compliance':

- Whether the Local Plan is in the Council's Local Development Scheme;
- Whether consultation has been carried out in accordance with the Council's Statement of Community Involvement and meets the minimum requirements of relevant regulations;
- Whether the requirements of the relevant regulations, such as those relating to Equalities and Habitats, have been followed;
- Whether the requirements of applicable European Directives, such as the Habitats Directive, have been complied with;
- Whether a Sustainability Appraisal has been carried out assessing social, environmental and economic factors; and
- Whether the requirements of the Duty to Cooperate have been met. The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

Object to Legal Compliance

Our legal compliance objection is based on bullet point two where we believe that consultation hasn't been carried out in accordance with the Council's Statement of Community Involvement, we further contend that it contravenes the HDC Planning Portal guidelines with regards to the 'Local Plan Production' which clearly states the 'Plan has included targeted engagement with a broad range of stakeholders including:

- All Town and Parish Councils in Huntingdonshire
- Land owners and agents for sites proposed for allocation in the plan.

The item that was not consulted on and therefore is not 'legally compliant' is the change in status of Bluntisham to a Local Service Centre LP9 from its previous status of a Small Settlement LP10 that's contained within the 'Proposed Local Plan Submission 2017-2036.

The change to the status of Bluntisham was first introduced in November 2017 as a result of the Stage 6 Response to Consultation section of the Consultation statement. Huntingdonshire District Council (HDC) then commissioned an update to the Infrastructure Delivery Plan (IDP). The purpose of the new IDP was to reflect changes to the Proposed Local Plan Submission 2017-2036 spatial strategy and changes to overall level and distribution of new homes, and the addition of a new tier of settlement – Local Service Centres. The residents, Parish Councils and as we understand, District Councillors of the three villages were not made aware or consulted with during this process or ahead of the change. This new IDP and its findings have been used to advance the changes to Proposed Local Plan Submission 2017-2036.

Consultation on Change to Status

At no stage were the residents, parish Council or District councillors made aware of the addition of the new tier of Local Service Centre or at any time consulted on this change. The additional tier of Local Service Centre was introduced post the draft Consultation period of July – August 2017 and the Housing and Economic Land Availability Assessment December 2017.

The National Planning Policy Framework (NPPF) guidelines make specific references to consultation and within the Town and Country (Proposed Local Plan Submission 2017-2036) (England) Regulations 2012. In particular section No 767 Part 6 Regulation 19 which reads:

19. Before submitting a Proposed Local Plan Submission 2017-2036 to the Secretary of State under Section 20 of the Act the Proposed Local Plan Submission 2017-2036 authority must —

(a) make a copy of each of the proposed submission documents and a statement of the representations procedure available in accordance with regulation 35, and

(b) ensure that a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under regulation 18(1).

<http://www.legislation.gov.uk/uksi/2012/767/regulation/19/made>

Within the Proposed Local Plan Submission 2017-2036 2017 – Consultation Statement, references are made to what consultation has taken place, changes were made in the Proposed Local Plan Submission 2017-2036 in response to previous consultation documents – Stage 6 Responses to Consultation.

In all of these previous Draft Consultation July – August 2017 documents Bluntisham was defined as a Small Settlement. This has now been changed without any consultation on the change in status. At no stage throughout the consultation process were we made aware of the potential change to the planning tier status of Bluntisham.

The Proposed Local Plan Submission 2017-2036 cites the Housing and Economic Land Availability Assessment December 2017 (HELAA) as a driver for the change.

During the consultation on the HELAA document Bluntisham was defined as a “**Small Settlements with Good Sustainability**” and the introduction of the HELAA nor anywhere else in the document is mention made in regard to a potential change in status as a result of the consultation.

Consultation on the HELAA was thus based on Bluntisham retaining its small settlement status and there were seven proposed sites on the HELAA document within Bluntisham and

three of them were already subject to Planning Applications. Two of these sites have been carried forward on to the Proposed Local Plan Submission 2017-2036. Bluntisham Parish Council and residents had already been consulted with on these applications prior to the publication of the HELAA and the opinion of the council was on the record as being against both sites prior to publication. Documents in support of this statement can be found on the HDC planning portal and pre date the publication of the Draft Consultation and HELAA.

The changes in the Local Plan Submission 2017-2036 were as a result of “Stage 6 – Responses to Consultation” were considered worthy of including in Infrastructure Development Plan December 2017. In which Bluntisham was not named as a stakeholder, please see page B1 of the Infrastructure Delivery Plan Report Addendum December 2017 on the HDC website. The IDP makes specific reference to consultation:

“3.3 Identifying infrastructure requirements As set out in Part 1 of the IDP, the future infrastructure requirements to support growth identified over the Plan period have been assessed through a combination of stakeholder consultation, review of existing evidence-base strategies and forecast modelling”

Legal Compliance

Our legal compliance objection is that Bluntisham were not consulted on the change, claims that other consultation documents prove that this is the case are not sound. In all examples of published consultation documents and plans Bluntisham was classified as a small settlement and no reference was made in any consultation to an introduction of a new tier and that Bluntisham was to be moved to this new tier and the potential impact on the village of this change. We question the legality of the decision not to recognise Bluntisham and its residents as stakeholders when changing the status of the village to a local service centre and the abject lack of transparent consultation in relation to the change in the planning tier status of Bluntisham.

All the above confirms that consultation was not carried out in accordance with the ‘Council’s Statement of Community’, in particular Clause 1.1 which states local communities will be engaged with planning matters, which wasn’t done, Clause 1.2 which states engaging with communities on planning issues to balance their needs and aspirations and make decisions in the most informed way possible clearly wasn’t done. Clause 2.1, to encourage widespread participation so that decisions are informed by the needs and aspirations of the communities was ignored and clause 4.3, HDC will consult on issues and options at an early stage in the Local Plan preparation specifically on the change of status wasn’t done.

Object to Soundness of the Huntingdonshire Proposed Local Plan Submission 2017-2036

In the Proposed Local Plan Submission 2017-2036 a Local Service Centre is defined as:

4.100 There are a number of large villages, outside of spatial planning areas, that offer a range of services and facilities to meet the daily needs of their residents and to some extent the residents of other villages nearby. The local service centres contain a lower level of service provision than the key service centres but all offer at least:

Primary school, Public house, Doctor's surgery, Convenience shop, Public hall

The decision to include Bluntisham in this new tier is **not sound** because of the following existing facilities:

Public House

- Currently the only Public House in the village is only open in the Evenings and at the Weekends and the lease for the pub has been for sale for over 18 months with no interest. <https://uk.businessesforsale.com/uk/traditional-inn-in-bluntisham-for-sale.aspx>
- In 2017 Bluntisham Parish Council registered the building as an asset of community value with Huntingdonshire District Council as there are serious concerns that there will be at some point an application to sell the building and apply for a change of use. The other public house in the village closed in September 2015 and the building is now for sale as a residential property. <http://www.rightmove.co.uk/property-for-sale/property-51534669.html>
- The precarious status of the pub brings in to question the soundness of the proposed change as the existence of a Public House is part of the criteria that means that Bluntisham be defined as a Local Service Center.

Doctor's Surgery

- There is no dedicated Doctor's Surgery in Bluntisham. The current surgery is located within the Village Hall and the practice pays rent to the Parish Council of £10K annually. Bluntisham Parish Council offer a subsidised rent to retain the surgery in the hall and currently this contract is renewed every two years.
- It is critical to point out that there is a Doctor actively seeing patients for one hour per week. There is a nurse's clinic on two days a week and other than at these times there is only a receptionist on site. The following link from the practice website provides the evidence of the opening hours and the availability of a Doctor <http://www.churchstreethealthcentre-somersham.nhs.uk/opening-times.aspx> . In effect the surgery is open for 11 hours per week and only 1 hour per week is a doctor in the surgery.
- The Quality Care Commission makes the following recommendations with regards to Doctor's surgeries –
 - "There are no set hours for appointments within the GP contract but the opening hours need to be sufficient to "meet the reasonable needs of its patients". <http://www.cqc.org.uk/guidance-providers/gp-services/nigels-surgery-55-opening-hours>
 - Bluntisham Parish council feeling strongly that a Doctor on site one hour per week in our village cannot be defined as a fully operational surgery and does not meet the reasonable needs of the residents of the village currently and

will not be a position to going forward. This makes the change in status unjustified as it is not the most appropriate course of action.

The preparation of the plan and the change to the status is not justified as a lack of a Doctor's surgery means that the plan does not meet the most appropriate course of action.

Infrastructure Delivery Plan

The decision to include Bluntisham in this new tier is **not sound** because of the claims in the Infrastructure Delivery Plan. The IDP has used modelling to identify infrastructure requirements within Bluntisham in order to sustain the proposed development that has been allocated to Bluntisham along with its change in status to a Local Service Centre.

Bluntisham Parish Council questions the **soundness** of these requirements and the claims within the IDP with regards to delivery of these essential improvements:

LSC10 – Health

- The IDP clearly states that Key Service Centres as the location for health service provision for increased demands from expansion in the local service centres. This contradicts the definition of a Local Service centre as the existence of a Doctor's Surgery is part of the justification criteria for the change in status.

LSC18 – LSC24 Sports and Leisure

- The IDP highlights that Bluntisham will require a marked increase in Sports and Leisure facilities as a result of the proposed development which results from the change in status. These include: a Sports Hall, changing facilities, new grass pitch, outdoor tennis court, outdoor bowling green and more outdoor gym equipment. The costs of which will be met by HDC, Developer contribution, CIL and section 106 monies, private sector and grant funding. The report makes no mention of where these new facilities are to be located or if there is sufficient land available currently or that could be purchased to build these facilities. Had the authors of this plan visited Bluntisham or consulted with us then they would know that no land is immediately available for purchase and that grant funding streams have been already secured – Play park refurbishment, outdoor gym and cricket nets all being recent examples.

LSC34 – LSC35 Community Facilities

- The IDP highlights that Bluntisham will require a marked increase in Community facilities as a result of the proposed development which results from the change in status. These include a new community building and additional library space. Bluntisham has a village hall which stands on a small strip of land surrounded on three sides by football pitches, cricket pitches and cricket nets and is not suitable for extending and there is no library in the village and the mobile library service no longer operates. The IDP claims that the funding streams for these community facilities will be the same as those for the sports facilities and the same flaws in this assumption apply.

LSC44 – LSC49 – Open Space

- The IDP highlights that there is an essential requirement for an additional 1.1 hectare of open space which equates to 2.7 acres of open land. Which means that Bluntisham Parish Council would need to extend the current open ground at the

village hall by half in addition to the land required for additional sports facilities. There is currently no available land on which to do this and again the funding stream identified as coming from Huntingdonshire District Council and Section 106 contributions from the Developer.

The infrastructure developments laid down in the IDP identify the current lack of local amenities and there is no funding identified to deal with any shortfall at LSC level. At no stage would it appear that the content of the IDP has been reviewed or challenged by HDC and its **soundness** when pertaining to Bluntisham is seriously questioned. These shortcomings and the lack of funding are not reflected in the Proposed Local Plan Submission 2017-2036 again indicating that the change in status has not been objectively assessed and is not **sound**.

Conclusion

As clearly demonstrated above stated above, Bluntisham Parish Council object to the Huntingdonshire Proposed Local Plan Submission 2017-2036 Submission 2017/18 in both **Soundness and Legality**.

Huntingdonshire District Council have changed the status of Bluntisham to a Local Service Centre is clearly driven by the opportunity to build rather than the suitability of the Bluntisham as a location.

The change has been made without any consultation with the residents of the village which breaches the **Legality test**. The lack of consultation means the 'Change of Status has not been positively prepared nor thought through, has not been objectively assessed and as such we don't meet the criteria of a Local Service Centre, so the plan cannot be **sound** either

Bluntisham Parish Council requests that these representations be objectively assessed and considered fully by all relevant District Councillors and Officers.

A copy of this document will be sent to the following:

Sajid Javid - Secretary of State for Communities and Local Government

Rt Hon Shailesh Vara MP

Jo Lancaster – Managing Director HDC