

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

We have recently obtained the 'Proposed Local Plan Submission 2017-2036' ("The Plan") for comment and in accordance with the instructions issued, wish to register our opposition to the change of planning tier status for Bluntisham within The Plan on the grounds that the tests for both **Soundness and legality** are not met.

The Plan clearly states what the test of 'legal compliance' is:

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.

The proposed change in status of Bluntisham from a Small Settlement to a Local Service Centre 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 "updated" IDP was to reflect changes to The Plan's spatial strategy, overall level, and distribution of new homes, as well as the addition of a new tier of settlement – Local Service Centres. It would now appear that this is a new IDP (as opposed to an updated one) and its findings are being used to advance the changes to The Plan without the proper levels of consultation having taken place.

The National Planning Policy Framework (NPPF) guidelines also make specific references to consultation, as do 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 Local Plan to the Secretary of State under Section 20 of the Act the Local Planning 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>

In earlier consultation documents (Draft Consultation July – August 2017 and HELAA December 2017) Bluntisham was defined as a Small Settlement. This has now been changed without any consultation on the change in status. At no stage during HDC’s preparation of The Plan were we made aware of the potential change to the planning tier status of Bluntisham.

The Plan cites the Housing and Economic Land Availability Assessment December 2017 (“HELAA”) as a driver for the change. However, during the consultation on the HELAA document Bluntisham was defined as one of a number of “**Small Settlements with Good Sustainability**” and the introduction of the HELAA, nor anywhere else in the document, is any mention made of a potential change in status as a result of the consultation.

Consultation on the HELAA was thus based on Bluntisham remaining a small settlement. Records will show that there were seven proposed sites on the HELAA document within Bluntisham, three of which were already subject to Planning Applications. Two of these three sites have been carried forward on to The Plan.

Records will also show that Bluntisham Parish Council, and residents, had already been consulted on these applications prior to the publication of the HELAA. The general objections and formal ‘recommendations to refuse’ on the basis of valid planning reasons for both applications are there for all to see; Neither proposal met the criteria for rural exception developments as well as location and safety concerns, not to mention lack of amenity to meet the increased needs such substantial developments would require. 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.

On this basis, with all evidence confirming that no consultation on the change having occurred, **it is simply not possible to conclude that the test for ‘Legal Compliance’ is met.**

The Plan is equally clear on what the test of ‘Soundness’ is:

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.

In The Plan, 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

In order to meet these criteria it must be assumed that the 5 services mentioned should be both suitable in size and availability for the area, as well as sustainable. With this in mind, we have a number of concerns with respect to the assumptions made regarding the service provision provided by Bluntisham currently:

Public House

- Currently the only Public House in the village is open in the Evenings and at the Weekends. The lease for the pub has been actively marketed for sale for over 18 months. <https://uk.businessesforsale.com/uk/traditional-inn-in-bluntisham-for-sale.aspx>
- Due to the lack of interest in the Lease and knowing that the associated take away business is due to close, Bluntisham Parish Council has 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>

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 had to 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 only 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.churchstrethealthcentre-somersham.nhs.uk/opening-times.aspx> . In effect the "surgery" is open for just 11 hours per week.
- 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>

Infrastructure Delivery Plan

Where Essential or Critical Services are not currently available, The Plan looks to an Infrastructure Delivery Plan ("IDP") to bridge any gap. The IDP presented as part of The Plan, has used modelling to identify infrastructure requirements within Bluntisham in order to sustain the proposed development that has been allocated, along with the proposed 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 yet there is no funding identified to deal with any shortfall at LSC level. Not only that but The Plan would appear to seek to mask the true scale of the shortfall in funding, by including in identified funding, the £2bn already allocated to the A14 improvement works already commenced, which would not affect this proposed change.

In truth, c.90% of funding for Essential and Critical Schemes within The Plan do not have funding identified. In addition, the provision of wider amenities such as Hospital A&E care, Adult Social Care, as well as utilities has been glossed over without full consideration or thought. In addition, the IDP regularly refers to Section 106 funding to meet some need, but given none of the proposed developments meet the Section 106 threshold, this is also inaccurate.

It would appear that the content of the IDP has not been meaningfully or objectively reviewed or challenged by HDC and its **soundness** generally must be questioned.

In short, given the fundamental failings against the tests stated within The Plan, it is impossible to conclude that The Plan is '**positively prepared**', '**Justified**', and '**Effective**'.

Conclusion

Bluntisham Parish Council objects in the strongest possible terms to the Huntingdonshire Proposed Local Plan Submission 2017-2036 Submission 2017/18, and we believe that we have fully demonstrated The Plan fails to meet the Government defined tests for both **Soundness and Legality**. It would therefore be both unwise and illegal for the council to proceed with its proposed plan amendment.

Bluntisham Parish Council firmly believes that, for the reasons included within this letter, that it will not be possible for HDC to conclude that Bluntisham currently meets the criteria of a "Local Service Centre", and we therefore request that HDC withdraws the proposed Plan due to its illegality and lack of soundness, with immediate effect.

We are sure that if the District Councillors and Planning Officers of HDC reconsider their options in light of the criteria, rather than the opportunistic planning proposals currently before it for consideration, they will each be able to identify locations that truly meet the Local Service Centre definition within the district, without needing to base their view on planning opportunities that do not fit current planning guidelines.

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