

OBJECT to the inclusion of SP2 as an allocated site in the Local Plan (Chapter 4 . Policy SP2 and Paragraph 13.324)

The inclusion of SP2 in the Local Plan means it is not legally compliant or sound for the following reasons:

1. Breach of NPPF which states that states that true community consultation must be undertaken and 'early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential

SP2 has been included at this final stage in the Plan Development and without proper community engagement or consultation. The Statement of Community Involvement makes it clear that at least 3 stages of full public consultation should be undertaken. Regulation 18 of the Local Planning Regulations states that The site was actually allocated new green belt in the previous consultation and which was fully supported by local respondents. The site was included at the last minute in response to a temporary increase in OAN to 14400. The OAN has now been reduced to 13,800 and therefore it can be argued that the site is no longer required. The oversubscription buffer now pitched at an excessive and unnecessary 7% therefore it is unjustified to retain this last minute site which has not been subject to community scrutiny and is totally unsuitable for development (see points 2- below).

This final stage consultation has a very prescriptive and complex format to the responses which has discouraged ordinary village folk from responding preventing constructive dialogue and response. The 6 week deadline for the consultation prevented residents from effectively disseminating the information and assisting folk to prepare and submit a response. The plan is therefore not properly prepared.

2. Unsuitability of site for development- Flood Risk and Failure to apply the Sequential Test

The site itself is completely unsuitable for development. It is categorised as 1 in 30 year risk of surface water flooding and therefore application of the sequential test, as required by the NPPF, means that new developments should only be considered if there are no alternative sites available with a lower risk of flooding. Given all the sites available in the Local Plan and the oversubscription buffer it follows that this site should not be developed. NHDC Planning Officer determined that the houses must be built in the lower half of the field to prevent significant impact on the landscape, however this is the area of field which is at risk of flooding. NHDC also determine that by mitigating the flood risk in the field using a drainage system will protect the houses adjacent to the site. This is misleading as the affected houses have been modified to prevent flood water damage and by building 41 houses on this field places the new inhabitants at a risk of flooding

(which is exacerbated by the ground water factor described below) unnecessarily and is not justified.

3. Unsuitability of the site for development- Ground Water and SPZ1

The only method of water drainage on this site is infiltration, regardless of which SuDS scheme is employed. Incidentally the developer of the land is proposing an underground drainage scheme for this site which ranks the very lowest in the LLFA SuDS hierarchy and is not a method of choice. This method or any other infiltration scheme will NOT WORK in periods of high ground water. The site flooded in 2014 causing extensive damage and the flood consultant employed by SPW Parish Council JBA Consulting who concluded that

2.4 Conclusion

It is certainly true that the ground was saturated leading to surface water runoff on 7 February 2014, but we conclude that there is strong evidence that this saturation was caused by high groundwater levels in the Chalk. This is a very different flooding mechanism from surface water flooding alone and a very important consideration in any flood mitigation plans.

Furthermore NHTB consultancy, which has previous knowledge of the site as authors of the Section 19 Flood Investigation Report, report that the underlying geology for Whitwell is chalk. They raise serious concerns with groundwater flooding/problems if SUDS and infiltration is proposed. The groundwater situation is found to be similar to Kimpton where new equipment has been installed to enable groundwater flood warnings to be issued to residents.

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Thames Valley Water have concluded that the current sewage system is unable to accommodate any additional housing and the developer has proposed a large underground sewage tank from which the foul water is pumped during off peak hours. The EA expressed concerns over the use of this tank and applied a high number of conditions. Unless the tank and pumps are managed perfectly – and tank will erode over time leakages will pose a risk to ground water and Mimram chalk aquifer and world famous Whitwell Watercress Beds. The site is designated SPZ1 and requires the highest level of protection.

Inclusion of this site is therefore not justified.

4. Unsuitability of the site for development- Impact on Landscape-

The site is adjacent to a conservation area, can be viewed from historic pathways and is key component of the landscape character of the village, development of the site would have a huge impact on the rural nature of the settlement and lower its appeal to the high number of walkers and cyclists who visit at weekends from surrounding towns. Whitwell has very limited employment opportunities and is largely reliant on visiting tourists.

The importance of this field to the intrinsic beauty of the village cannot be underestimated. The Chiltern Society are proposing to include this area in their extension to the Chiltern Area of Outstanding Natural Beauty.

Adjacent to the site on the South is an ancient Green Lane dating back to Roman times, identified as Byway 36. This links with the Chiltern Way and forms part of a popular walk out of the village, with open views across the field in question to the opposite side of the valley. It is proposed to incorporate this as a "green corridor through the site" which seems an inappropriate urban construction. On the contrary the rural character of the lane and views from it across the valley should be conserved.

Adjacent to the site to the West is Bendish Lane, which is a popular and picturesque section of the Chiltern Cycleway. This pretty narrow lane, winding down the hill from Bendish, directly links the conservation areas of Bendish and Whitwell, with currently nothing but countryside in between. Development on SP2 would fill in a significant portion of this precious space and would transform the views from rural to urban.

This site lies entirely outside the currently defined settlement boundary and has no access from within the village. A new housing estate on this site will require a new access road from Bendish Lane, opposite the school entrance. This will increase the traffic and spoil the rural character of this lane and its views, including the setting of St Marys Chapel (Listed Building), which presently greet the visitor approaching the village.

The river Mimram emerges from the chalk aquifer behind the famous water cress beds at Nine Wells in west Whitwell. In fact this is the ancient origin of the name of the village, meaning "White Spring". The Mimram is one of only 210 chalk streams in the world and provides some rare and valuable habitats. The water is also abstracted to drinking water supply. The site SP2 is in a highly sensitive location for groundwater. The stream source only 100m away and 10m lower). In fact it is designated the most sensitive Source Protection Zone 1 (defined as the 50 day travel time from any point below the water table to the source).

In conclusion, the site is in conflict with NPPF including paragraphs 109 and 110 in that it fails to "conserve and enhance the natural environment." Particular issues for this site are the visual impact, especially impacting recreational routes and lanes, and risk to ground water and the Mimram chalk stream.

5. Unsuitability of the Site Breach of NPPF and existing NHDC Landscape Policy
Contrary to NPPF Para 170, the plan fails to recognise NHDC own landscape character evaluation for Whitwell Valley Area 203, which concludes that:
"large urban extensions and new settlements (>5ha) would not be appropriate within this Character Area, due to its relatively remote, rural and undeveloped character. It would be of an inappropriate scale and would introduce elements that would urbanise the landscape, altering the character and removing the existing key characteristics. Visual impacts would also be high due to the cross valley views currently experienced."
SP2 is a site of nearly 6ha and therefore the allocation of the site is contrary to the independent report findings for reason of visual impact.

Unsuitability of site for development- Location, Parking and Safety Risk

Whitwell is situated in a relatively remote rural location in the district, in the middle of an area of high quality Chiltern countryside, which is being eroded from all sides, especially from the West (Luton) and East (Stevenage), under the duty to cooperate.

Whitwell is accessible only via narrow lanes with passing places, which, along with the High Street, are frequently congested. Public transport is severely limited, with just a 2-hourly bus to Hitchin and no service at evenings or Sundays. Therefore any development in Whitwell will result in a directly proportional increase in daily travel by private car.

No Travel Plan has been submitted to justify the allocation of this 6ha site, which could lead to over 100 new houses and over 200 private cars travelling more than 10 miles per day. This is a significant increase in carbon footprint, which is contrary to the NPPF.

The site is directly opposite the local primary school along a road with only one pavement. This creates an two fold increased safety risk the first to the children walking to school and the second arising from the families who arrive at school in the car and subject to the hazardous parking arrangements. There have been a number of near misses.

6. Unsuitability of the site - Sustainability

The site is not sustainable as as previously explained it will result in significant increased car usage (nearest secondary school supermarket, train station are all 7- 8 miles away and nearest bus stop is >400m). The sewage system and flood mitigation rely on power hungry pumps which conflict with Gov sustainability and low carbon policy.

Comparison of SP2 site against the site in Whitwell which have been rejected and removed from the Local Plan

The attached tables below show very clearly that SP2 compares unfavourably in terms of NHDC sustainability appraisal to other sites previously considered for inclusion in the Local Plan and REJECTED. SP2 the 'preferred site' ranks the lowest of all the sites considered during the development of the plan. Most notably SP2 has high surface water flooding, and is the only site in a sensitive water source protection zone (SPZ1). Development of this site therefore breaches the requirements of the EU Water Framework Directive. The current sewage system is unable to accommodate the site and an elaborate system of pumps is required to deal with foul water. In addition flood mitigation strategies rely on pumps to reallocate the flood and run off water. This renders the site UNSUSTAINABLE and conflicting with Government low carbon policies. It is also extraordinarily land-hungry, with only 7 dwellings per hectare. In particular the site SP1 was rejected on the basis of a decision taken by the NHDC Planning Committee to reject a planning application for the site, based on impact on the countryside and views from historic pathways. Reasons which are directly applicable to the unsuitability of SP2.

To conclude

The allocation of site SP2 is not justified when considered against the reasonable alternatives, based on proportionate evidence.

Changes required

Allocation SP2 should be removed from the text and proposals map.