BARWOOD HOMES

REPRESENTATIONS IN RESPECT OF THE SOUTH NORTHAMPTONSHIRE COUNCIL LOCAL PLAN PART 2 (DRAFT SUBMISSION CONSULTATION SEPTEMBER 2018)

Land to the South of Litchborough Road, Bugbrooke

Waterfront House, Waterfront Plaza, 35 Station Street, Nottingham

www.marrons-planning.co.uk
Barwood Homes
Land to the South of Litchborough Road, Bugbrooke

CONTENTS

1. Introduction 3
2. Background and Context 4
3. Representations in respect of the South Northamptonshire Council Submission Draft Local Plan Part 2 September 2018 consultation 6
   Land to the South of Litchborough Road, Bugbrooke for Housing 16

APPENDICES

Appendix 1: Site Location Plan
Appendix 2: Landscape and Visual Appraisal
Appendix 3: Appeal Ref: APP/Y2430/W/17/3177102
Appendix 4: Appeal Ref: APP/W3520/W/18/3194926
Appendix 5: Appeal Ref: APP/Y2810/A/14/2228921
Appendix 6: Appeal Ref: APP/Z2830/A/11/2163947

September 2018
1. INTRODUCTION

1.1 These representations are made in respect of the Local Plan Part 2 for South Northamptonshire Council: Draft Submission Consultation, on behalf of our client, Barwood Homes, in respect of its interest in Land to the South of Litchborough Road, Bugbrooke.

1.2 The Land to the South of Litchborough Road, Bugbrooke is identified on the plan contained at Appendix 1 of this report.

1.3 Section 3 of these representations contains our detailed responses in relation to the Draft Policies and Proposals as set out in the PSD.

1.4 In summary, these representations seek to demonstrate that whilst we endorse the overall vision for the plan, amendments should be made to provide the Council with sufficient comfort that the plan is flexible enough going forward and will provide for enough growth over the whole plan period. Put simply, the lack of provision for further development in the villages does not accord with the overarching aims of the NPPF, and indeed the Council’s vision for the District, in that this does not sufficiently provide flexibility for suitable sustainable development going forward. The Council should not preclude the delivery of sustainable development in sustainable settlements and the plan should fulfil its objectives of seeking to create vibrant rural communities by allowing for some further housing in rural areas that will provide for local needs and support local services.

1.5 These representations also seek to promote the Land South of Litchborough Road, Bugbrooke for inclusion in the plan going forward. It is submitted that the site should be allocated for residential development at Bugbrooke, which is classified as one of five Primary Service Villages noted to have the highest levels of services and facilities within the rural area to meet the day to day needs of resident including those from surrounding settlements.
2. BACKGROUND AND CONTEXT

2.1 It is understood that South Northamptonshire Council intends to submit its Local Plan to the Secretary of State for examination prior to the 24th January 2019.

2.2 In relation to the examination of plans, paragraph 214 of the NPPF (2018) states:

2.3 ‘The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.’

2.4 The references to the NPPF below therefore relate to the NPPF (2012) version. We hope that the desire to hit the deadline imposed by the NPPF 2018 will not result in substantive and beneficial amendments being overlooked by the LPA to enable them to meet the deadline.

2.5 For a plan to be adopted it must pass an examination and be found to be ‘sound’.

2.6 Paragraph 14 of the National Planning Policy Framework (NPPF) refers to the presumption in favour of sustainable development and makes specific reference to plan making stating that:

- Local Planning Authorities should positively seek opportunities to meet the development needs of their area;

- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  
  - specific policies in this Framework indicate development should be restricted.

2.7 Paragraphs 154 and 157 of the NPPF identify (amongst other criteria) that Local Plans
should be aspirational but realistic and should plan positively for development to meet the objectives, principles and policies of the NPPF.

2.8 Paragraph 182 of the NPPF also sets out that the plans will need to be prepared in accordance with the duty to cooperate, legal and procedural requirements and that they must be ‘sound’. There are four tests of ‘soundness’, which are that each plan must be:

- **Positively prepared** – the plan should be prepared based on a strategy which 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 plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities;

- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework (NPPF).
3. SPECIFIC REPRESENTATIONS IN RESPECT OF THE LOCAL PLAN PART 2 FOR SOUTH NORTHAMPTONSHIRE: DRAFT SUBMISSION CONSULTATION

3.1 This section of the representations contains our detailed responses, prepared on behalf of our client, Barwood Homes, in relation to Local Plan Part 2 Draft Submission Consultation.

Section 1 – Introduction

3.2 We note that paragraph 1.1.6 of the Draft Submission Plan (DSP) sets out the overarching recommendations made in the West Northamptonshire Joint Core Strategy December 2014 (WNJCS). Of particular note is paragraph 7.41 of the WNJCS which states that, “meeting community needs may therefore require contributions from new development to assist in refurbishing, adapting or extending vital community assets; details of this approach will be provided within the Part 2 Local Plans and Supplementary Planning Documents (as necessary)…”. It continues to state that, “Part 2 Local Plans will ensure that the scale of development is proportionate to the scale of each village within the hierarchy and will take into account the level of existing planning permissions and completions that have taken place within the village during the plan period” (paragraph 16.14) but also states that, “whilst in general terms the rural housing needs will be set by the requirements set out in Policy S3, it is not the intention of the Plan to prevent additional appropriate development in the rural areas from coming forward…the Part 2 Local Plans could allocate additional sites based on evidenced local need” (paragraph 16.16).

3.3 Paragraph 1.1.7 of the DSP identifies that whilst South Northamptonshire’s housing need is met (which is why the plan doesn’t make allocations), it importantly identifies that the lack of housing allocations does not mean that it is desirable to impose a moratorium on all future housing development. The rural areas in particular will continue to contribute to the overall supply of housing and generate a housing need.

Section 2 – Spatial Portrait, Vision and Objectives

3.4 The vision is considered to be largely acceptable and we wholly endorse that by 2029 development in the District will have taken place in a sustainable manner supported by
the necessary infrastructure and with minimal effect on the environment and important landscapes.

3.5 However, it is important that the vision statement acknowledges that the release of additional land will be necessary in order to provide the Council with sufficient comfort and flexibility that the levels of residential development proposed will ensure the long term sustainability of the rural areas. It is noted that the vision seeks to provide a housing offer for ALL of the community and seeks to ensure development is delivered in a sustainable way, yet, there is not an appropriate policy mechanism in place to support this assertion. Put simply, it is considered that the policies set out within the DSP are not aligned with this vision statement and ultimately do not meet the needs of all communities within the District. This issue will be addressed in more detail in the later sections.

3.6 We wholly endorse and support the Councils objectives set out at paragraph 2.2.3 of the DSP, and in particular objective 5 which states that, “to ensure that appropriately scaled new development to meet identified needs is located on suitable sites in sustainable locations that can be served by sustainable transport measures”.

3.7 However, with reference to objective 8, it is submitted that this could be reworded slightly to provide a stronger delivery/statement:

“To ensure the continued sustainability of rural communities by retaining and enhancing important community services and ensuring a diverse and resilient rural economy.”

Section 3 - The Spatial Strategy for South Northamptonshire District

3.8 The opening paragraph to this section identifies that the spatial strategy is the overall approach towards providing homes, jobs, and infrastructure and community facilities over the plan period; providing the link between objectives and the vision. We wholly contest that the DSP achieves a level of consistency with Policy S1 of the WNJCS which sets out the spatial strategy for the following reasons:

3.9 Paragraph 3.1.3 notes that strategic development within the plan area is directed to the Rural Service Centres of Brackley and Towcester, with modest levels of development within the Rural Areas to meet local needs for housing.
3.10 Paragraph 3.2.2 continues to note that Policy R1 of the WNJCS advises that the detailed hierarchy must consider existing service provision and any opportunities to improve service provision to enhance the sustainability of the settlement. The WNJCS also sets out a hierarchy of the villages and leaves it to each of the individual Councils to set which villages fall into each settlement and what the particular policies are for each of these settlement hierarchy brackets.

3.11 Policy SS1 ‘The Settlement Hierarchy’ of the DSP sets out the structure for the villages. In principle we agree with this policy which stresses the importance of new development being directed towards the most sustainable locations. Additionally, it is agreed that Bugbrooke is a sustainable location for new growth and that it can play a significant role in the delivery of housing in the rural areas. Therefore, the proposed allocation of Bugbrooke as a Primary Service Village is welcomed.

3.12 However, it is considered that a stronger narrative with clear policy wording is required to distinguish the difference between the development approach in Primary Service Villages (PSVs) compared to Secondary Service Villages (SSVs). It is unclear what development would be deemed acceptable in PSVs but not acceptable in SSVs. The adverse impact of this lack of distinction is that development could be delivered in, albeit marginally, less sustainable areas.

3.13 With reference to paragraph 3.2.4, the DSP acknowledges that Primary Service Villages have the highest levels of services and facilities whereas Secondary Service Villages have a more limited range of services. It is suggested that by attracting more people to PSVs through the development of infrastructure, there will be greater support to those surrounding rural areas as a consequence.

3.14 Policy SS1 ‘The Settlement Hierarchy’ in relation to PSVs should be reworded accordingly to reflect their role. The policy should clearly state that PSVs can meet many of the day to day needs of residents and to some extent those of other nearby settlements and will therefore be the focus for accommodating modest levels of growth. It should also state that there is clear scope for development within or adjoining the village confines of PSVs. This is especially important in the context of paragraph 2.1.11 of the DSP which identifies that 72% of residents in the District live in rural areas.

3.15 We therefore suggest that the following text should be added to Policy SS1:
‘A proposal for development adjacent to the village confines, on land well-related to the built-up area of Primary Service Villages, may be supported where it accords with other policies of this plan.’

3.16 As presently worded, the policy is not consistent with paragraphs 3.1.3 and 3.2.2 of the DSP as referenced above, nor the WNJCS or the NPPF. Paragraph 14 of the NPPF states that local plans should have “sufficient flexibility to adapt to rapid change”. This issue of settlement boundaries and the flexible strategy provided in the NPPF is explored in further detail within these representations in Section 4.

3.17 With reference to paragraph 182 of the NPPF, the Local Planning Authority (LPA) should be demonstrating synergy between each aspect of the policy approach and, above all, consistency with the overarching presumption in favour of sustainable development identified in the WNJCS and the NPPF.

**Section 4 – Delivering Housing**

3.18 Whilst we support Policy LH1 ‘Development within town and village confines’, in so far as it relates to the existing built up area, there also needs to be a specific policy mechanism for appropriate development at the edge of villages which are deemed sustainable and suitable to accommodating further development. This is especially important in the context of the paragraphs above in relation to the PSVs and commentary made below on housing supply and demand.

3.19 Put simply, the Council should be allocating an element of development in and around the PSV’s at the very least. This would provide the Council with some flexibility should some of the strategic allocations do not meet the ambitious target placed on them in the Housing Trajectory. The NPPF is clear in its aims to boost significantly the supply of housing and given commentary made in the section 2 of the DSP that South Northamptonshire is a largely prosperous District that has not realised its development opportunities in the past (paragraph 2.1.15), the Council should be seeking to provide themselves with the flexibility required in order to ensure their plan is found, and remains, sound. This is explored in more detail below.

3.20 In a recent appeal (Appeal Ref: APP/Y2430/W/17/3177102) made by Mr L Orridge against the decision of Melton Borough Council, the Inspector attached significant weight to the flexible strategy provided in the NPPF for controlling development in the

9 September 2018
countryside. The appeal decision is attached at Appendix 3 of these representations. The Inspector stated:

“\textit{The appeal site is located outside of the town and village envelopes of the Melton Local Plan 1999 (LP). Saved LP Policy OS2 prohibits development outside of the town and village settlement boundaries with some exceptions, which are affordable housing, development essential to the operational requirements of agriculture and forestry, and for other small scale development as set out in the policy’s criteria. The proposed development does not meet these criteria and is therefore in conflict with this policy. The main focus and purpose of Policy OS2 of the LP appears to be to protect the character and appearance of the countryside and this is consistent with the Framework. However, the Framework does not reflect the strong prohibition on development in the countryside that is set out in Policy OS2 of the LP. The Framework has at its heart a presumption in favour of sustainable development, together with an acknowledgement that the intrinsic character and beauty of the countryside should be recognised. Although this does not provide a ‘green light’ for wholesale development of the countryside, the Framework clearly provides a more flexible strategy for controlling development in the countryside than is the case with Policy OS2 of the LP. I attach significant weight to the Framework in reaching my decision.}”

3.21 It is considered that development on the edge of rural settlements would be acceptable where it would be in keeping with the character of the settlement and would enhance the sustainability of the settlement. We therefore suggest a modification to the wording of Policy LH1 to reflect a more flexible approach to natural growth in rural areas.

3.22 With reference to Policy LH8 ‘Affordable Housing’, it is submitted that to set a target of 50% affordable homes on sites in rural areas (proposals for 10 or more dwellings, or on sites of 0.5ha or more) is too high and will lead ultimately to viability issues and subsequent delays in timescales for determining planning applications. This then could impact on the five year housing land supply and would result in a number of delayed applications and therefore less consents coming forward for development quickly. The NPPF is clear that plans should be deliverable and paragraph 173 is clear in its wording that, “\textit{sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.”} Whilst the LPA should have aspiration levels of affordable housing, this should also ultimately be determined on a site by site basis. Indeed the Councils own
Housing Market evidence paper (Oct 2017) indicates that they need 24% of all new homes to be affordable. Therefore the application of a 50% HA requirement seems to be a cynical move that seeks to restrict essential residential development in rural areas.

3.23

Paragraph 4.1.5 of the DSP identifies that the overall housing requirement set out in the WNJCS for the rural areas (2011-2029) is 2,360 dwellings. Paragraph 4.2.4 and Table 3 ‘Housing Delivery against planned delivery requirement’ indicates that the Council has already met this rural requirement through completions since 2011 or through sites with a current planning permission (commitments 2018-2029). Since 2011 1,821 dwellings had been completed on sites in the rural areas. There are a further 916 dwellings in the rural areas that have outstanding planning permissions. This total of 2,737 dwellings exceeds the delivery requirement for the rural areas by 377 dwellings. On the assumption that all of the dwellings identified in the rural areas were to be completed by 2029, this would represent 14% more dwellings than the 2,360 requirement. It is therefore noted that there is no need for additional housing to be allocated in the rural areas to meet the overall strategic need as set out in the WNJCS.

3.24

However, paragraph 4.2.3 states that Policy R1 of the WNJCS makes clear that once the planned requirement of 2,360 dwellings has been met, further housing, including additional allocations, will only be acceptable where the proposal meets a series of specific criteria. This applies to development within, and outside of the village confines. Therefore the 2,360 requirement figure is not a maximum and that, in accordance with the NPPF, in some villages there is likely to be some need for additional market and affordable housing in the future to meet identified local needs. Furthermore, it is possible that this development may not all be able to be accommodated within the defined confines of a village. Especially considering the current plan does not account for any additional housing need since the OAN established to inform the 2014 WNJCS on figures derived from the older RSS housing requirement from 2009.

3.25

Whilst we appreciate the contents of Policy R1 of the WNJCS, we also submit that the WNJCS does not seek to necessarily prohibit further development in the relevant districts but it seeks to devolve these powers to the districts themselves so that each Council can appropriately plan for development suitable to the local circumstances and needs. The WNJCS is clear that it is not the intention of the Plan to prevent additional appropriate development in the rural areas from coming forward. Indeed, the vision, aims and objectives of the WNJCS seek to create ‘vibrant rural communities’ and to
allow housing ‘in the rural areas to provide for local needs and support local services.’

3.26 The approach of the Council to simply not plan for any further development is simply perverse and overly optimistic and is not recommended by the WNJCS. In the event that the strategic allocations do not progress at the rate planned, or indeed some of the smaller permissions do not get built out, the Council should provide sufficient flexibility and/or a contingency plan so that the plan does not become out of date if a five year housing land supply shortfall arises. Indeed, the likelihood of a slippage in delivery of the Sustainable Urban Extensions (SUEs) identified in the WNJCS was acknowledged by the examining Inspector for the WNJCS who stated that, “whilst all available evidence indicates that both the timing and total of new housing would be largely viable and essentially deliverable over the full plan period achieving this would be challenging for all concerned.”

3.27 In addition, a recent appeal (Appeal Ref: APP/W3520/W/18/3194926) made by Landex Ltd against the decision of Mid Suffolk District Council indicates that the burden of proof on what should be in the five year supply now rests with Local Planning Authorities. This appeal decision is attached to these representations as Appendix 4. The Inspector found that the Council had little to evidence completions from sites with outline planning permission within the 5 year period and subsequently removed nearly all of them from the Council’s supply. The Inspector stated-

“Sites with outline planning permission make up a very large proportion of the Council’s claimed supply. The onus is on the Council to provide the clear evidence that each of these sites would start to provide housing completions within 5 years. I accept that there was clear evidence of what was necessary on one site provided in Mr Robert’s evidence and so the 200 dwellings in respect of that site should be added to the Appellant’s supply calculations. As for the other 1,244 dwellings with outline permission, the Council has not even come close to discharging the burden to provide the clear evidence that is needed for it to be able to rely upon those sites” (para 68).

3.28 From this we can attain that any Inspector at future appeals will take a robust view on ‘deliverability’ as per the definition in the new NPPF 2018. Therefore we recommend that additional sites are allocated which are deliverable and can make up part of the Council’s 5 year supply. This approach will allow additional housing development to come forward in a manner that is dictated/controlled by South Northamptonshire...
Council rather than through speculative appeals.

3.29 Another relevant appeal decision (Appendix 5) is on a site at Weedon (APP/Y2810/A/14/2228921) where the Inspector accepted the 5 year housing land supply figure presented by the Council, but concluded that,

“Nevertheless, the numbers in the JCS are not intended to be a maximum and the aim of policy in NPPF 47 is to boost significantly the supply of housing. It follows that just because the Council can meet its targets does not mean that more housing should necessarily be refused. Rather, the scheme would help the Council achieve what it recognises to be a challenging trajectory.”

3.30 As noted by the appeal Inspector, notwithstanding the spatial strategy adopted by the WNJCS, additional housing development in sustainable locations would represent acceptable sustainable development, as endorsed by the NPPF, and would assist the Council in delivering against a ‘challenging trajectory.’

3.31 Consequently, it is submitted that additional site for development (and at the very least “reserve” sites in the event of a housing land supply shortfall) could be identified by the Council through the Local Plan Part 2. In accordance with paragraph 14 of the NPPF, this would then provide the council with the “sufficient flexibility to adapt to rapid change.” This would also be consistent with the overarching aims and objectives identified in the DSP (referred to above) and also the main aims of the Councils Business Plan (2017/18) of growing the District and supporting and sustaining access to local services. Put simply, to allow some development in the villages, and especially the PSV’s will provide the additional population to provide continued support of services and facilities.

3.32 It is not uncommon that a recently adopted Local Plan can slip in terms of delivery, especially a plan that is dependent on a number of large Sustainable Urban Extensions delivering in the first 5 years of the plan period, thus rendering all housing policies that make up the development plan, out-of-date and carrying little weight in decision taking. Consequently, allocating additional housing sites in the more sustainable rural areas or including reserve sites within the plan (to be considered for development should a housing land supply shortfall arise at any point) will ensure that the Council’s development plan does not constrain sustainable development and is capable of
boosting significantly the supply of housing in accordance with para 47 of the NPPF. Furthermore, this approach will allow additional housing development to come forward in a manner that is dictated/controlled by South Northamptonshire Council rather than through speculative appeals.

3.33 Put simply, the Council should be seeking to significantly boost their supply especially when it is appreciated that the District has not realised its development potential in the past and the 2011 Census shows the population has grown by 7.5% in the past 10 years (paragraph 2.1.12 of the PSD). This would be more in line with the NPPF and the Governments overarching emerging policy considerations identified in the Housing White Paper February 2017.

3.34 In addition, given 72% of the Districts population live in rural areas, the Council should seriously be considering their development opportunities in the rural areas. The NPPF states, that “to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities” (paragraph 55). The Planning Practice Guidance provides further guidance on this issue, stating:

“A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities” (Rural Housing: Paragraph: 001 Reference ID: 50-001-20140306)

3.35 The Inspectors decision at appeal APP/Y2430/W/17/3177102 also provides guidance on the importance of development supporting the rural economy-

“Although the scale of the proposed development is small it is not insignificant and the additional households would therefore assist in supporting the viability of existing services and facilities. This fits with the general thrust of paragraph 55 of the Framework which states that housing should be located where it will enhance or maintain the vitality of rural communities.” (Para 24).

3.36 Rural housing is therefore best directed to settlements where it can help sustain and enhance facilities and services. That is not to say that development in the lower order settlements should be completely restricted (also in line with national guidance), but the Council should consider redirecting rural growth to the more sustainable rural
settlements, where it can be demonstrated that growth can be sustainably accommodated.

3.37 Notwithstanding the above, there should also be a mechanism in place to allow sustainable development to come forward in any event and irrespective of the five year housing land supply position in line with the NPPFs aims of ensuring Local Plans “plan positively for development”. There are many examples of recent Inspector’s decisions where an appeal has been allowed, notwithstanding an up-to-date plan and 5 year housing land supply, because the Inspector considered the proposals to be sustainable development and generally in accordance with the Framework.

Section 11 – The Natural Environment

3.38 Paragraph 11.4.2 states that the WNJCS identifies a number of sub-regional and local green infrastructure corridors in West Northamptonshire. Policy BN1 ‘Green Infrastructure Connections’ of the WNJCS provides a series of measures on the management and enhancement of the network, including:

‘a) be designed and delivered sustainably with prudent use of natural resources;

b) mitigate and adapt to the effects of climate change including through improved flood risk management and as a carbon store;

c) be designed to the highest quality in terms of appearance, access provision and biodiversity enhancement and protection;

d) reflect local character through the planting of native and other climate appropriate species and consideration of natural and cultural heritage features;

e) be supported by a long-term management strategy.’

3.39 It is important that Policy NE3 ‘Green Infrastructure Corridors’ of the DSP acknowledges that proposals which would undermine the integrity of green infrastructure corridors will not be permitted unless the benefits of development significantly and demonstrably outweigh the adverse impacts and adequate mitigation or compensation measures can be provided.
4. **LAND TO THE SOUTH OF LITCHBOROUGH ROAD, BUGBROOKE**

4.1 The remainder of these representations therefore seeks to promote the development of Land to the South of Litchborough Road, Bugbrooke as a suitable site for residential development. Bugbrooke itself has been identified as a PSV and the site is located on the edge of the settlement boundary.

4.2 The Land to the south of Litchborough Road, Bugbrooke is identified on the plan contained at Appendix 1 of this report and is hereafter referred to as ‘the Site’.

4.3 The Site, predominantly an arable field, sits on the south western side of Bugbrooke, and fronts onto the B4525 Litchborough Road. To the west is the Grand Union Canal, while along part of the eastern boundary is a house and garden known as The Firs. To the south is further agricultural land. Along the remainder of the eastern boundary is part of another site, again fronting Litchborough Road and adjoining houses in Peace Hill, upon which the construction of 31 houses has now been completed, and a site, just to the south of this, which has extant consent for 17 houses and was granted at appeal in 2013 (APP); this site also adjoins houses in The Leys.

4.4 The Site was the subject of a planning application (010/0547) and a subsequent appeal (ref: APP/Z2830/A/11/2163947) that was dismissed in September 2012 (Appendix 6).

4.5 At the time the appeal decision was made, the development plan for the area comprised the South Northamptonshire Local Plan (1997) and the Interim Rural Housing Planning Policy (IRHPP). The IRHPP document was adopted by the Council in July 2009 in response to the shortfall in housing land availability at the time; its function was to assist in meeting housing targets until such time as a 5 year housing land supply could be identified. The IRHPP set an indicative figure for new housing which would be permitted in a number of villages across the District. It was recognised that there were unlikely to be sufficient brownfield sites to accommodate such development within the villages so that development on greenfield sites, outside the village confines boundaries designated in the Local Plan, might be necessary. The IRHPP established a number of policies containing criteria against which housing applications in the rural areas would be assessed.

4.6 In dismissing the appeal, the Inspector summarised accordingly:
'There is no reason to suppose that the site is not deliverable if planning permission is granted, thus contributing to the 5 year supply of housing land. Provision would be made for 40% of the units to be affordable housing and the submitted Unilateral Undertaking could secure contributions to necessary infrastructure. Nevertheless, overall I find that the proposal would not accord with several of the requirements of the IRHPP; it would not consolidate the existing village boundary or form a sound alternative boundary which reflects and respects natural or other long term features; it would not meet the additional criteria set out in the policy if the indicative threshold for additional houses is to be exceeded in terms of best practice in design and density issues, the re-use of previously developed land or being needed to support the retention of essential local services. I therefore conclude that the proposed development, outside the village confines, would be harmful to the character and appearance of the rural area and would not accord with the policies of the Local Plan, the IRHPP or the Framework.'

4.7 The IRHPP has now been entirely superseded by the West Northamptonshire Joint Core Strategy (WNJCS) and thus carries no weight in decision-taking. In any event, the IRHPP would only engage in the event of a 5 year housing land supply shortfall; in such circumstances, and in the context of para 49 of the NPPF, the IRHPP would, being a policy for the supply of housing land, be out of date and given limited weight in decision-taking. Notwithstanding this, most of the criteria set out within the IRHPP policy is that which would typically be taken into consideration in determining a planning application in any event.

4.8 In respect of technical considerations, the Officer's Report for application 010/0547, the Council's decision notice for 010/0547 and the Inspector's report for APP/Z2830/A/11/2163947 all confirm that there are no technical impediments to the development of this site. All matters in respect of access, traffic, flood risk, drainage, heritage/archaeology, ground conditions, ecology and arboriculture were all considered acceptable by the various decision-makers.

4.9 Furthermore, in terms of accessibility, the site is less than half a mile (around 8 minutes on foot) from the centre of the village and all of the services, facilities and amenities that the village has to offer. There is also a good quality pavement on the southern side of the carriageway of Litchborough Road; this continues along Great Lane and all the way into the centre of the village. A regular hourly bus service serves the village known
as the D3 service. The D3 service links Daventry to Weedon, Bugbrooke and Northampton. There are a number of bus stops within the village, the closest being on Great Lane at its junction with Church Street (around 2 mins walk from the Site).

4.10 Therefore, the main issue in respect of the development of the Site was, and still is, the effect of the proposed development on the character and appearance of the area, having regard to national and development plan policy in respect of the location of new housing and the protection of the countryside. The remaining part of this section of the representations therefore considers this issue in detail, as it is clear that this will be the key factor in determining whether the Site is suitable for development or not. Effect of the proposed development on the character and appearance of the area.

4.11 These representations have been informed by a Landscape and Visual Impact Appraisal prepared by Iain Reid Planning. A copy of the appraisal can be found at Appendix 2 to these representations.

4.12 The Site is not subject to any landscape policy or designation, however, there is a Special Landscape Area to the west; its edge is defined by the Grand Union Canal. The Site (as do the two developed/permitted sites to the east referred to under para 4.3 above) lies outside the settlement limits defined for Bugbrooke in the South Northamptonshire Local Plan 1997 (SNLP) or the proposed DSP.

4.13 The Site and Bugbrooke lie within the Undulating Hills and Valleys Landscape Character Type in the Northamptonshire Current Landscape Character Assessment (NCLCA), and specifically within the Bugbrooke and Daventry Landscape Character Area (LCT) 13b. Key characteristics of the LCT include:

- Extensive undulating and productive rural landscape stretching across the west of the county;
- Cohesive and recognisable unity of character despite scale and extent;
- Variations in the underlying geology influence local landform
- Mixed farming predominates across the landscape although local land use and field patterns are strongly influenced by changes in landform;
- Numerous small deciduous woodlands, copses and shelterbelts punctuate the rural landscape;
- Hedgerow trees, within the strong hedgerow network, contribute to the perception of a well treed landscape and combine with other landscape and landform features to create an intimate, human scale landscape;

- Strong historic character underlies this deeply rural landscape.’ And relevant guidelines for the LCT include:

- Conserve and enhance the recognisable unity of local landscape character by ensuring that its qualities are not diminished by inappropriate development.

- Conserve and enhance existing small woodlands and copses to contribute to the perception of a well treed landscape.

- Conserve hedgerow patterns to contribute to the perception of a well treed landscape, and to seek to reinforce the human scale of the landscape.

- Conserve the heritage features within the landscape.

- Conserve the character of rural lanes.

- Seek to limit the effects of urban influences through sensitive siting and creative (landscape) mitigation.

- Create a rural fringe that is functional, visually appealing, and sensitive to the local landscape and townscape.

4.14 In dismissing the previous appeal on the Site in 2012, the Inspector acknowledged the adjacent sites to the east in paragraph 7 of her decision notice (at that time the site to the west of Peace Hill for 31 dwellings had a consent and the 17 dwellings to the south of Peace Hill and west of The Leys were the subject of an appeal) and noted that development outside village limits would be required (at paragraph 17 of her decision), but expressed caution as to whether those sites would be built.

4.15 The Inspector noted at paragraph 21:

‘...at present, the appeal site adjoins an isolated house and two potential housing sites which have yet to be developed. Whether or not those sites have the benefit of planning permission, there is no guarantee that they will be developed, or that they will be developed in advance of the appeal site. Until such time as those other two sites are built out, the appeal site is only linked to the defined village confines boundary of Bugbrooke by the somewhat
artificial construct of the provision of a footpath link (which would be a permissive path and not a public right of way) only part of which would run along the village boundary.’

4.16 At paragraph 22 of her decision, in referring to the impact of the development of the Site, the Inspector noted:

‘Without the development of the intervening sites it would consolidate development away from the village boundary and be harmful to the character and appearance of the rural area. At present the site does not adjoin the defined village confines boundary and so I do not consider that it would consolidate the existing village boundary or form a sound alternative.’

4.17 As a consequence of the implementation of the Peace Hill development for 31 dwellings and the consolidation of that by the grant of approval at appeal for the site to the south of that for 17 dwellings, the de facto developed edge of the village has been extended to the west to adjoin the Site; previously ‘The Firs’ to the east and immediately adjacent to the Site was detached from the then village edge. Thus the Site now adjoins the village edge — and development of the Site would consolidate that edge (a consideration of the IRHP).

4.18 In terms of landscape character this western edge of Bugbrooke is affected by the now built (and to be extended once the 17 dwellings are fully built out) form of the village to the east of the Site and the clutch of industrial/commercial and residential properties on the west side of the canal. That is reinforced by the visual and aural presence of the west coast main rail line further to the west on embankment. The area is not rural (although it has strong rural features — see below) but clearly village fringe.

The assessment site can be seen from a very limited number of viewpoints. The built development to the east and west limits views, even from the higher ground further to the west towards Norton’s Barn and Littleliff Farm, where the combined facets of built form and off-site planting mean that although the village can be discerned (including the church spire) the Site itself cannot be seen (this is based on summer views, although the ‘Landscape Supporting Information’ prepared as part of planning application 010/0547 on the Site was based on winter views and reached similar
conclusions). There is the prospect of views from the Grand Union Canal towpath, which is also PRoW (The Grand Union Canal Walk) but the hedgerow along the western boundary of the assessment site limits views into the site itself.

4.19 There are views into/over the site from the north, although these are only available in close proximity to the Site itself; land to the north rises to a shallow east-west ridge and thus limits longer distance views. From Litchborough Road, the Site falls in level to the south and indeed the southern boundary hedge (see also below) cannot be readily seen and there is thus a middle to longer distance view over the Site to the shallow stream valley and to rising ground beyond the stream and then to higher ground at Bugbrooke Downs to the south east (although there are not reciprocal views from this higher ground as there are no PRoW or roads on it). In the views from the north, the existing built development to the east and west is less evident, because of the presence and visual strength of existing planting to the boundary of The Firs and alongside the canal.

4.20 From the south there are no available views from the Grand Union Canal Walk, but where other PRoW intersect, there are views, for example from PRoW KD18 where it crosses the canal and where it crosses the rail line (and becomes PRoW KD3), although in these views the existing historic development within Bugbrooke is visible, along with, more evidently, the roofs and upper floors of the newly constructed 31 dwellings off Peace Hill.

4.21 The as yet unimplemented further development site to the south of Peace Hill and west of The Leys will also be seen from these locations. PRoW KD26/ KD3 run alongside the north side of the canal embankment to cross the stream before entering Bugbrooke at The Leys. The existing and proposed further development sites can be and will be seen from this PRoW, albeit filtered / screened in part by perimeter planting. From the floor of the valley there is a view northwest towards and into the Site, for the southern edge of the Site is only partly defined by a hedgerow and is at a lower level than the northern part of the Site. Development of the Site would be visible from this location, lying on higher ground and (at least initially) not screened or filtered in view by planting, although it is relevant to note that development on the Site would be seen in the context of the existing development adjacent to the canal and within the village itself.

4.22 In summary, the built context for the site has changed demonstrably since the 2012
appeal decision, in that the western edge of this part of Bugbrooke has moved closer to and now adjoins the Site. Existing built development lies to the west and to the east. The Site cannot be seen from the west or east (from within the village) and only in local views from Litchborough Road to the north. In near and middle distance views from rights of way to the south, the Site is seen, and development on it would be visible, but would be seen in the context of existing and committed built development, although there would be a need to visually strengthen the southern site boundary through new planting. Such planting would be wholly consistent with the guidance set out in the Northamptonshire Current Landscape Character Assessment NCLCA. That planting could take place, at least in part, on the adjoining field which is in the same ownership (based on the 2012 appeal application documents).

All of the above comments should be considered against the fact that the Site is being promoted by Barwood Homes who has a strong track record for delivering residential development in the Midlands; and the site should thus be considered deliverable in the context of footnote 11 to paragraph 49 of the NPPF. Put simply, if this site was allocated for development moving forward, it could be developed quickly and could contribute to the Councils five year housing land supply which when considering the site and villages sustainability credentials against the NPPF requirements to plan positively, should be regarded highly by the Council when preparing the Local Plan. We request the opportunity to discuss these issues further at the Examination Hearings.