TOWN AND COUNTRY PLANNING ACT 1990

Written Representations on the Roade Neighbourhood Development Plan 2018-2029
Regulation 16 Submission

Land at Roade
May 2018

Statement on behalf of Chartwell Industries Limited

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2. Information pertaining to an appeal by Bowbridge Land Ltd, land to the rear of 1 to 27 Thorpe Road, Earls Barton, Northamptonshire

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1. INTRODUCTION AND BACKGROUND

1.1 My name is Andrew Gray, I am a Senior Planning Consultant at Aitchison Raffety and a fully Chartered Town Planner was well as being a full member of the Institute of Economic Development. I have a Masters Degree in Town Planning and a further Masters Degree in Urban Policy and Regeneration.

1.2 The purpose of this Statement is to set out on behalf of Chartwell Industries Limited, representations on the submission draft of the Roade Neighbourhood Plan [NP], under Regulation 16 of the Neighbourhood Planning Regulations 2012 (as amended). This is the last stage in the process prior to the appointment of an Inspector, possible Hearing and village referendum.

1.3 Chartwell Industries has, over a number of years, contributed to the facilities in Roade and promoted land for residential development and other uses in the village. It has adopted a pro-active approach in engaging with both South Northamptonshire Council and Roade Parish Council on the availability and suitability of its landholdings for development.

1.4 Submissions have been made to South Northamptonshire Council supporting a comprehensive approach to development and a package of community benefits for Roade. A number of these submissions formed part of the process which led to the publication of the Roade Masterplan, and resulted in the allocation of land owned by Chartwell Industries. At the same time, Chartwell has supported local facilities and opportunities. More recently in November 2017, we submitted written representations to South Northamptonshire Council on their pre-submission draft Local Plan Part 2A, in support of the development of Roade and the implications for Chartwell’s interests.

1.5 The former Pianoforte site was allocated for development in the Roade Masterplan and subsequently planning permission granted and the development is well advanced. There is a planning gain package linked to this, including gifting of land for a cemetery, the site of the Roade FC and provision for a potential doctor’s surgery. The company has themselves held a number of discussions with South Northamptonshire Council and Roade Parish Council on the merits of different sites and potential community benefits which could be achieved. An example of potential community benefits that has been raised in the past, relates to the possibility of securing the future use of the former cricket ground for community use, either as open space, car parking, village hall, affordable housing, or a combination of uses. This form of planning gain would be potentially achievable through the development of the Chartwell sites promoted during this consultation.

1.6 Throughout the evolution of the Neighbourhood Plan process, (which has been underway since the Neighbourhood Plan Area was first designated in July 2016, with a residents group being formed later in October 2016), we have, on behalf of Chartwell Industries, continually requested to meet with the Steering Group [SG] and discuss their intentions. This open offer has been repeatedly refused by the Group throughout the various consultation stages of the Neighbourhood Plan, having been “deemed pointless and unnecessary” despite Chartwell forming a key stakeholder with significant land ownership in the area and having a track record of supporting facilities and development opportunities in the village.

1.7 The SG in seeking to justify their lack of engagement with Chartwell, refers back to a meeting held between the Parish Council and ourselves (acting as representatives of Chartwell) in September 2015. This meeting, held long before the Neighbourhood Plan process was
defined or had begun, did not involve the local community. Despite this meeting being held before the NP consultation framework was formulated, the SG assert on the basis of this meeting that their aims and aspirations do not align and Chartwell’s proposition which was unacceptable to the Parish Council, has therefore been declined.

1.8 Despite the SG basing their stance on a meeting with the Parish Council 10 months before the NP area was designated, the SG consider they are justified in using that information to inform the content of the Plan. This undermines the role of engagement with the local community and a key stakeholder and therefore the validity of the consultation process. Our concerns are justified as the SG’s Consultation Statement April 2018, in paragraph 2.6 of the Statement, states that one of the initial tasks of the SG was to develop a framework for public consultation. Initial consultations included provision of new community infrastructure, protecting community facilities and other important assets.

1.9 It is abundantly clear that the consultation framework of the NP was determined subsequent to the meeting held by the Parish Council with Chartwell in 2015. The meeting with the Parish Council held in 2015, and the formation and evolution of the Neighbourhood Plan are not one and the same; and Chartwell’s aims and aspirations have not been discussed with the community. As a major landowner and contributor to the facilities in the village, it is in our view an omission from the process.

1.10 Having submitted previous written representations on the NP we recognise that there has been interest within the community to utilise land for the benefit of the community. Comments were recorded in the SG’s ‘Actions to be taken in response to comments received and considered at the NHP Steering Group Meeting’ held on Monday 23 October that suggested some of the community would welcome better use of the former Cricket Ground site. Comments recorded include “As much as I loved the cricket field, it has had its day. As time passes, fewer and fewer residents recall it in its heyday. Consideration should be given to some low-level community use such as car parking, especially for the school. If a community building could be built the dear old girl would have done us proud”.

1.11 The SG recognises within Appendix 3 of their plan that land between Hartwell Road and The Leys is considered ‘available for development’ as it lies within the village confines. We support use of this land in principle, although as no discussions have taken place with Chartwell it is unclear as to the SG’s intentions for the site at this point in time. The NP does not allocate any land for development nor are there any housing targets provided. The lack of housing target and allocations relate to the prematurity against Part 2 of the Local Plan which is yet to undergo examination and therefore the NP should be considered premature and fails to meet basic conditions.

1.12 The continued reluctance of the SG to accept Chartwell’s offer to meet and discuss the plan, undermines the ‘Local Green Space Assessment’ set out within Appendix 4 of their draft Plan. Two of Chartwell’s sites are contained within this matrix of green spaces. In regard to the former Cricket Ground on Northampton Road, and the bowling green and grounds at The Leys, the SG state that Chartwell are not aware of the proposal to designate their land. They also state that the owner’s long term plans for both sites are unknown. This is despite Chartwell having made a number of written representations to oppose these designations and keeping their offer to engage with the SG open having offered the sites as part of some planning gain. The SG recognise in ‘Test 6’ of this matrix that Chartwell would be responsible for the on-going maintenance of these sites (whilst leased, the bowling green is still privately
owned), and therefore it is clear the draft NP is making policy assumptions over privately
owned land when there is clear opposition and a lack of engagement.

1.13 The draft NP should also be considered against the adopted Roade Masterplan, which
remains a material planning consideration, in which it is recognised that the many active
sports and social clubs within Roade are “facing pressures in terms of inadequate facilities
and rising costs, and who would like to move to multi-purpose facilities with other groups and
clubs in order to expand”.

1.14 Key issues identified within the adopted Masterplan recognise:

- Current facilities including the bowls club are under threat of closure
- The medical facility was at full capacity with insufficient parking, and is disability
  unfriendly
- The library is under threat of closure

1.15 The adopted Roade Masterplan also recognises that there has been pressure within the
village for both a new railway station and for a bypass to take through traffic out of Roade;
although at the time of producing the Masterplan these were considered beyond its remit.
Currently, there are proposals for a Strategic Rail Freight Interchange which is seeking to
provide a relief road around Roade as part of a Nationally Significant Infrastructure project.
The adopted Masterplan finds there are no significant issues in building new railway
platforms, although the identified hurdle was that there was no adequate land available for
car parking without any solution having been found. Chartwell own significant land in and
around Roade and we consider there is potential to provide land for community use as part
of planning gain.

1.16 With regard to the local economy, the Roade Masterplan identified a need to develop a
range of new employment opportunities within use classes B1 and B2, including the
provision of small high technology units and offices. The draft Neighbourhood Plan has not
proposed any sites to be allocated for employment purposes; despite the Masterplan
emphasising “the need to provide good quality employment opportunities and build strong
local businesses”.

1.17 Finally, whilst the SG argue that there is no need to provide further community facilities
within the village, and are rejecting Chartwell’s offer to engage; we recognise that this stance
is contrary to the spending priorities set out within Policy RNDP10 relating to the New
Homes Bonus and CIL. Priority 1 of this policy recognises a need to engage with key
stakeholders to resolve parking issues, whilst Priority 2 seeks to “provide additional
community facilities and buildings to support the needs of the growing community”.

1.18 As such, Chartwell maintain their objections to the Neighbourhood Plan as set out within this
report which we bring to your attention. We acknowledge that our comments on the
previously proposed green wedge policy have been considered with the policy now revoked
from this latest draft. However, we still have a number on concerns and once again we
request our comments be taken on-board in respect of Chartwell’s land ownership, with the
aim of ensuring Roade continues to be an attractive environment with good local services
and community amenities, whilst accommodating required levels of housing growth; and
ensuring the delivery of a Neighbourhood Plan that meets the required basic conditions.
2. **LEGAL PLANNING REQUIREMENTS OF THE PLAN**

**Town and Country Planning Act 1990 (as amended)**

2.1 We recognise that the Neighbourhood Plan is submitted for consultation prior to independent examination. The following stage will be to proceed to referendum; however, the Plan must be tested against conditions set out within paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended). These legislative conditions include: -

(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,

(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,

(e) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),

(f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and

(g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

2.2 On review of the latest Roade Neighbourhood Plan we still consider there to be major flaws throughout the Plan preparation contrary to basic conditions 8 (2) (a), (d), (e) and (g). We have found many components in respect of policies and supporting text which are contrary to these conditions. These basic conditions are reinforced by Planning Practice Guidance, (paragraphs 53 ID: 41-053-20140306 and 65 ID: 41-065-2014306).

**The National Planning Policy Framework (NPPF)**

2.3 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).

2.4 Under paragraph 184 of 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.

2.5 Paragraph 6 of the NPPF recognises that the purpose of the planning system is to contribute to the achievement of sustainable development; while paragraphs 18 to 219 taken as a whole constitute the Government’s view of what sustainable development means in practice for the planning system in England. Paragraph 7 recognises there are three dimensions to sustainable development which include economic, social and environmental roles.
2.6 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.

2.7 The application of the presumption has implications for neighbourhood planning (paragraph 16). 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.

2.8 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

2.9 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).

2.10 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. Where Neighbourhood Plans contain policies relevant to housing supply these policies should take account of the latest and up-to-date evidence of housing need. In particular, where a qualifying body is attempting to identify and meet housing need, a Local Planning Authority should share the relevant evidence base, on housing need gathered, to support its own plan-making.

2.11 When submitting a draft Neighbourhood Plan to a Local Planning Authority, the authority is required to consider the Plan against the statutory requirements set out within paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990. Following an independent examination and the examiner’s report being received, the Authority will take a formal view on whether the draft Neighbourhood Plan meets the basic conditions. 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.
2.12 The qualifying body must demonstrate that its Neighbourhood Plan or Order meets the basic conditions, by providing a basic conditions statement to accompany the draft Neighbourhood Plan when it is submitted to the Local Planning Authority, in accordance with Regulation 15 (1) (d) and Regulation 22 (1) (e) of the Neighbourhood Planning Regulations 2012 (as amended) paragraph 68 ID: 41-068-20140306.

2.13 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).

2.14 We consider that the Roade Neighbourhood Plan in its current form fails to comply with the various key paragraphs of the Framework and PPG. We also feel it fails to meet basic conditions (a), (d), (e), and (f) which will be addressed throughout this representation. The Roade Neighbourhood Plan Group are urged to respond to the advice as set out within this Statement in attempting to progress to examination, or risk failing to meet the basic conditions of the Planning Act.

3. SUMMARY OF THE ROADE NEIGHBOURHOOD DEVELOPMENT PLAN [RNDP]

Vision statement

3.1 The vision of the Roade Neighbourhood Plan is described in its Vision Statement as set out below:

“In 2029 Roade will continue to be an attractive, welcoming and safe environment, with good local services and community amenities, with sustainable employment opportunities and development appropriate to a village setting”.

3.2 The Plan’s vision fundamentally fails by neglecting to seek the provision of housing to meet both the local and wider area’s needs. Part 2 of the Council’s Local Plan is emerging, whilst Part 1 is due for review, and as such there may be a need to accommodate housing need from the wider area over the Plan period. We have submitted written representations to South Northamptonshire Council in respect of their Part 2 consultation and are requesting that the village confines be adjusted to accommodate land within Chartwell’s ownership; particularly in light of the proposed Strategic Rail Freight Interchange (SRFI) and its associated highway improvements and employment opportunities in the area. The support for community services and their improvement is a particular opportunity as Chartwell own land within the village and land which adjoins the built-up areas.

Policy RNDP1: New Housing within the Roade Village Confines

3.3 The Neighbourhood Plan Group has referred (on pages 18 and 20) to South Northamptonshire Council’s 5-year Housing Land Supply Report as being the latest calculation setting out 10.12 years supply of housing. We believe this is taken from a report produced in April 2017. On the 14 June 2017, in a Planning Policy and Regeneration Strategy Committee, the Head of Strategic Planning for the Council recommended the 2017 Five Year Housing Land Supply Report be approved and the figure in the paper presented a lower figure of 9.80 years supply including a 5% buffer.
3.4 This variation suggests that the Council has been calculating their land supply on the basis of Sustainable Urban Extensions [SUEs] being delivered in the short-term which may not actually be achievable due to infrastructure constraints or a potential lack of willingness from housebuilders to commit to delivery earlier than need be.

3.5 The existing village boundary designation and Policy RNDP1 is evidently a restrictive tool to constrain development growth. Policy RNDP1 restricts development solely to infill sites of small-scale, which is contrary to the positive approach encouraged by the NPPF which places an emphasis on significantly boosting the supply of housing. Planning Practice Guidance states that “blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”. Whilst infill development may sound acceptable it does risk cramming houses into small gaps. Despite this having been raised in the previous round of consultation the Steering Group consider no action is required; this risks the aims of the plan to maintain the character of the village being undermined with inconsistent development. Chartwell own land in the area (as shown on the map provided within Appendix 3) which presents a clear opportunity to ensure development maintains the village’s character whilst making a contribution to community services and facilities. New development provides the opportunity to improve and maintain services for the future of the village.

3.6 Policy RNDP1 does not reflect the presumption in favour of sustainable development as set out within the NPPF. Section 5 of the plan for example completely fails to acknowledge that paragraph 14 of the NPPF and ‘its presumption in favour of sustainable development’ is a relevant policy. The Framework promotes sustainable development in rural areas where housing will enhance or maintain the vitality of rural communities. We remind the Neighbourhood Plan Group that the Council may need the village to help accommodate its strategic housing needs as Part 2 of the Local Plan progresses. The Council’s emerging Local Plan has yet to be examined and the Core Strategy is due for review; as such the Neighbourhood Plan cannot be seen to have fully considered the full Objectively Assessed Needs of the District.

3.7 The Neighbourhood Plan Group may also wish to consider, particularly in light of the proposed Strategic Rail Freight Interchange in the area and its highway improvements, that Planning Practice Guidance recognises all settlements can play a role in delivering sustainable development, with guidance on rural housing stating “all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”.

3.8 The approach taken by the Neighbourhood Plan to constrain development is evident when comparing the village confines map against the Neighbourhood Plan boundary; as any planning application would not only need to comply with Core Strategy Policy R1 but would also be subject to other policies contained within the Neighbourhood Plan (which we have responded to below). As supported by Policy R1, the additional development is possible if the benefits of that development assist the community and maintain the facilities in Roade. We support a more positive approach to plan preparation particularly in light of the presumption in favour of sustainable development, and the fact Chartwell’s invitation to discuss opportunities to support community facilities with the group has been deemed “pointless and unnecessary”. It would be reasonable in our view to conclude that a historic meeting has prejudiced the Steering Group in formulating its policies and engagement.
procedures; and the community cannot have been shown to have been fairly presented of potential opportunities offered by Chartwell.

3.9 The meeting held in 2015 took place some 10 months prior to the Neighbourhood Plan area being designated. It should also be recognised that the stance of the Steering Group is based on a Parish Council meeting which was subject to different planning frameworks, and the Neighbourhood Plan consultation framework had not even been formulated when this meeting took place; no engagement with Chartwell has taken place since.

3.10 We recognise from the Group’s previous response on the policy for protection of shops and existing community facilities where the community may wish to consider attracting a dentists/GP, social club, outreach centre, care home, park, or adult educational facility; that just because the Group state “no respondents cited a desire to see any of these facilities provided in Roade” does not mean the community has been consulted on Chartwell’s offer or that support to/development of community facilities has been embedded within the engagement process. The Group has refused to accept Chartwell’s invitation to discuss opportunities for planning gain within the village which would support community facilities. As previously suggested Neighbourhood Development Orders can help to attract a provider into the area, and although Kirkwells advised the SG against the use of NDO’s no justification has been provided other than to say they are not mandatory.

3.11 South Northamptonshire Council has previously raised concerns to the NP Group over Policy RNDP1 stating “Due to our recent experience with another Parish’s Inspector’s report, it is considered that including a village confine and a Housing Policy which only allows for additional housing within the confines, may be considered too restrictive by an Inspector” and we agree with and support this advice. The Council also state within their emerging Local Plan that the identified housing need in ‘Rural Areas’ is not a maximum figure 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”.

3.12 The Neighbourhood Plan Group have dismissed the Council’s advice, arguing their sole focus on small-scale infill development is sufficient. For the reasons we have set out in these representations, we do not support this stance.

3.13 We also dispute the proposed village confines which excludes the former cricket pitch. The former cricket pitch is contained by Northampton Road with development to the north, west and south. It forms part of the village and lies within the confines and should be amended accordingly to include this private land, which has historically played a part in village life. This amendment is considered to accord with the Council’s Village Confines Methodology (August 2016), which states there are a number of key considerations that need to be taken into account when reviewing and considering new village confines, which includes:

- Criterion C1 – The need to try and base confines on strong physical boundaries that can be easily identified on the ground. (Roads, watercourses and strong field and curtilage boundaries).
3.14 Whilst Criterion C2 provides an exception to the inclusion of undeveloped land, we do not consider this land to be closely related to the open countryside; nor do we feel there are important inward or outward views to or from the Church. The Church is contained by boundary vegetation, and excluding the former cricket ground from the village confines limits opportunities for some form of planning gain/new uses appropriate to the village. Whilst the land is ‘undeveloped’ it has contributed to village life in the past and should not therefore be considered to be open countryside. This is a sensible approach which we feel is in accordance with the Council’s methodology.

3.15 We consider the Group’s stance on Policy RNDP1 to be contrary to basic conditions a, d, e and f.

**Policy RNDP2 – Development within Roade Conservation Area**

3.16 We made comments on this policy in our previous written representations highlighting that the village already has an adopted Village Design Statement and any application within the Conservation Area would need to be made in accordance with the NPPF to describe the significance of any heritage asset. The District Council also have a recent Design Guide as planning guidance which will be adopted on completion of Part 2 of the Local Plan. The District Council also will control development within Conservation Areas under ‘Policy Historic Environment 7’ of the emerging Local Plan. There is already sufficient policy provided by the District Council in respect of the Conservation Area.

**Policy RNDP5 – Protecting Local Green Space**

3.17 Policy RNDP5 proposes local green spaces as shown on Map 2 to be designated in accordance with paragraphs 76 and 77 of the NPPF. Map 2 includes both the bowling green and grounds at The Leys; as well as former cricket ground at Northampton Road.

3.18 Both of these sites are privately owned by Chartwell who have invited the SG to engage offering the land as part of planning gain. This was dismissed by the SG as being “pointless and unnecessary” and more recently rejected on the basis of a meeting held in 2015 before the NP even existed.

3.19 The former cricket ground site is derelict and not in a condition for public use. The Group must also realise that the site is not an open space, it is private property and inaccessible to the public, similar to the paddock and field to the side of the bowls club. Chartwell can at any point in time close-board fence and screen the site, as with any of their land.

3.20 There are also comments recorded in the ‘Actions to be taken in response to comments received and considered at the NHP Steering Group Meeting’ held on Monday 23 October that suggest some of the community would welcome better use of the former cricket ground site. Comments recorded include “As much as I loved the cricket field, it has had its day. As time passes, fewer and fewer residents recall it in its heyday. Consideration should be given to some low-level community use such as car parking, especially for the school. If a community building could be built the dear old girl would have done us proud”.

3.21 Chartwell was keen to engage with the Group and ensure that their voice could be fairly heard. The NP Group appear to have dismissed interest from sections of the community within their record of comments received, and Chartwell’s invitation to discuss opportunities of how the community might benefit from development has been disregarded.
The NP Group have previously referred to a ‘historic poll’ in an attempt to argue the site is not supported for development. The NP Group acknowledge that an exactly balanced response was heard from the residents and try to justify dismissing any potential interest on the basis of Policy RNDP1. Policy RNDP1 has yet to go before an independent planning Inspector and the District Council have already voiced concerns over its approach.

3.22 Chartwell remains willing to make use of the former cricket ground site in the interests of the village and community, as it will remain a poor facility, although improvement of the site will require the engagement of the NP Group; which has so far been dismissed as being “pointless and unnecessary” and more recently rejected in a meeting held in 2015 prior to the NP even existing. Chartwell have always acted in the interests of the village and remain keen to engage with the Group; many volume housebuilders may not be as approachable when seeking to develop within the village.

3.23 The need for the SG to engage with Chartwell is also clear in Appendix 4 of their plan which is meant to justify Policy RNDP5. Appendix 4 claims that Chartwell are unaware of the intention to allocate the former cricket ground and the bowling green. This is incorrect, particularly as we have made written representations on previous drafts of the NP; making Chartwell’s long term plans for each site very clear having offered them as part of some planning gain. Despite this, Test 6 of Appendix 4 states that the owners’ long term plans for the sites are unknown. The SG are also unable to determine the management plans for these sites. Both sites are privately owned and given the lack of engagement with Chartwell, we continue to oppose this policy.

Policy RNDP6 – Protecting Other Green Spaces

3.24 This policy seeks to protect open spaces throughout the village, by requiring equivalent or better provision to be provided elsewhere within a suitable location in Roade village; or where it can be demonstrated the open space no longer performs a useful open space function in terms of local environment, amenity or active public recreation uses.

3.25 Whilst Chartwell own significant land in and around the village and are therefore able to meet the requirements of the proposed policy, many others will not be able to meet the requirements of this policy.

3.26 Policy RNDP6 must also be considered against Appendix 1 of the NP. Whilst we acknowledge the SG have within Appendix 1 of the NP identified land ‘considered to be available’ for development within the village confines, (including land owned by Chartwell between Hartwell Road and The Leys), the SG are not proposing to allocate land for housing. It is therefore unclear what the intentions of the SG are relating to this land given they continually reject Chartwell’s offer to engage and that they are not identifying green spaces of value within Policy RNDP6. Chartwell support the principle of development of this land, but require discussions with the SG with regard to its potential inclusion within the NP; particularly given the clear conflicts between Policies RNDP1 and 6.

3.27 We consider this policy to seriously undermine what limited development opportunities are referred to under Policy RNDP1. Chartwell opposes this policy on this basis.
Policy RNDP7 – Conserving and Enhancing Valued Landscapes

3.28 Policy RNDP7 seeks to conserve and enhance valued features of the local landscape. The policy however should not be based on providing a blanket-type approach to precluding development where it can be appropriately assimilated into the environment.

3.29 Whilst the NP Group has identified views they consider to be of importance there is no robust evidence to justify them. We oppose the viewpoint 7 as shown on Map 2 as it is taken from private land and does not represent a public viewpoint. The view toward the Church is therefore not visible to the general public from this location and, in any event, the Church is visually contained by tree planting around the Church grounds and Northampton Road.

3.30 Land shown in all viewpoints carries no landscape designation or policy protections. There is no evidence to indicate any landscape of value and there is minimal analysis contained within the NP. All viewpoints are set to the east of the village. Views to the east of the village are not considered to be of any more value from those to any other part of the village. It is also unclear what receptors the viewpoints are representative of. Chartwell oppose this policy.

Policies RNDP8 and RNDP9 – Protection of Existing Shops and Community Facilities/Sport and Recreational Facilities

3.31 These policies seek to protect existing shops, community facilities and recreational areas. The common issue relating to community facilities is viability and maintaining their use. Given the provision of community facilities can help maintain the sustainability of rural villages, we consider it appropriate to seek to improve the provision of community facilities through new development. Chartwell have invited the SG to hold discussions on this basis and whilst the Group consider this to be “pointless and unnecessary” having dismissed the proposal on the premise that none of the respondents to their consultation cited a desire to see increased facilities, it does not demonstrate that there has been a full and open discussion with local residents or that the Plan has been positively prepared; particularly given they are now dismissing the invitation on the basis of a meeting held back in 2015 before the NP even existed.

3.32 In paragraph 2.2 of the NP the Group state that their identified ‘Key Issues’ for the Roade area ‘remain valid and some being more pertinent now, ...and the likely reduction in transport and other services resulting from Northamptonshire County Council’s budget spending cuts and the uncertain future of the County Council as an entity’. Spending cuts are necessary, particularly as Northamptonshire County Council has announced plans to introduce a “community-managed library model” where responsibility is handed over to unpaid local volunteers. The County Council is proposing to provide financial support to the libraries during 2018/19 as a “transitional year” and pay a year of rent (but not gas, water or electricity bills) from April 2019/20. After that they belong to the community. At the time of writing, it remains unclear how this will be funded.

3.33 Historically, Chartwell provided cash contributions resulting from a Section 106 Agreement on the former Pianoforte site which ensured that the village had funds to use on community facilities. New housing development in the area would provide a similar opportunity to support and safeguard the future of the local library. The Group should ensure the community are fully engaged over how these spending cuts are likely to affect the provision of community facilities and accept Chartwell’s invitation to discuss their intentions.
3.34 We also recognise that despite the SG claims that there is no need for further community facilities within the village, the adopted Masterplan states that the many active sports and social clubs within Roade were “facing pressures in terms of inadequate facilities and rising costs, and who would like to move to multi-purpose facilities with other groups and clubs in order to expand”. Key issues identified within the adopted Masterplan recognised:

- Current facilities including the bowls club are under threat of closure
- The medical facility was at full capacity with insufficient parking, and is disability unfriendly
- The library is under threat of closure

3.35 In our previous written representations we raised awareness of the potential to use Neighbourhood Development Orders [NDOs] which can form part of the Plan and can identify the need for a facility and even a broad location. NDOs can grant planning permission therefore obviating the need for a standard planning application to the Local Planning Authority (which may help in attracting a provider into the area). Despite this advice the SG engaged with Kirkwells who advised against the use of NDOs; no justification has been given other than to say they are not mandatory.

3.36 Should the NP wish to safeguard the bowling club site as a recreational facility for public use, or the former cricket ground as an area of local green space, our client would support this policy subject to planning gain via some development on their land holdings. The Steering Group make reference to having invited landowners who were consulted to promote any sites they considered met the requirements of RNDP Policy 1. We recognise that Policy 1 is related to housing development, and therefore made a separate invitation to the Group to discuss the potential for planning gain. The SG dismissed Chartwell’s invitation to meet and discuss their intentions, deeming them “pointless and unnecessary” justifying this stance on the basis of a meeting held back in 2015; despite this taking place before the NP was even designated as an area or the NP consultation framework had been prepared. This historic meeting was also subject to a different planning framework, and the preparation of a NP is not one and the same. This does not reflect a positively prepared Plan, nor does it suggest that full and meaningful consultation has been carried out with the relevant stakeholders in the area. We dispute the SG response to our previously submitted representations with regard to claims “there is no current identified need or demand for additional facilities”, which is clearly contrary to the approach set out within Priority 2 of proposed Policy RNDP10. Over the course of the NP being produced, no discussions have taken place with Chartwell despite numerous offers being made.

Policy RNDP10 – New Homes Bonus, Community Infrastructure Levy (CIL) and Infrastructure Improvements

3.37 This policy relates to how the Parish Council will utilise funds secured via the New Homes Bonus and CIL. We recognise where funds become available to the Parish Council via the New Homes Bonus and CIL, they will give priority to improving parking issues. Notes attached to ‘Priority 1’ state that there is a lack of availability of unfettered land for car parking which makes it likely that improvements can only be achieved through a range of measures, including the co-operation of stakeholders and partners. Chartwell is a major land owner in and around the village, and has made a series of written representations on the NP throughout its various stages. We are proposing opportunities for planning gain and requesting a meeting with the SG which has so far been rejected on a historic meeting held
before the NP area was even designated. Opportunities for planning gain could include some of Chartwell’s land for car parking for example.

3.38 Despite the SG continuing to argue that there is no need for additional facilities within the village, we recognise that Priority 2 seeks to ‘provide additional community facilities and buildings to support the needs of a growing community’. Clearly, there are no justifiable grounds for the SG to continually reject Chartwell’s offer for planning gain and ignore their offer to engage and discuss potential opportunities. Chartwell have always sought to act in the interests of the community, an approach which may not be favoured by volume housebuilders.

**Policy RNDP11 – Traffic Management and Transport Improvements**

3.39 Community consultation which informs the NP shows that there are parking issues near the primary school. In our previous written representations we had suggested that the Neighbourhood Plan SG engage with us with regard to discussing the potential to utilise land near the school owned by Chartwell for parking; thereby relieving traffic issues.

3.40 In the SG’s latest response they state that there have been previous meetings with the Parish Council on the matter, who did not consider it appropriate on the basis that Chartwell’s offer had been solely for land, not funding. The County Council however clearly recognises the need to double the size of the school to accommodate housing growth, although the school cannot proceed with the proposal until parking issues are resolved. Chartwell are offering the opportunity to fund the car park scheme through planning gain; despite this the SG are continuing to reject the offer to engage. It should also be noted that whilst discussions took place between Chartwell and the Parish Council in February 2016 on the matter, this was not a meeting with the Neighbourhood Plan Steering Group.

3.41 Chartwell are very disappointed that the SG considers their offer of engagement to be “pointless and unnecessary”; particularly when there are clear opportunities to solve issues within the village; and support the school to meet local education needs, which are in the interests of the community.

**Policy RNDP12 – Protecting Existing Employment and Supporting Small Business and Homeworking**

3.42 This policy seeks to protect a series of sites for continued employment use. The sites listed within this policy should be illustrated on the proposals map. We also believe there is potential to significantly grow employment opportunities beyond these sites, over the plan period, to help ensure the village is sustainable. Chartwell fully support the proposals for the Northampton Gateway Strategic Rail Freight Interchange and bypass road.

4. **ASSESSMENT OF THE RNDP AGAINST THE NATIONAL PLANNING POLICY FRAMEWORK**

4.1 This section assesses the proposed Roade Neighbourhood Plan against the National Planning Policy Framework which forms a mandatory material consideration.
Paragraph 6

4.2 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Roade is a sustainable settlement with shops, bus services, village hall, library, public house, post office and a primary and a secondary school with post-16 education. While an invitation was made to the Group with a view to support the provision of community facilities in the village, the Group has deemed this “pointless and unnecessary” referring back to a meeting held with the Parish Council in 2015 before the NP was even formed.

4.3 The SG’s consultation response to our representations show that there are parking issues around the school, and whilst the school supported measures to provide a car park the Parish Council was against the proposal arguing ‘it does not represent good value for money’. Chartwell are willing to fund the potential car park through planning gain; although this requires engagement to take place and thus far our offer to discuss opportunities within the village has been rejected on the basis of a historic meeting with the Parish Council before the NP was designated. We also dispute the SG’s consultation response that “there is no current or identified need or demand for additional facilities” within the village; which is clearly in conflict with the priorities set out within RNDP10.

4.4 Chartwell has always sought to act in the interests of the village and it is highly disappointing that the Group has not engaged with us to consider how community facilities can be supported through the plan and to ensure the village remains sustainable. This is particularly important given recent growth and the proposals by the County Council to double the size of the school to meet local needs.

Paragraph 14

4.5 Paragraph 14 sets out the presumption in favour of sustainable development, which lies at the heart of the NPPF. It should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means:

- 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”

4.6 We request that the settlement boundary be deleted and replaced with a criteria-based approach which reflects the presumption in favour of sustainable development. This will ensure that the Plan allows for a sufficient degree of flexibility and thereby enables the Plan to meet the basic conditions. Policy RNDP1 limits development opportunities to small-scale infill sites which restricts the village to be able to meet its housing needs (including affordable) over the whole plan period. The Neighbourhood Plan is not considered to have
taken account of the presumption in favour of sustainable development; and it is not referred to as a relevant policy in section 5 of the Plan despite the NPPF forming a material consideration.

4.7 Paragraph 49 states that housing applications should be considered in the context of the presumption of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable sites.

4.8 Should it be found that South Northamptonshire Council cannot identify a 5-year housing land supply then those policies contained within the Roade Neighbourhood Plan, together with the relevant Development Plan policies, will also be considered out-of-date and the presumption in favour of sustainable development will apply.

4.9 Case law has upheld in a decision in the High Court, Woodcock Holdings -v- the Secretary of State and Mid-Sussex District Council (Appendix 1). This demonstrates the implications of progressing a Neighbourhood Plan where there is no up-to-date adopted Development Plan or 5-year housing land supply in place. The judgment demonstrates:-

- That paragraphs 14 and 49 of the Framework (relating to 5-year land supply and the weight to be given to extant housing land supply policies) apply equally to both emerging and made Neighbourhood Plan policies in respect of other Development Plan documents otherwise adopted and/or emerging by the Local Planning Authority

- The Neighbourhood Plan cannot be given more weight than the wider Development Plan

- Neighbourhood Plans must respect national policy and core planning principles set out within the Framework

- Prematurity must be assessed against PPG

4.10 In October 2015 an appeal decision at Thorpe Road, Earls Barton, Northamptonshire (Appendix 2) reflected the importance of the Woodcock Holdings judgment. The appeal allowed delivery of 39 dwellings at an advanced stage of the Neighbourhood Plan preparation (one day prior to the Neighbourhood Plan referendum). It is important therefore that the Roade Neighbourhood Plan Group allows for a significant degree of flexibility and adaptability, to respond rapidly to changes in the market, otherwise the Plan will be found to be out-of-date before its adoption. The Secretary of State agreed with the Inspector that the scale of the development was sufficiently small enough not to be premature in terms of jeopardising future development within the Neighbourhood Plan. In conclusion the Secretary of State considered the lack of a 5-year housing land supply and the contribution the appeal proposal would make to increasing housing land supply, weighed heavily in favour of the appeal, and agreed with the Inspector that the proposal would amount to sustainable development. In carrying out a planning balance in respect of paragraph 14, the Secretary of State found that the harm identified was insufficient to significantly and demonstrably outweigh the acknowledged benefits of the sustainable development.

4.11 The Roade Neighbourhood Plan, within Policy RNDP1, has presented a restrictive approach to the growth of the village by discounting any proposal which is not a small-scale infill development opportunity. Whilst Appendix 3 of the draft plan now includes reference to
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sites considered to be available for development, the NP is not allocating land nor does it indicate the amount of development which the SG feels is appropriate on these sites. Chartwell support the principle of development on their land referred to within the village confines, although continues to request a meeting with the SG; given the lack of clarity within the NP.

4.12 It is important to note that the Council’s Overall Assessed Need will have to be updated to take account of the most up-to-date Household Projections, which may point to a change in the District’s housing needs. This reinforces the inappropriateness of progressing the Roade Neighbourhood Plan at this point in time, when the strategic priorities for the District are still yet to be determined.

Paragraph 16

4.13 Paragraph 16 states that: “The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean 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”.

4.14 We recognise that the Roade Neighbourhood Plan is making policy judgements that have yet to be determined through Part 2 of the Local Plan. The Neighbourhood Plan is inflexible and highly restrictive to development need, particularly over the whole plan period. This is contrary to the positive approach contained throughout the National Planning Policy Framework as a whole, and its presumption in favour of sustainable development. Whilst we acknowledge the SG have made reference to some of Chartwell’s land within the village confines which they consider to be available for development, no discussions have taken place between the SG and Chartwell. We support the principle of development on this land but given the NP is not allocating land for development we feel there is a lack of clarity within the draft plan with many of its policies conflicting with each other.

4.15 It is also recognised that within the summary of comments considered at the Steering Group meeting (held 23 October) that in regard to Policy 5 ‘Protecting local green spaces’ one party felt “the Cricket field has had its day” and that “consideration should be given to some low-level community use such as car parking, especially for the school. If a community building could be built (e.g. surgery, village museum) the dear old girl would have done us proud”.

4.16 Another party, within the minutes of this Steering Group meeting, commented “The cricket ground is a perfect example of an area that could be playing a much bigger contribution to village life than just looking pretty”. In response the Neighbourhood Plan Group has dismissed any need for action on these points despite having had “an exactly equal number for and against”. Had the Neighbourhood Plan Group accepted Chartwell’s invitation to discuss their intentions then this may have been considered more favourably by the
community. Chartwell own the disused cricket ground and are willing to support other community facilities within the village through planning gain. The Neighbourhood Plan Group are taking a restrictive approach to development and failing to fully consider how community facilities may be supported through development, such as a potential car park to meet the needs of the primary school. The draft plan is not considered to have planned positively to support local development in their area outside of strategic elements of the Local Plan. Chartwell oppose all efforts of the Neighbourhood Plan Group to designate the cricket ground or bowling green as local green spaces; particularly as the cricket ground is derelict and in its current state unusable by the community. It should also be acknowledged that Chartwell, as landowner, reserve the right to screen any of their sites with close-board fencing at any point if they so wish. They are not obligated to support the bowling green as a community facility. Development provides long term support for the services and facilities in the village.

4.17 The SG has not identified any opportunities to utilise Neighbourhood Development Orders [NDOs] which may enable developments consistent with the NP to proceed, only responding to state NDOs are not mandatory.

4.18 For reasons set out earlier within this report, we object to the SG’s consultation response with regard to potentially resolving parking issues near the primary school. Chartwell are able to help fund a car park to help support the school, through planning gain; although the offer to meet Chartwell and discuss the NP has been continually rejected. Despite the SG continuing to argue “there is no current identified need or demand for additional facilities” this is contrary to the priorities set out within RNDP 10.

**Paragraph 17**

4.19 Paragraph 17 states that: “Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking”. There are a total of twelve principles, which state planning should:

- “be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency”

- “proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth”.

4.20 As the Roade Neighbourhood Plan has not fully assessed the Overall Assessed Needs of the District it cannot be seen to proactively drive and support the delivery of sustainable development. It is not possible that the Roade Neighbourhood Plan Group have a full accurate policy base, as the emerging Part 2 Local Plan is yet to reach an advanced stage, which will determine the strategic priorities for the wider area, allowing decisions on planning applications to be made with a high degree of predictability and efficiency.
4.21 The Roade Neighbourhood Plan limits growth to the settlement boundary and its policies focus only on small-scale infill development. Whilst Appendix 3 now makes reference to land considered available for development within the village confines; no housing allocations are proposed, nor are any housing targets provided. It is therefore unclear how Appendix 3 relates to RNDP1.

4.22 In our previous written representations on the NP we have requested that the settlement boundary be deleted and replaced with a criteria-based approach which reflects the presumption in favour of sustainable development. We recognise that no housing targets are provided as the NP is being prepared in advance of Part 2 Local Plan which is yet to undergo examination. Therefore the NP should be seen as being prepared prematurely, thereby failing to meet the basic conditions.

4.23 The Neighbourhood Plan is promoted on the basis of an inflexible position that fails to positively respond to the wider growth opportunities contrary to the Council’s own assessment particularly as housing sites are limited to small-scale infill opportunities over the whole plan period under Policy RNDP1 and the lack of clarity contained within Appendix 3. The Neighbourhood Plan is inconsistent with basic conditions (a), (d) and (e).

**Paragraph 47**

4.24 Paragraph 47 states that: “To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period

- identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land

- identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

4.25 The vision and objectives of the Roade Neighbourhood Plan should be aspirational and growth orientated, responding to the objectives of the Framework, particularly paragraph 47 which seeks to *boost significantly* the supply of housing. Paragraph 47 also does not provide a cap where a Council has a 5-year supply of housing. The Roade Neighbourhood Plan seeks to constrain delivery of housing within the Neighbourhood Plan area to small-scale infill development which will impact on the delivery of affordable housing. Whilst the SG have now made reference to a series of sites within the confines considered to be available for development within Appendix 3, there is a lack of clarity as to how these sites relate to the implementation of Policy RNDP1 given the SG are not allocating sites or setting housing
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targets. Paragraphs 14, 16, 47, 49 and 184 are the main policy considerations for the purpose of assessing basic condition 8 (2) (a).

4.26 As Part 2 of the Local Plan is still awaited and the Core Strategy due to be reviewed, the Roade Neighbourhood Plan cannot be seen to sufficiently deliver against housing Objectively Assessed Needs. The progress of the Plan should therefore be delayed until a more up-to-date and adopted Plan is in place.

**Paragraph 49**

4.27 Paragraph 49 states:-

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.

4.28 Planning applications for residential development are required to be assessed in the context of the presumption in favour of sustainable development. The Roade Neighbourhood Plan has a restrictive approach to growth through a tightly drawn settlement boundary. This is at a time when we await Part 2 of the Local Plan and a review of the Core Strategy. The Neighbourhood Plan’s housing policies will be considered out-of-date along with those within the Development Plan should the Council fail to demonstrate a 5-year supply of land for housing. Policy RDNP1 restricts development to small scale infill which is particularly likely to limit delivery of affordable housing over the plan period. Whilst the SG have now made reference to a series of sites within the confines considered to be available for development within Appendix 3, there is a lack of clarity as to how these sites relate to the implementation of Policy RDNP1 given the SG are not allocating sites or setting housing targets.

**Paragraph 113**

4.29 The NPPF states in paragraph 113 that protection should be commensurate with the status of any landscape area and give appropriate weight to their importance and contribution they make to wider ecological networks.

4.30 Policy RNDP7 seeks to conserve and enhance valued features of the local landscape. Land shown in all viewpoints carries no landscape designation or policy protections. There is no evidence to indicate any landscape of value and there is minimal analysis contained within the NP.

**Paragraph 156**

4.31 Paragraph 156 states “Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver the homes and jobs needed in the area”. 

AITCHISON RAFFETY
4.32 Local Planning Authorities are required to set out the strategic priorities for areas within the Local Plan, which includes Neighbourhood Plans supporting these priorities and meeting them in full. Policy RNDP1 limits housing development within the settlement boundary to small-scale infill opportunities. Whilst the NP now makes reference to a series of sites within Appendix 3 which are ‘considered available for development’ it is important to recognise there are no housing allocations proposed by the plan; nor are there any housing targets set. The Roade Neighbourhood Plan must be seen to fully meet its housing needs over the whole Plan period.

4.33 We recognise that no housing targets are provided as the NP is being prepared in advance of Part 2 Local Plan which is yet to undergo examination. Therefore the NP should be seen as being prepared prematurely, thereby failing to meet the basic conditions.

4.34 The Neighbourhood Plan has also failed to illustrate where proposed employment sites are located within the village. The village has a low level of employment provision.

4.35 The Roade Neighbourhood Plan cannot be consistent with the requirements of the Framework or meet basic conditions when based on a Development Plan which is out of date.

**Paragraph 157**

4.36 Paragraph 157 states that:-

“Crucially, Local Plans should:

- *plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework; and*

- *allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate*”.

4.37 As explained earlier, we recognise that no housing allocations or housing targets are provided as the NP is being prepared in advance of the Part 2 Local Plan; which is yet to undergo examination. Therefore the NP should be seen as being prepared prematurely, thereby failing to meet with the basic conditions.

**Paragraph 158**

4.38 Paragraph 158 states that:-

“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.
We feel the proposed Strategic Rail Freight Interchange will bring significant jobs to the area and the village will be unable to house any local employees. Whilst the NP now refers to sites considered to be available within the village confines for development, we recognise the NP is not allocating sites; nor does it set out any housing targets given its prematurity against Part 2 of the Local Plan. Chartwell support the principle of developing its land referred to within Appendix 3 although no discussions have taken place despite an offer having been made to the SG to engage. The Parish Council have rejected proposals in the past to resolve parking issues around the primary school, despite having the support of the County Council and the school. We feel the SG should engage with Chartwell to discuss the potential to fund a car park to the school through some form of development. We also recognise that whilst the SG state “there is no current identified need or demand for additional facilities” within the village this is contrary to the priorities set out within RNDP 10.

We encourage both the SG and the Council to recognise that the NP should be taking full account of market and economic signals in accordance with paragraph 158.

Paragraph 159

Paragraph 159 sets out the requirement for authorities to fully understand housing needs in their areas. It states:-

“Local planning authorities should have a clear understanding of housing needs in their area. They should:

- prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries
- prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period”.

Given the infancy of the emerging Local Plan Part 2, the Council may not have a full understanding of its OAN and may be over-relying on Sustainable Urban Extensions to be brought forward with their related infrastructure provided within their calculations. As such, progressing with the Neighbourhood Plan in its current state is likely to limit the village’s ability to deliver its full housing need. We acknowledge that the NP has within Appendix 3 now referred to sites within the village confines which they consider to be available for development, and support this in principle; however the NP sets no housing allocations or housing targets and it is therefore unclear how Appendix 3 relates to the implementation of RNDP1. Chartwell have offered to engage with the SG in respect of their land interests which has continually been rejected; despite this the offer to meet and discuss the plan remains open.

Paragraph 184

Paragraph 184 identifies the need for Neighbourhood Plans to be prepared in alignment with the strategic needs and priorities of the wider local area. It states:-
“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies”.

4.44 Part 2 of the Local Plan has undergone consultation and is awaiting examination therefore it is in its early stages; whilst the Core Strategy is due for review. As explained earlier, we recognise that no housing allocations or housing targets are provided as the NP is being prepared in advance of Part 2 Local Plan; which is yet to undergo examination. Therefore the NP should be seen as being prepared prematurely, thereby failing to meet the basic conditions.

5. ASSESSMENT OF THE RNDP AGAINST PLANNING PRACTICE GUIDANCE [PPG]

5.1 This section is structured around the requirement set out in various sections of Planning Practice Guidance (PPG) and highlights how the Roade Neighbourhood Plan Group has failed to meet these requirements or the basic conditions.

Paragraph 004 ID: 41-004-020140306

5.2 The paragraph states “A Neighbourhood Plan should support the strategic development needs set out in the Local Plan and plan positively to support local development (as outlined in paragraph 16 of the National Planning Policy Framework)”.

5.3 The Roade Neighbourhood Plan in its current form cannot be considered to plan positively as required by Planning Practice Guidance. We consider that the Plan has constrained growth with a negative vision and without fully determining need. Whilst we acknowledge that the NP now refers to land within the confines considered to be available for development within Appendix 3, we recognise the NP is not providing any housing allocations or housing targets. The text within Appendix 3 does not explain how the SG intend to use Chartwell’s land within the village, and no discussions with them have taken place despite numerous requests having been made, together with a series of representations on the emerging plan.

5.4 We have requested meetings with the SG to discuss opportunities for planning gain, such as for example potentially enabling a car park to be provided to meet the needs of the primary school (a scheme which the school supports). We do not consider the NP to be following this planning guidance, particularly when the SG state “there is no current identified need or demand for additional facilities” within the village, which is in clear conflict to the priorities set out within RNPD10.

Paragraph 005 ID: 41-005020140306

5.5 This paragraph states that a Neighbourhood Plan must be deliverable. “If the policies and proposals are to be implemented as the community intended a neighbourhood plan needs to be deliverable. The National Planning Policy Framework requires that the sites and scale of
development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be delivered viable is threatened”.

5.6 The Roade Neighbourhood Plan Group is, under Policy RNDP1, seeking to limit housing to small-scale infill development within the village settlement. It is also under Policy RNDP6 seeking any loss of small open space within the confines to be provided with equivalent or better provision elsewhere as a trade-off. Whilst Chartwell may be able to do this, given they own significant land within the village, there will be many other developers who will be unable to do so. This constrains any housing growth within the village over the plan period. Evidently the viability of small scale sites is severely restricted by the requirement to re-provide open space land before being able to develop housing within the village. Where development is able to happen, developers will be under pressure to cram units in to remain viable. The viability of affordable housing is also similarly constrained. If the NP Group continue with this approach then it is unlikely they will meet any affordable homes requirement over the plan period. Recent changes to Planning Practice Guidance state that small residential schemes (of 10 or fewer dwellings with a floor-space not exceeding 1000sqm) should not be required to provide affordable housing. This change to Planning Practice Guidance has resulted in many small schemes being permitted without any affordable housing, which would otherwise have been required. The Neighbourhood Plan has failed to set any affordable housing targets. Whilst we acknowledge a series of sites are referred to within Appendix 3, we recognise the SG are not proposing to allocate land for housing use and there are no housing targets provided.

5.7 Chartwell support the principle of development on their land within the confines identified within Appendix 3, although due to the SG’s lack of engagement we are unable to fully determine their intentions. Some of this land could be used to resolve parking issues near the primary school which could be funded through planning gain. It is also unclear if sites contained within Appendix 3 are subject to RNDP6 or provided with an exception. Site specific viability testing should have been applied to assess the deliverability of affordable housing which is an important factor in basic condition 8 (2) (a).

Paragraph 009 ID: 41-009-2010306

5.8 This paragraph relates to whether a Neighbourhood Plan can come forward before an up-to-date Local Plan is in place. It states:-

“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan. A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested... Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- The emerging neighbourhood plan
- The emerging Local Plan
- The adopted development plan”
“With appropriate regard to national policy and guidance, the local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not over-ridden by a new Local Plan”.

5.9 The emerging Local Plan is not yet at an advanced enough a stage to which policies within the Roade Neighbourhood Plan can be set against or fully tested by as required by the assessment of conformity. The Roade Neighbourhood Plan constricts development growth and has not allocated any housing sites to ensure housing need can be addressed within the plan period nor has it set any housing targets. We also feel the Council should be considering the housing delivery tests proposed within the draft NPPF which may change their land supply position over the course of the NP.

Paragraph 040 ID: 41-040-20160211

5.10 The evidence needed to support a neighbourhood plan or order is set out within paragraph 40. It states:

“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”.

5.11 We do not consider the Roade Neighbourhood Plan to have been supported by a robust or credible evidence base. The Roade Neighbourhood Plan Group cannot be seen to have fully considered the Overall Housing Need of the wider area given the Local Plan has yet to be formally examined. There has been no justification why the selected viewpoints to the east of the village reflect a higher landscape value than elsewhere. We are also unclear as to which receptor group the viewpoints are reflecting, particularly viewpoint 7 on Map 2a which is taken from private land.

5.12 The Neighbourhood Plan Group has failed to identify any housing targets as a result of changes in Planning Practice Guidance, and Policy RNDP1 does not allocate land for residential use. The sole dependency on small-scale infill sites within the village confines together with constraints of Policy RNDP6 is likely to restrict the ability of many developers who may not own as much land as Chartwell and will consequently affect the viability of any scheme proposed. We acknowledge and support in principle use of Chartwell’s land as identified within Appendix 3, although recognise there is little information provided as to how the SG intended to use this land; or if it is subject to RNDP6 or not. Chartwell have offered to use this land to support local facilities although the SG has not taken up their offer to engage.

5.13 We consider this a glaring oversight by the Neighbourhood Plan Group and it is extremely disappointing that they have dismissed Chartwell’s invitation to meet and discuss opportunities for planning gain as “pointless and unnecessary” based upon a meeting held in
2015 before the NP area was even formed. The choices which the NP Group have made in preparing their plan do not align with core policy requirements of the NPPF and the requirement to meet housing needs in full over the plan period.

Paragraph 041 ID: 41-041-20140306

5.14 Paragraph 41 explains how policies in a neighbourhood plan should be drafted. It states:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared”.

5.15 We do not consider the Roade Neighbourhood Plan to be clear or consistent with national planning policies. There are a number of policies contained in the plan which we feel are contrary to paragraph 41 (above) and the plan therefore cannot be considered consistent with basic condition (a). Land referred to within Appendix 3 is merely ‘considered available for development’ and as such we are unable to determine the SG’s intentions as to how they wish to use this land. There is no explanation if this land is subject to RNDP6, or if an exception would apply which may affect viability of any development. Chartwell support the use of this land in principle, but having previously supported its use as part of planning gain require a meeting with the SG to fully determine their intentions.

5.16 We also have concerns over the clarity of Policy RNDP10 which sets out priorities for use of any New Homes Bonus or CIL payments. We consider both priorities contained within this policy to be contrary to consultation comments made by the SG surrounding the lack of engagement where they have stated “there is no current need or identified demand for additional facilities” within the village.

Paragraph 42 ID: 41-042-20140306

5.17 Paragraph 42 relates to the power neighbourhood plans have to allocate sites for development. It states:

“A neighbourhood plan can allocate sites for development. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria”. (Guidance on assessing sites and on viability can be found within Planning Practice Guidance).

5.18 Planning Practice Guidance makes it very clear that where there is the intention to allocate sites an appraisal of all available land options should be considered to ensure the delivery of sustainable development. We recognise that the NP is not proposing to allocate any land for development, and instead has provided a series of sites ‘considered available for development’ contained within Appendix 3; there are also no housing targets.

5.19 Where small-scale infill development may occur, there is likely to be further constraints from Policy RNDP6 which requires areas of open space to be provided elsewhere; this will affect the viability of the potential development sites contained within Appendix 3. Chartwell has previously suggested that this land could be used as part of planning gain to help resolve parking issues near the school. As discussions have been continually dismissed on the basis...
of a meeting held back in 2015 before the NP area was even designated we are unsure how the SG intend to use the site.

5.20 Unsurprisingly, the Roade NP does not appear to have considered the need for viability appraisals on either housing sites or employment uses. We do not therefore consider the Roade Neighbourhood Plan to accord with paragraph 42 of the PPG above.

**Paragraph 69 ID: 41-069-20140306**

5.21 Paragraph 69 relates to the requirement for a Neighbourhood Plan to have ‘regard’ to national policy. This means that:

“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”.

5.22 We reject the Roade Neighbourhood Plan as it is evidently constraining the delivery of important national policy objectives, particularly paragraph 47 which seeks to boost significantly the supply of housing with a presumption in favour of sustainable development. As such the Neighbourhood Plan contradicts national planning requirements and is therefore inconsistent with basic conditions (a) and (d).

**Paragraph 70 ID: 41-070-20140306**

5.23 Paragraph 70 explains which national policies are relevant to a neighbourhood plan or Order. It states:

“Paragraph 16 of the National Planning Policy Framework is clear that those producing neighbourhood plans or Orders should support the strategic development needs set out in Local Plans, including policies for housing and economic development. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan. More specifically paragraph 184 of the National Planning Policy Framework states that neighbourhood plans and Orders should not promote less development than set out in the Local Plan or undermine its strategic policies.

The content of a draft neighbourhood plan or Order will dictate which additional national policy is or is not a relevant consideration to take into account. The basic condition allows qualifying bodies, the independent examiner and local planning authority to reach a view in those cases where different parts of national policy need to be balanced.

A qualifying body is advised to set out in its basic conditions statement how they have had regard to national policy and considered whether a particular policy is or is not relevant. A qualifying body is encouraged to set out the particular national polices that it has considered, and how the policies in a draft neighbourhood plan or the development proposals in an Order take account of national policy and advice”.

5.24 It is clear that the Roade Neighbourhood Plan has sought to discount and prevent growth outside of the settlement boundary, despite the Council currently preparing Part 2 of its Local Plan, and raising concerns over the NP’s approach within Policy RNDP1. We feel the Plan’s provision for housing growth is insufficient as there are no housing targets or housing...
allocations. The Roade Neighbourhood Plan cannot be seen to support strategic development needs as these have yet to be confirmed in an up-to-date Local Plan, and instead imposes a strategic policy of its own to constrain growth. This approach does not accord with the National Planning Policy Framework which seeks to “boost significantly” the supply of housing with a presumption in favour of sustainable development. The NP makes no reference to this presumption.

5.25 Paragraph 16 clearly states that Neighbourhood Plans should support the strategic development needs set out in Local Plans, yet the Neighbourhood Plan ring fences any strategic development with its focus on small-scale infill development within the confines under RNDP1 and associated constraints of RNDP6. We acknowledge that the NP now makes reference to sites within the village confines ‘considered to be available for development’ within Appendix 3, although we are concerned over the lack of engagement with Chartwell with regard to the NP as a whole. Appendix 3 does not explain if these sites would be subject to RNDP6, or will be provided with a policy exception; this has potential viability implications (although we support the principle of developing Chartwell’s land within the confines).

5.26 No consideration has been given to housing targets and the full Overall Housing Needs of the wider area as Part 2 of the Local Plan is yet to be fully formulated and examined and tested by a Planning Inspector. We also feel the Council should consider the NP against the draft NPPF as this may have implications for its housing land supply.

5.27 The Neighbourhood Plan completely overlooks the presumption as set out within the Framework. The Neighbourhood Plan Group has failed to recognise there is no policy requirement to deliver affordable homes on schemes under 10 units and yet maintains its Policy RNDP1 is appropriate which centres on small-scale infill sites. By dismissing Chartwell’s invitation to discuss opportunities for planning gain, the Neighbourhood Plan Group has failed to meet key policy objectives before the Plan has even reached referendum stages.

5.28 The Roade Neighbourhood Development Plan fails to deliver the key requirements of the NPPF or PPG, (in particular with regard to paragraphs 16, 47 and 49 of the NPPF).

Paragraph 73 ID: 41-073-20140306

5.29 Paragraph 73 recognises that a neighbourhood plan may require an environmental assessment if it is likely to have significant effect on the environment. It states:

“Where this is the case the draft neighbourhood plan may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004. This may be the case, for example, where a neighbourhood plan allocates sites for development.

A qualifying body is strongly encouraged to consider the environmental implications of its proposals at an early stage, and to seek the advice of the local planning authority on whether the Environmental Assessment of Plans and Programmes Regulations 2004 are likely to apply”.

5.30 The Roade Neighbourhood Development Plan should be tested with significant SEA level scrutiny, particularly as the emerging Local Plan SA is still some way from being formulated and being subject to examination. It is not appropriate to rely on evidence which has yet to be tested. We note that within the SEA and HRA Screening report (table 2, page 17) that the Roade NP is not believed to have a likely significant environmental effect with regard to
promoting sustainable development. We fully dispute this claim particularly as the NP Group has dismissed Chartwell’s invitation to discuss opportunities to support planning gain which would support and help develop community facilities within the village. We furthermore dispute the plan’s approach to housing under Policy RNDP1 and the constraints of RNDP6 on open space which will have an impact on viability and deliverability of sites. There is also little evidence to justify why the selected viewpoints represent valued landscapes. These views are considered of no higher value than elsewhere within the village. The cumulative nature of the plan’s policies is considered to have potential to significantly affect the sustainability of the village over the plan period.

Paragraph 005 ID: 10-005-20140306

5.31 PPG includes guidance on viability. Paragraph 005 relates to the assessment of viability in plan-making. It states:

“Local Plans and neighbourhood plans should be based on a clear and deliverable vision of the area. Viability assessment should be considered as a tool that can assist with the development of plans and plan policies. It should not compromise the quality of development but should ensure that the Local Plan vision and policies are realistic and provide high level assurance that plan policies are viable.

Development of plan policies should be iterative – with draft policies tested against evidence of the likely ability of the market to deliver the plan’s policies, and revised as part of a dynamic process.

Evidence should be proportionate to ensure plans are underpinned by a broad understanding of viability. Greater detail may be necessary in areas of known marginal viability or where the evidence suggests that viability might be an issue – for example in relation to policies for strategic sites which require high infrastructure investment”.

5.32 The Neighbourhood Plan Group has failed to recognise that planning guidance has been revised removing the need to deliver affordable homes on 10 units or less and would suggest that viability within the Plan requires more thought. It does not therefore appear that the SG has undertaken any up-to-date viability assessment of the Plan’s cumulative obligations to test whether the policies will result in having a negative effect on development viability. The SG should revisit its evidence base to ensure this is undertaken, as failure to do so may jeopardise the Plan’s ability to secure the delivery of sustainable development.

Paragraph 004 ID: 3-004-20140306

5.33 PPG provides advice on housing and economic land availability assessment. An assessment of land availability identifies a future supply of land which is “suitable, available and achievable” for housing and economic development uses over the Local Plan period. The assessment of land availability includes the Strategic Housing Land Availability Assessment requirement as set out within the National Planning Policy Framework.

5.34 Paragraph 004 relates to whether neighbourhood forums and Parish Councils can use the guidance. It states:
“Designated neighbourhood forums and parish/town councils may use the methodology to assess sites but any assessment should be proportionate. Neighbourhood forums and parish councils may also refer to existing site assessments prepared by the local planning authority as a starting point when identifying sites to allocate within a neighbourhood plan”

5.35 We recognise that the Steering Group has not allocated any housing sites within its plan, nor is there any housing targets provided. The planning guidance above clearly states that existing site assessments should be seen as a starting point and any assessment by the SG should be proportionate. Taken together Policies RNDP1 and RNDP6 are likely to affect viability and deliverability of housing. The Neighbourhood Plan is proposing small infill sites in the hope that they will deliver affordable housing. No consideration has been given to recent changes in planning guidance removing the requirement to provide affordable housing on sites of ten units or less. Part 2 of the Local Plan is being prepared and we have made written representations on it within the consultation period. The Neighbourhood Plan Group has dismissed Chartwell’s invitation to discuss its land ownership and any potential planning gain. They are a significant land owner within the village and it is fair and logical to consider them a key stakeholder when trying to assess if land is available and development achievable. We acknowledge that the SG have identified land considered to be ‘available for development’ within the confines, as contained within Appendix 3, although are conscious that this may be just a tokenistic acknowledgement with no housing allocations proposed, or housing targets set.

5.36 Both Policy RNDP1 and RNDP6 are considered to represent an unproportioned set of development criteria which does not reflect the positive approach to growth which the NPPF clearly sets out. The Neighbourhood Plan is considered premature given that Part 2 of the Local Plan has not fully assessed the Overall Assessed Needs of the wider area and is still subject to any formal examination by a Planning Inspector.

Paragraph 010 ID: 3-010-20140306

5.37 Guidance on the broad location and size of sites which should be considered for assessment is set out within paragraph 010, which states:

“Plan makers will need to assess a range of different site sizes from small-scale sites to opportunities for large-scale developments such as village and town extensions and new settlements where appropriate.

The assessment should consider all sites and broad locations capable of delivering 5 or more dwellings or economic development on sites of 0.25 hectares (or 500 square metres of floor space) and above. Where appropriate, plan makers may wish to consider alternative site size thresholds”.

5.38 The Roade Neighbourhood Plan has discounted the allocation of any housing, favouring small-scale infill sites within the village confines to deliberately constrain growth over the plan period. No consideration in respect of recent changes in planning guidance has been given which removes the requirement to provide affordable housing on sites of 10 units or less, with no housing targets having been set. Whilst some of Chartwell’s land is referenced in Appendix 3 of the RNDP, the plan merely acknowledges this land is available for development within the confines. Despite Chartwell having offered to engage with the SG with regard to the NP as a whole, no discussions have taken place in respect of our clients’ land.
Policies RNDP1 and RNDP6 are likely to severely limit the ability of developers to build any housing given the need to provide alternative areas of open space. Whilst Chartwell are likely to be able to meet the criteria within Policy RNDP6, many other developers who do not hold significant land holdings in the village will not. The purchase of alternative open areas of open space will also impact upon viability. The SG have clearly failed to consider a broad range of different site sizes in an effort to constrain growth. This does not reflect the positive approach required by the NPPF.

Paragraph 018 ID: 3-018-20140306

The factors which should be considered for when and whether sites/broad locations are likely to be developed are set out within paragraph 18. It states:

“Assessing the suitability, availability and achievability of sites including whether the site is economically viable will provide the information on which the judgement can be made in the plan-making context as to whether a site can be considered deliverable over the plan period”

Chartwell has significant land holdings within the village and invited the SG to hold discussions on sites which could be potentially allocated within the plan. Given their extent of land ownership many are likely to be suitable, available and achievable. In contrast the NP has not allocated any land for housing development and dismissed Chartwell’s invitation as being “pointless and unnecessary” arguing a meeting took place in 2015 (although we recognise this was with the Parish Council before the NP area was even designated. The policy approach of RNDP1 and RNDP6 in respect of housing growth should be closely scrutinised by an independent examiner. Chartwell remain keen to engage with the SG to discuss opportunities for planning gain within the village. Despite the SG stating “there is no current identified need or demand for additional facilities” within the village, this is contrary to the priorities set out within Policy RNDP10. There is no justified reason why the SG cannot meet with Chartwell to discuss how their land relates to the proposed policies of the RNDP.

Paragraph 040 ID: 3-040-20140306

Planning Practice Guidance sets out how the five-year housing supply relates to neighbourhood planning. It states:

“Local planning authorities need to be able to demonstrate a 5-year supply of deliverable sites in order to comply with national policies. The National Planning Policy Framework asks local planning authorities to use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing, identifies key sites that are critical to the delivery of the housing strategy and identifies and updates annually a supply of specific deliverable sites sufficient to provide a 5-year supply.

Neighbourhood plans set out policies that relate to the development and use of land and can be used to allocate sites for development but the plans must be in general conformity with the strategic policies of the Local Plan. Where a neighbourhood plan comes forward before an up to date Local Plan is in place, the local planning authority should work constructively with a qualifying body to enable a neighbourhood plan to make timely progress and to share evidence used to prepare their plan. Neighbourhood plans should deliver against the objectively assessed evidence of needs”.
5.43 The provision of housing set out within the Roade Neighbourhood Plan is unlikely to be sufficient to meet housing needs given it does not allocate any land, nor does it set any housing targets and relies upon a confines boundary to constrain growth; making no reference to the presumption in favour of sustainable development.

5.44 The RNDP is being formulated prior to the Council’s Part 2 Local Plan, which has yet to be tested against the test of soundness and therefore RNDP1 cannot be seen to meet the required housing targets of the Part 2 Local Plan as this has yet to be fully determined. We also feel the Council should take into account policies proposed within the draft NPPF which may affect their housing land supply position. Roade is considered by the Part 2 Local Plan to represent a highly sustainable location for development.

5.45 The District Council has already urged the NP Group to reconsider its approach within Policy RNDP1, and whilst Appendix 3 makes reference to a series of sites within the confines which are ‘considered to be available for development’ no discussions have taken place with Chartwell even though an offer to engage remains. We are also conscious that those sites within Appendix 3 may be subject to Policy RNDP6 which affects viability of any development. The NP does not provide sufficient detail as to the extent or type of development these sites may accommodate.

5.46 The RNDP has clear policy implications as it is being prepared before the Part 2 Local Plan has been tested in examination. The NP cannot therefore be seen to fully deliver against objectively assessed evidence of need.

6. CONCLUSIONS

Assessment against the basic conditions

6.1 We object to the Roade Neighbourhood Plan which restricts future housing growth in the area through a number of policies which are not considered reflective of the NPPF or PPG. Chartwell are seeking to provide sustainable housing development opportunities which will result in community benefits via planning gain. They have always sought to act in the interests of the village and support community facilities, and remain keen to engage with the NP Group. Whilst we acknowledge that Appendix 3 now makes reference to some of Chartwell’s land within the confines ‘considered to be available for development’ we are unable to fully ascertain the SG’s intentions relating to the type or amount of development; given no discussions have taken place. We are also conscious that Appendix 3 provides no explanation as to whether an exception to Policy RNDP6 would apply to these sites or not. If the policy applied it may affect their viability if alternative land had to be provided.

6.2 The approach the Roade Neighbourhood Plan has taken in its assessment of sites is deeply flawed, not only in its application of local and national policy; but lacks clear, robust and up-to-date evidence to inform its policy objectives and meet its strategic objectives. The Plan should be radically overhauled as we propose to avoid it being found unable to meet a number of the basic conditions prior to adoption, or even being found out-of-date before it is even implemented. We suggest the NP delete the village confines and apply a presumption in favour of sustainable development promoted by the NPPF.
The Roade Neighbourhood Plan contains a number of issues which contravene the following basic conditions:

(a) **Having regard to national policies and advice contained in guidance issued by the Secretary of State.**

- We object to the Plan’s strategy to constrain sustainable housing growth through a series of objectives and policies. We consider the NP to be contrary to the positive approach to sustainable development as set out within the National Planning Policy Framework.

- The Plan overlooks advice and guidance set out within the National Planning Practice Guidance in relation to Neighbourhood Plans, Housing Land Availability, and Viability.

(d) **The making of the neighbourhood development plan contributes to the achievement of sustainable development.**

- The Neighbourhood Plan promotes a series of small sites in the hope they will deliver affordable housing, despite Planning Practice Guidance removing the need to provide affordable housing on sites of 10 units or less. Whilst we acknowledge the SG has made reference to some of Chartwell’s land within the confines, ‘considered to be available for development’, there are no allocations or housing targets to reinforce their potential use.

- The Plan has discounted any housing allocations, despite an offer from Chartwell to discuss planning gain within the village as a significant land owner.

- Much of Chartwell’s land is achievable, deliverable and suitable for development

- Policy RNDP1 provides limited flexibility in the event of a shortfall in the Council’s housing land supply. The Plan fails to positively contribute to the delivery of sustainable development of a scale to meet the plan’s objectives resulting in a strategy that is likely to fail to maintain the village’s vitality and viability providing housing to meet localised housing needs in the wider area.

- Despite the SG continuing to maintain that “there is no current identified need or demand for additional facilities” to justify the lack of engagement with Chartwell; we recognise that this stance is contrary to the priorities set out within Policy RNDP10.

(e) **The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)**

- The current adopted Local Plan is out-of-date against the requirements of national policy. Part 2 of the Local Plan is emerging and yet to be examined. The Neighbourhood Plan is relying on housing projections from the Core Strategy which is due for review and until Part 2 of the Local Plan has been adopted following examination by a Planning Inspector cannot be considered to have fully taken into account the Full Objectively Assessed Needs of the wider area. The
Neighbourhood Plan therefore cannot be fairly tested against the strategic needs of the District. We are also conscious that the draft NPPF may have implications for the Council’s land supply position over the course of the RNDP.

(g) Prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

- The Neighbourhood Plan claims to meet its future development needs yet depends upon small-scale infill sites within the village confines. This approach is not only constrictive to development but there is no certainty that small sites will deliver housing required over the course of the plan period. Many of the small-scale infill sites are likely to be on small areas of open space within the village, Policy RNDP6 requires land elsewhere to be provided which will affect viability for many developers.

6.4 We strongly urge the Neighbourhood Plan Group to allocate some of Chartwell’s land within the plan for housing development. Chartwell’s invitation to the group to discuss planning gain remains open. This will help to meet the village’s future housing needs, deliver affordable homes and support community facilities.

6.5 We oppose the submission draft Roade Neighbourhood Development Plan for reasons set out within this statement, and request to take part in Hearing sessions as part of the examination stages of the Neighbourhood Plan.