TOWN AND COUNTRY PLANNING ACT 1990

Written Representations on the South Northamptonshire Council Pre-Submission Draft Local Plan Part 2

Land at Greens Norton

October 2017

Statement on behalf of Mr R Hunt

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## Appendices

1. Proposed Amendments to the Village Confines Boundary
1. INTRODUCTION

1.1 These representations are prepared on behalf of Mr R Hunt in respect of his land interests in Greens Norton. He owns two plots of land which are identified on the accompanying plan A & B as contained in Appendix 1.

1.2 This representation is made in relation to the potential for future development of residential development on the sites.

1.3 The following representation is made in respect of various policies within the pre-submission draft Local Plan which are considered relevant, and seeks to make changes to the village confines boundary. These issues are discussed below.

2. THE SITE AND THE SURROUNDING AREA

2.1 The village of Greens Norton is located just over 1 mile north-west from Towcester. The village has two nurseries and one primary school; a public house called the Butchers Arms; a community centre; a medical centre; as well as a Parish Church. There is also a village store and post office; and local butchers within the village.

2.2 The land is located to the south of the village. Plot A is a small parcel of agricultural land to the rear of 21 Mill Lane which is used for pasture. To the south-east of the plot is a larger field used for arable farming. The site is within walking distance of bus stops on Mill lane providing connections to Towcester and beyond. To the north of the site is Freeman’s Way which forms the access road to a recent housing development of 49 dwellings. A small part of the site to the south-eastern corner sits within the Northampton County Council area of potential archaeological assets. There is a public right of way which runs along the eastern boundary of the site and through the recent housing development (Footpath route RN15: running from south end of Church View, south-east, to the Greens Norton-Silverstone county road 275m east of Mill Farm)

2.3 Plot B is a small contained farm paddock to the north-eastern end of Freeman’s Way. The site is outside of the Northampton County Council area of archaeological assets. The site has a defined boundary consisting of hedgerow and tree planting. Following the development of the recent housing estate, the site now appears irregularly sized in comparison to the wider field pattern.

2.4 There are no flood risk constraints on either site, and equally Greens Norton does not form a conservation area. There are no landscape designations on the site or the surroundings. Some distant views of any development may be visible from the Public Right of Way located approximately 200m to the south (Footpath route RN32 running from Mill Lane at The Hall, north-east to Towcester Road at Sports Ground), although it should be noted that any built form would be seen against the backdrop of the recent housing development along Freeman’s Way. There are no listed buildings within the immediate vicinity of the site.

3. RELEVANT PLANNING HISTORY

Plot A

3.1 An application was made on the site for a replacement agricultural barn, to replace and upgrade existing buildings, which was approved 16 November 2007.
Other relevant applications

3.2 An outline application (Ref: S/2009/0620/PO) was approved for the residential development of 49 dwellings and estate road at land off Mill Lane Greens Norton on 1 April 2010. The site was a rectangular vacant field to the rear (south-east) of Calvert Close, covering an area of 1.57 hectares. A Public Right of Way crossed the site which connected to the end of Calvert Close to the north from the open countryside to the south. The proposal helped to provide affordable housing and contribute to the roll of pupils at the local primary school (Jan 09 roll of 117 with capacity of 203). Community facilities were stated within the case officer's report as being within 320m of the site so within walking distance. The submitted ecology survey concluded that the site contained habitats of low conservation value.

3.3 In respect of the effect on the character and appearance of the area the case officer noted that there were no statutory or non-statutory landscape designations nor is there any mention of the land within the Council’s Village Design Statement. On balance the case officer concluded that development of the site would not cause serious harm to the character or appearance of the area to warrant a refusal.

3.4 The application was approved 1 April 2010 given the Council’s Interim Rural Housing Policy Statement identified a shortfall of 34 dwellings for Greens Norton; which was considered to be one of the most sustainable villages to accommodate further growth.

3.5 An application was subsequently made in respect of reserved matters of layout, scale, appearance and landscaping (Ref: S/2010/1417/MAR) which ended up at appeal (APP/Z2830/A/11/2149314). Within the Inspectors report the layout of the village core is described as being “characterised by the relatively tight enclosure of houses addressing the streets in a mix of short terraces and individual units. Local distinctiveness is added by cottages with gable ends turned to the street. The permeable pattern of traditional routes contrasts with the inward looking layouts of modern development”.

3.6 The appeal was dismissed October 2011, as the layout submitted did not respond well enough to its context in terms of built form and landscape; however a revised application had been approved in July 2011 (Ref: S/2011/0374/MAR).

3.7 An outline application (Ref: S/2013/1029/OUT) for nine dwellings was proposed at on land at 18 Blakesley Hill (which included demolition of the existing property) was refused by the Council on 30 September 2013. A public right of way passes through the site. The case officer’s report claimed the proposal would impact on the character and appearance of the area given the existing bungalow was separated from the main built-up area of the village by a paddock, thereby the dwelling appeared in isolation to the village. The site was considered to be in a prominent location in clear view of the road and importantly the public right of way. The case officer argued this view was consistent with the previous appeal (APP/Z2830/A/10/2123779) on the site as of October 2010 and there was no reason to adopt a differing approach. Reasons for refusal included: the site being located outside of the village confines; resulting in an urbanising effect eroding the rural character of the site and village approach; the cumulative impact (in respect of development at Mill Lane at the time) on the edge of the village in a prominent location resulting in detrimental harm to the village character and setting; as well as significant harm to the visual amenity of the local landscape. The application is considered relevant as the Council are proposing to include the site within the village confines.
4. **BUILDING SUSTAINABLE COMMUNITIES (SECTION 4)**

4.1 The need for high quality design is recognised which is of an appropriate scale, massing and appearance that contributes positively to the local spatial character. We consider the use of design codes and village design statements as an acceptable means to ensure development is carried out sympathetically of the local style, vernacular and landscape. Our client’s sites would not adversely affect any of the elements listed within the Greens Norton Village Design Statement.

4.2 Any development upon Site A would be seen against the backdrop of the existing settlement. There is opportunity to provide landscape buffer planting which would strengthen the visual containment of the adjoining nursery. Access can be achieved off Freeman’s Way and the clearance of the existing agricultural barn would constitute a visual improvement to the outlook of adjacent residents and the overall street-scene; as well as removing a potential source of noise and smells from the residential area.

4.3 The site is within walking distance of all the villages’ facilities reducing the need to travel. Development of the site is considered to comply with Policy Site Development Principles 1 and 2 in respect of General development principles, and Design Principles.

4.4 Site B to the eastern end of Freeman’s Way is a well-contained parcel of land with established boundary hedgerow and tree planting. There are no public rights of way in the immediate surrounding countryside. Development of the site can therefore be appropriately assimilated into its wider landscape setting. Connection into the existing footpath network will ensure accessibility to all of the village facilities can be achieved. The proposed site would similarly comply with Policy Site Development Principles 1 and 2 of the Plan.

4.5 There may be a need for appropriate contributions which are related to the scale and impact of new development. Contributions towards any improvements required should be fair and proportionate ensuring development remains viable. These matters can be dealt with at the planning application stage. We also recognise that the Government have consulted on options for reforming the system of developer contributions including more direct benefit for communities and are expected to make an announcement in the forthcoming Autumn Budget 2017 (Housing White Paper page 40, paragraph 2.29).

5. **SPATIAL STRATEGY FOR SOUTH NORTHAMPTONSHIRE DISTRICT (CHAPTER 5)**

5.1 Within the pre-submission draft Local Plan (p.43) the Council acknowledge it was informed at Options stage, of a desire that “settlement confines should follow natural boundaries i.e. hedgerows and walls. Instead of running through gardens they should take in natural boundaries i.e. hedgerows. Tidying up gardens does not mean houses with large gardens will have a new house built in the garden as in many cases there would be no access available. If a house has been built in the village envelope and the gardens to it are outside the village confine then this should have been dealt with and the confines moved accordingly when planning permission was granted, as each application clearly shows the application site”. 

### AITCHISON RAFFETY
5.2 The Council’s ‘Methodology for Town and Village Confines’ within their evidence base for the draft Plan sets out a number of key considerations that need to be taken into account when reviewing and considering new village confines. These are summarised below:

- **C1**: The need to try to base confines on strong physical boundaries that can be easily identified on the ground. (Roads, watercourses, and strong field and curtilage boundaries).
- **C2**: The need to try and control future ribbon development within villages.
- **C3**: Include developments that have taken place outside but adjoining confines (including exception sites) and outstanding planning permissions where development has started.
- **C4**: Developments that are isolated or peripheral to the main built up part of a village.
- **C5**: Farm buildings and peripheral developments.

5.3 The Council are amending the village confines boundary to reflect the recent residential development along Freeman’s Way.

5.4 Whilst both of our client’s sites lie outside of the proposed village confines map, they form part of an existing area of development within the overall settlement. Neither site is separated from the village settlement; as such any new development would be seen against the backdrop of the existing urban form. Both sites either have existing boundary vegetation or have the opportunity to provide mitigating planting to further screen views.

5.5 The Government’s recent Housing White Paper states that they are proposing a number of changes to the NPPF including the expectation that “local planning authorities will identify opportunities for villages to thrive, especially where this would support services and help meet the need to provide homes for local people who currently find it hard to live where they grew up” (page 27, paragraph 1.33).

5.5 Redrawing the settlement boundary to take account of our client’s sites would not therefore harm the character or appearance of the village given development can be visually contained and would not result in material harm to the wider landscape. Site A provides the opportunity to strengthen the visual containment of the existing nursery and would remove the agricultural barn from recent housing development directly opposite thereby improving the appearance of the street-scene and level of amenity to surrounding neighbours. Site B is a small but well-contained site. It is not reflective of the wider field pattern as a result of the recent housing development. Development on this site would improve the level of amenity to adjacent residential uses and would not risk urban sprawl. It is important to recognise that the barn can be converted to residential use under permitted development rights.

5.6 We feel these sites relate particularly well to the area. As such, we request the Council amend the village confines boundary as attached (Appendix 1). We also recognise that the Council are proposing to include land at 18 Blakesley Hill to the north of the village within the overall confines, which has a refused lodged against it; by way of comparison we feel both of our client’s sites are in less prominent locations.
5.6 Greens Norton is identified within the proposed settlement hierarchy as a Secondary Service Village which is considered to provide a level of facilities and services which allow scope for limited development within or adjoining the village confines to help meet locally identified needs. It is considered Greens Norton’s position in the settlement hierarchy as appropriate to the scale of the village allows for limited changes and that development of both sites to be proportionate to what the village can support. We consider the site to represent a sustainable location particularly as villages need to be able to respond to any local need.

6. GENERAL HOUSING POLICIES (SECTION 6)

6.1 It is proposed to develop the two sites in Greens Norton for residential use, subject to the Council amending the village confines boundary (as set out in Appendix 1).

6.2 The Sustainability Appraisal report part 3a which is intended to inform and underpin the Council’s preferred strategic and policy approach to rural housing is criteria based to ensure that any sites that do come forward are in the most sustainable places and that local needs are assessed and met. Within Table 2.1 it is stated that ‘The Council does not have the up to date detailed evidence of local need for individual villages/parishes’, it continues ‘it is important to recognise that such evidence can change in a relatively short space of time’. This is contrary to national planning guidance set out within paragraph 159 of the NPPF which requires planning authorities to have a clear understanding of housing needs in their area and take into account relevant market signals.

6.3 Whilst the Council are understood to have a five year supply of housing in place, a recent decision at Candle Cottage in Blisworth (S/2016/1046/OUT and APP/Z2830/W/16/316559) found that the Council have a shortfall of 55 dwellings in rural areas as found by a Planning Inspector. Whilst the Council are mounting a legal challenge to this decision it remains a material consideration. A five year land supply should also not preclude development as paragraph 47 encourages local authorities to significantly boost the supply of housing; at no point does the policy provide a limit or cut off point.

6.4 The West Northamptonshire Joint Core Strategy recognises the need for limited development in rural areas providing the scale of development is consistent with the objective of meeting local needs and supporting local services. ‘Policy Housing 1’ however limits growth to within settlement boundaries, while ‘Policy Housing 2’ results in exhaustive criteria to be applied where outside of settlement boundaries; which conflicts with the positive approach required under paragraph 14 of the NPPF to provide sustainable development where the benefits outweigh any demonstrable harm. Our client therefore opposes ‘Policy Housing 2’; particularly as the proposed settlement confines are too tightly drawn to accommodate any additional growth. Setting strict settlement boundaries does not allow adequate flexibility for development to come forward outside the settlement boundary if this is required (for example due to a shortfall of housing land). The Framework is clear that development which is sustainable should go ahead. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements would not accord with the positive approach to growth required by the Framework.

6.5 The proposed ‘Policy Housing 3’ states that developers should include provision of 5% bungalows on all developments of 10 or more dwellings unless a locally objectively assessed need permitted under Policy Locally Objectively Assessed Needs (LOAN) suggests otherwise.
The issue with this policy is its potential to affect viability given the use bungalows does not represent the most efficient use of land. The policy does not consider the potential for Lifetime Homes to help address the needs of older residents. The large majority of housebuilders have lifetime compliant house-types and it is suggested this should form a factor for consideration within the policy. Alternatively, the Council could consider the provision of one bungalow as a contribution equal to two affordable units on-site, to offset the potential issue on viability.

6.6 We support the principle of the LOAN policy which allows housing development on suitable sites outside, but immediately adjoining, settlement confines where there is a clear objectively assessed local housing need. The Council must, however, ensure that any organisation they wish to nominate to carry out the Housing Need Assessment (HNA) on their behalf acts in a fair and impartial manner, without any conflict of interest.

6.7 We object to the LOAN policy criteria requiring demonstration of community involvement to ensure the views of the local community inform a proposal; yet the LOAN policy also states schemes should reflect the overall mix and type of dwellings defined by the HNA. The need to demonstrate community involvement already forms a key part of the NPPF. Adding another tier of consultation linked directly to the LOAN policy risks undermining its purpose, which is to allow development adjoining the confines of the settlement where there is a need.

6.8 We generally support housing policies 9 and 10 in respect of self-build homes and homes built to rent, although the recent Government housing White Paper ‘Fixing our Broken Housing Market’ indicates that they are proposing ‘stronger support for sites that provide affordable homes for local people’. It is also expected that the definition of “affordable housing” will change within the revised NPPF, as the White Paper suggests in pages 99-100. Key proposals include “changing the NPPF so that local authorities know they should plan proactively for ‘Build to Rent’ where there is a need”. Policy 10 should therefore apply not just to ‘Rural Service Centres and Primary Service villages’ but to other villages within the overall settlement hierarchy. In light of this, we remind the Council that the National Planning Practice Guidance (NPPG) which supports the NPPF provides guidance for rural housing policies 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”. It is clear from the Council’s own admission within the Sustainability Appraisal report (August 2017) part 3a Table 2.1 that the evidence base is not robust.

7. NATURAL ENVIRONMENT (SECTION 15)

7.1 It is accepted that the rural character of development proposals on sites outside defined settlement confines should only be allowed where they do not cause significant harm to the character of the area. Development of Site A would remove the existing agricultural barn from a residential area thereby improving the street-scene and levels of amenity to surrounding neighbours. Any development on the site would appear against the existing backdrop of housing recently constructed along Freeman’s Way. The site also provides opportunity to introduce mitigation planting to increase the overall landscape buffer to the village and the adjoining nursery representing a clear benefit.
7.2 We consider any proposal would comply with guidance set out within the Village Design Statement, particularly as the Council recently consented 49 dwellings along Freeman’s Way. Site A would not form a precedent for further sprawl as it is clearly defined by the existing field boundary. Site B is well contained and has the benefit of established boundary hedgerow and tree planting.

7.2 We request the Council consider amending the village confines boundary to include these sites. We consider this to be acceptable particularly as the Council are including land at 18 Blakesley Hill within the village confines; a site which has an appeal decision against the development of 9 dwellings. Both of our client’s sites are located in less prominent locations and will not result in undue harm to the character or appearance of the village.

8. CONCLUSIONS

8.1 This representation seeks changes to the village confines to include his two sites in the village of Greens Norton. Having reviewed the site against the pre-submission Local Plan we consider the site to be in general accordance with the policies contained within it providing an appropriate location for any potential housing needs within the village. Therefore, we request that the Council adjust its settlement boundary for the village to include his sites, particularly given the Council has accepted it does not keep up to date information on housing needs for villages as set out within the Sustainability Appraisal report part 3a (Table 2.1). The Council even acknowledge that ‘such evidence can change in a relatively short space of time’.

8.2 There is a clear conflict between the settlement hierarchy which states that limited development can take place adjoining settlement boundary confines where there is a local need, yet Policy Housing 2 however limits growth to within settlement boundaries with an exhaustive set of criteria. We consider this to conflict with the positive approach required under paragraph 14 of the NPPF to provide sustainable development where the benefits outweigh any demonstrable harm.

8.3 We oppose Housing Policy 2, particularly as the proposed settlement confines for Greens Norton are too tightly drawn to accommodate any additional growth. Setting strict settlement boundaries does not allow adequate flexibility for development to come forward outside the settlement boundary if this is required (for example due to a shortfall of housing land). The Framework is clear that development which is sustainable should go ahead. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements would not accord with the positive approach to growth required by the Framework.

8.4 The Governments’ Housing White Paper, which is expected to influence amendments to the NPPF, states “local planning authorities will identify opportunities for villages to thrive, especially where this would support services and help meet the need to provide homes for local people who currently find it hard to live where they grew up” (page 27, paragraph 1.33). The Draft Local Plan limits build to rent to sites within the confines of Rural Service Centres and Primary Service villages (under Housing Policy 10), despite the NPPG recognising “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”. It is clear from the Council’s own admission within the Sustainability Appraisal report (August 2017) part 3a Table 2.1 that the evidence base is not robust.
8.5 We therefore request the Council amend the settlement confines boundary for Greens Norton to include land as proposed in *Appendix 1*. 