TOWN AND COUNTRY PLANNING ACT 1990

Written Representations on the South Northamptonshire Council Draft Submission Local Plan Part 2 (Regulation 19 Consultation)

Land at Greens Norton

November 2018

Statement on behalf of Mr R Hunt

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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. We submitted written representations on the Pre-submission Draft Local Plan back in October 2017, a copy of which is provided as Appendix 2.

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. **LEGAL COMPLIANCE OF THE PART 2 LOCAL PLAN**

3.1 As has been outlined above, we submitted written representations to the Council at pre-submission stage, raising concern over the proposed village confines for Greens Norton. This included the nature of the Council proposing alterations to the boundary where
development has been allowed on appeal (APP/Z2830/A/10/2123779) despite the site lying outside of the settlement confines. The appeal decision overruled the Council’s view that the development would erode the rural character of the village as well as the visual amenity of the local landscape. In the past the Council allowed development of 49 dwellings on land off Mill Lane (Ref: S/2009/0620/PO) recognising that the village was considered to be one of the most sustainable villages to accommodate growth.

3.2 The revised NPPF states in paragraph 214 that policies in the previous Framework will apply for the purposes of examining plans where they are submitted on or before 24 January 2019. Paragraph 212 of the revised NPPF also states that “plans may also need to be revised to reflect policy changes which this replacement Framework has made”. Whilst we believe South Northants Council to have in excess of a five year housing land supply, the current NPPF is proposing a Standard Methodology which results in local planning authorities having to prove that their housing land supply is deliverable with new housing being built on the ground. As a result, many sites previously included could now be excluded from their calculations.

3.3 Should it be found that South Northamptonshire Council cannot identify a 5-year housing land supply then the relevant Development Plan policies will be considered out-of-date and the presumption in favour of sustainable development will then apply. We consider this matter is not just relevant to the overall housing land supply figure, but also the Districts rural housing targets which have been debated at the High Court recently regarding land at Candle Cottage, Blisworth (APP/Z2830/W/16/3165559). Whilst the rural housing target was determined at appeal to have been met, it may not remain the case under the NPPF Standard Methodology.

3.4 We are of the opinion that our clients land assets are the best sites to accommodate the future housing needs for the village. The site scores well against Policy LH2 allowing starter homes outside of settlement confines. This policy suggests that the Council are expecting to have to meet future housing needs. Policy R1 of the Joint Core Strategy guides housing growth to the most sustainable locations within the District and the Council has previously acknowledged that Greens Norton is one of its most sustainable locations S/2009/0620/PO). Development of the site would not unduly harm any open land of particular significance given there are no landscape designations surrounding the site. The Council has previously approved housing development in the immediate surroundings and our clients land would not unduly harm the amenity of existing residents. The Council could allocate the two sites for future housing development with a density appropriate to the scale of the existing settlement.

3.5 The Council must be shown to be meeting local needs over the course of the whole plan period in accordance with the NPPF. Allocation of the site for future housing or amending the village confines to include the two parcels of land will help ensure the Council’s Plan is sound and deliverable.

3.6 Within the Sustainability Appraisal the Council defends their lack of any housing allocations within the plan on the basis that:

“The Council does not have the up to date detailed evidence of local need for individual villages / parishes. Even if it did it is important to recognise that such evidence can change and become out of date in a relatively short time period. Therefore the approach taken in the policy is one that allows for an assessment to
be made at any time and that restricts delivery of housing to meet that need within a specified time period ensures that the current need is met”.

3.7 We consider that this is contrary to the NPPF which states in paragraph 23 that “broad locations for development should be indicated on a key diagram and land use designations and allocations identified on a policies map” and which we consider is reinforced by paragraph 31 which states “the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals”. Clearly if the Council do not keep up-to-date local information surrounding local housing needs then the Sustainability Appraisal is deficient, unsound; and that Policies relating to proposed confines boundary are unjustified.

4. APPRAISAL OF THE DEVELOPMENT OPPORTUNITY AGAINST THE COUNCIL’S DRAFT PLANNING POLICIES, AND CHANGES SUGGESTED TO THE PART 2 LOCAL PLAN

4.1 We have set out below a summary of where we feel our clients land interests are supported by the Council’s draft policies and suggest any changes which we consider necessary to make the South Northamptonshire (Part 2) Local Plan Draft submission document legally complaint and/or sound including revised wording of any policy text, and reasons why the proposed change would make it legally compliant and/or sound.

Policy SS1: The Settlement Hierarchy & Policy LH1: Development within Town and Village Confines

4.2 Greens Norton is identified as a Secondary Service Village (category A) which is considered by the Council as “likely to be more suitable for limited development”.

4.3 Policy R1 of the Joint Core Strategy guides housing growth to the most sustainable locations within the District and the Council has previously acknowledged that Greens Norton is one of its most sustainable locations S/2009/0620/PO). The site scores well against Policy LH2 allowing starter homes outside of settlement confines. This policy suggests that the Council are expecting to have to meet future housing needs. We are of the opinion that our clients land assets are the best sites to accommodate the future housing needs for the village.

Policy SS2: General Development Principles

4.4 Policy SS2 covers a series of development principles which will apply to submitted proposals. The policy wording under criteria ‘n’ states that development should “meet the optional higher water efficiency standard of 110 litres per person per day” (as set out within Part G2 of the Building Regulations.

4.5 We recognise that the careful use of water is important, however Part G2 of the Building Regulations states in paragraph 2.8 that “The optional requirement only applies where a condition that the dwelling should meet the optional requirement is imposed as part of the process of granting planning permission”. As such we recognise the optional requirement is controllable by planning conditions. The NPPF states in paragraph 16 that Local Plans should avoid unnecessary duplication of policies that apply to an area (including policies in the NPPF). The optional higher water efficiency standard can be controlled by way of planning condition and should not therefore be imposed within the Development Plan. Paragraph 54 of the Framework encourages Local Planning Authorities to consider whether otherwise
unacceptable development could be made acceptable through the use of planning conditions. We therefore advise criterion n of Policy SS2 be simply omitted.

**Policy LH2: Starter Homes Outside Settlement Confinces**

4.6 We strongly support the policy for starter homes outside of the settlement confines. Policy LH8 makes reference to tenure blindness, and Policy LH2 could do likewise. The preamble to Policy LH2 refers to the definition of starter homes as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. This is also how starter homes are interpreted with regard to the NPPF (Annexe 2) and we feel this policy is justified.

**Policy LH3: Entry Level and Single Plot Exception Sites**

4.7 Policy LH3 relates to entry level and single plot exception sites. We support this policy in respect of the two sites put forward.

**Policy LH5: Self and Custom Built Homes**

4.8 Policy LH5 relates to self and custom built homes. Our client supports the policy.

**Policy LH6: Specialist Housing and Accommodation Needs**

4.9 We support the policy for Specialist Housing and Accommodation needs, particularly in respect of meeting needs for older persons. We have an aging population and it is right that the Council therefore respond in actively seeking opportunities to build suitable accommodation where required.

4.10 We refer the Council to the Institution of Highways and Transportation (IHT) Guidelines for providing Journeys on Foot, in respect of acceptable distances to local facilities.

**Policy LH7: Residential and Nursing Care**

4.11 We support the policy for Residential and Nursing Care. We have an aging population and it is right that the Council therefore respond in actively seeking opportunities to build suitable accommodation where required.

**Policy LH8: Affordable Housing**

4.12 We support the delivery of affordable housing within the District.

**Policy LH9: Build to Rent**

4.13 Our client supports the ‘Build to Rent’ policy as a means to encourage housing delivery and provide more competition within the private rented sector which should in principle make renting more affordable overall.

**Policy LH10: Housing Mix and Type**

4.14 We support the delivery of a wide mix and type of housing within development proposals.
Policy SDP1: Design Principles

4.15 Policy SDP1 sets out a series of design principles that new development will be required to comply with. We support the policy.

Policy GS4: Backland Development

4.16 Our client supports this policy.

5. CONCLUSIONS

5.1 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’.

5.2 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.

5.3 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.

5.4 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.
5.5 We therefore request the Council amend the settlement confines boundary for Greens Norton to include land as proposed in Appendix 1 and consider an allocation in respect of Policy LH2.

5.6 We request attendance at the Local Plan examination stage Hearings.
APPENDIX 1

Requested Amendments to the Village Confines Boundary
APPENDIX 2

Copy of Written representations on the Pre-submission Draft Local Plan Part 2