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RE: Plumpton Neighbourhood Plan Regulation 14 Consultation

Dear Sir/Madam,

This letter provides Gladman Developments Ltd (Gladman) representations in response to the draft version of the Plumpton Neighbourhood Plan (PNP) under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy.

Legal Requirements

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the PNP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.*
- (d) The making of the order contributes to the achievement of sustainable development.*
- (e) The making of the order 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 order does not breach, and is otherwise compatible with, EU obligations.*

National Planning Policy Framework and Planning Practice Guidance

The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan-making and decision-taking. 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. This requirement is applicable to neighbourhood plans.

The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account the latest and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 17 further makes clear that neighbourhood plans should set out a clear and positive vision for the future of the area and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

Planning Practice Guidance

It is clear from the requirements of the Framework that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

On 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these update a number of component parts of the evidence base that are required to support an emerging neighbourhood plan.

On 19th May 2016, the Secretary of State published a further set of updates to the neighbourhood planning PPG. These updates provide further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan where the evidence base for the plan policy becomes less robust. As such it is considered that where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention which includes a detailed explanation outlining the qualifying bodies anticipated timescales in this regard.

Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is with that in mind that Gladman has reservations regarding the PNP's ability to meet basic condition (a) and this will be discussed in greater detail throughout this response.

Relationship to Local Plan

The current adopted plan that covers the Plumpton Neighbourhood Plan area and the development plan which the PNP will be tested against is the Lewes District Council Local Plan, adopted in May 2016. The Local Plan covers the period from 2010 to 2030 and provides the overarching spatial strategy for the district.

Within this plan Plumpton Green is designated as a service village, settlements with a basic level of services and facilities and within the spatial strategy new housing is planned to be a minimum net addition of 50 units.

Plumpton Neighbourhood Plan

This section highlights the key issues that Gladman would like to raise with regards to the content of the PNP as currently proposed. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend a series of alternative options that should be explored prior to the Plan being submitted for Independent Examination.

Policy 1: Spatial plan for the parish

This policy states that development within the planning boundary for Plumpton Green will be supported with development outside the planning boundary not being supported. Gladman opposes the use of settlement boundaries if these would preclude otherwise sustainable development from coming forward. The Framework is clear that development which is sustainable should go ahead without delay. The use of development limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a). Further, a blanket restriction on all development outside of the planning boundary would not accord with paragraph 55 of the Framework regarding development in rural areas.

Policy 7: New housing

Whilst recognising the plan makes a number of housing allocations, in excess of the minimum target as set out in the adopted Local Plan, Gladman notes there may be access issues with several of the proposed allocations. The Parish Council should ensure that it is confident access can be achieved or the allocations will not be deliverable. This would be a direct conflict with PPG which states plans should be deliverable to ensure they can be implemented as the community intends.

Policy 13: Local Green Spaces and Open Spaces

This policy is seeking to designate 7 parcels of land as Local Green Space (LGS). Due to the lasting nature of this designation and the level of protection of these designations, similar to that of Green Belt, Gladman contends that some of the proposed designations do not meet all the requirements for LGS designation.

In order to designate land as LGS the Parish Council must ensure that it is able to demonstrate robust evidence to meet national policy requirements set out in the Framework. The Framework makes clear at §76 that the role of local communities seeking to designate land as LGS should be consistent with the local planning of sustainable development for the wider area. Paragraph 76 states that:

'Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in

sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.'

Further guidance is provided at §77 which sets out three tests that must be met for the designation of Local Green Spaces. Paragraph 77 states that:

'The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- Where the green space is in reasonably close proximity to the community it serves;
- Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreation value (including as a playing field), tranquillity or richness of its wildlife; and
- Where the green area concerned is local in character and is not an extensive tract of land.'

Gladman suggest that whilst a Local Green Spaces report has been produced to support the proposed designations within the plan that this demonstrates why several of the proposed designations do not meet the full requirements of the Framework for LGS designation and when considered in the context of Plumpton Green the areas are in fact extensive tracts of land.

The issues surrounding LGS designations have been considered in a number of other Examiner's reports across the country and we highlight the following decisions:

- The Seldlescombe Neighbourhood Plan Examiner's Report¹ recommended the deletion of a LGS measuring approximately 4.5ha as it was found to be an extensive tract of land.
- The Oakley and Deane Neighbourhood Plan Examiners Report² recommended the deletion of a LGS measuring approximately 5ha and also found this area to be not local in character. Thereby failing to meet 2 of the 3 tests for LGS designation.
- The Alrewas Neighbourhood Plan Examiner's Report³ identifies that both sites proposed as LGS in the neighbourhood plan '*in relation to the overall size of the Alrewas Village*' to be extensive tracts of land. The Examiner in this instance recommended the deletion of the proposed LGSs which measured approximately 2.4ha and 3.7ha.
- The Freshford and Limpley Neighbourhood Plan Examiner's Report⁴ identified that the six LGS proposed did not meet the criteria required by the Framework either collectively or individually. Indeed, the Examiner identified that the combination of sites comprised of an extensive tract of land. The Examiner also considered that the protection of fields to 'prevent agglomeration between the settlement areas ... is not the purpose of Local Green Space designation'.
- The Eastington Neighbourhood Plan Examiner's Report⁵ recommended the deletion of three LGS (16ha and 2ha) considered to be extensive tracts of land. The third proposed LGS was deleted due to the lack of evidence demonstrating its importance and significance to the local community.
- The Tattenhill and Rangemore Neighbourhood Plan Examiner's Report⁶ recommended the deletion of 2 LGS comprising of 4.3ha and 9.4ha.
- The Norley Examiner's Report⁷ identified a total of 13 parcels of land to be designated as LGS. The Examiner recommended at §4.98 that the identification of these extensive tracts of agricultural land was

¹ <http://www.rother.gov.uk/CHttpHandler.ashx?id=22996&p=0>

² <https://www.basingstoke.gov.uk/content/doclib/1382.pdf>

³ <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Neighbourhood-plans/Downloads/Alrewas/Alrewas-Neighbourhood-Plan-Examiners-Report.pdf>

⁴ http://www.wiltshire.gov.uk/freshford_limpley_examination_final_report.pdf

⁵ <https://www.stroud.gov.uk/media/2596/2016-04-28-eastington-examiners-report-final.pdf>

⁶ <http://www.eaststaffsbc.gov.uk/sites/default/files/docs/planning/planningpolicy/neighborplanning/tattenhill/02%20Tattenhill%20Neighbourhood%20Plan%202015.pdf>

⁷ <http://consult.cheshirewestandchester.gov.uk/file/3626372>

contrary to NPPF policy and recommended that the policy should be deleted. The proposed LGS measured in the range of 1ha – 4.3ha.

Conclusions

Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the PNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.

Gladman is concerned that the plan in its current form does not comply with basic condition (a). The plan does not conform with national policy and guidance. Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours faithfully,

Richard Agnew
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Gladman Developments Ltd.