

Neighbourhood Planning,
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By email only to neighbourhoodplanning@hart.gov.uk

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Crookham Village Neighbourhood Plan Regulation 16 Consultation

Dear Sir/Madam,

Introduction

This letter provides Gladman's representations to the submission version of the Crookham Village Neighbourhood Plan (CNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues within the CNP as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in Neighbourhood Planning, having been involved in the process across the country. It is from this experience that this representation has been prepared.

Legal Requirements

Before a Neighbourhood Plan can proceed to referendum, it must be tested against a set of basic conditions defined in Paragraph 8(2) schedule 4b of the Town and Country Planning Act 1990 (as amended) by way of independent examination. The basic conditions that the CNP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by 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.*
- (g) Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*

National Planning Policy

On the 24th July 2018, the Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework. The first revision since 2012, it implements 85 reforms announced previously through the Housing White Paper. This version was itself superseded on the 19th February 2019, with the latest version, largely only making alterations to the Government's approach for the Appropriate Assessment as set out in Paragraph 177, clarification to footnote 37 and amendments to the definition of 'deliverable' in Annex 2.

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 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 plan-making and decision-taking. 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 of 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 13 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 15 further makes clear that neighbourhood plans should set out a succinct and positive vision for the future of the area. A neighbourhood plan 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 29 of the Framework makes clear that a neighbourhood plan must be aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

Relationship to the Local Plan

To be found in accordance with the Basic Conditions, Neighbourhood Plans should be prepared to conform to the strategic policy requirements set out within the adopted Development Plan. In the case of the CNP, the relevant development plan is currently provided by the saved policies of the Hart Local Plan 1996 – 2006.

The Council has been progressing work on a new Local Plan for the District. This was submitted for examination and approved at a meeting of Full Council held on 6th March 2019. When adopted this plan will provide the overarching strategic policies for the district.

The hearing sessions of the examination have now closed. Following receipt of the Inspector's Post Hearing Letter where the Inspector set out his initial conclusions the Council consulted on a schedule of main modifications, prior to the Inspector issuing his final report.

One of the key conclusions is that the housing requirement of the Plan should be increased to account for the expected unmet need to arise from Surrey Heath. This means that the housing target will be increased from 382 dwellings per annum to 423 dwellings per annum. The result of this will be that there is a shortfall of 230 dwellings in the plan period, arising in the final year of the plan.

As such, the CNP must ensure that policies are sufficiently flexible to assist in delivering housing needs whilst sufficiently aligning with the emerging Local Plan to avoid conflicts between the two development plan documents. Otherwise, should the Local Plan be adopted before the CNP, there is a risk that the neighbourhood plan would not conform with the strategic policies or if adopted in advance of the Local Plan policies may be superseded under Section 38(5) of the Planning and Compulsory Purchase Act 2004.

Neighbourhood Plan Policies

This section highlights the key issues that Gladman would like to raise with regards to the content of the CNP 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 modifications necessary for the CNP to meet the basic conditions.

Policy SB01 – Settlement Boundaries

The above policy states that land outside the amended settlement boundaries as illustrated on Map 1 will be considered as countryside and development will only be allowed in a narrow set of circumstances. Gladman would object to the use of settlement boundaries, in circumstances such as this where they 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 settlement 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.

The boundary of Fleet lies within the neighbourhood area, the largest town in Hart District and a settlement which is likely to play a significant role in the future delivery of housing in Hart. The CNP should not be seeking to try and restrict growth of this highly sustainable settlement and as such Gladman do not consider it appropriate for Crookham Village and Fleet to have the same policy framework regarding the future development of housing.

Gladman suggest that this policy should therefore be worded more flexibly supporting development proposals adjacent to Fleet in accordance with Paragraphs 11 and 16(b) of the NPPF (2019) and the requirement for policies to be sufficiently flexible to adapt to rapid change and be prepared positively.

Policy BE01 – Sustainable Development Principles

Gladman supports the inclusion of Policy BE01 which sets out the CNP will consider development proposals. It provides assurance of a local approach to planning that is proactively seeking to improve the social, environmental and economic well being of the area, confirming that the process of ‘weighing up’ the relevant factors in decision making will aim to strike an appropriate ‘planning balance’ across the three pillars of sustainability.

Policy BE02 – General Design Principles, Including New Developments

Gladman consider there to be repetition contained within this policy with elements repeated elsewhere within the neighbourhood plan. For example, Policy BE01 already supports the efficient use of land encouraging the reuse of previously developed land in line with national policy. This policy seeks to take this further favouring development of previously developed land in conflict with national policy.

Reference is also made to the key views identified in Policy NE02. Notwithstanding our comments on this policy below there is no need for this to be a requirement of this policy as well. The NPPF (2019) Paragraph 16(f) is clear that policies should avoid unnecessary duplication.

Both of these elements of the policy conflict with basic condition (a) and should therefore be deleted.

Policy BE06 – Prevention of Flooding

The CNP’s approach to flood risk does not accord with the approach in national policy. The NPPF (2019) does not seek to restrict development on greenfield sites in locations shown to be at risk from any sources and instead seeks for development to be directed away from areas at highest risk. A sequential approach should be undertaken to avoid where possible flood risk to people and property, but development is not ruled out. In this regard, bullet point 2 of this policy should be deleted.

Policy NE01 – Preserving the Gap Between Settlements

Gladman object to the use of Local Gaps if they would only serve to act as an arbitrary tool to prevent sustainable development. In this regard we submit that new development is often successfully located in areas between existing settlements without actually leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character.

The emerging Local Plan deals with this issue sufficiently followed proposed main modifications and the inclusion of a criterion that would not support development that would lead to the physical or visual coalescence of settlements, or damage their separate identity, either individually or cumulatively with other existing of proposed development. This would mean that an assessment is undertaken on a case by case basis and Gladman consider this to be the appropriate response in this regard.

Policy NE02 – Preserving Key Views

Gladman submit that new development can often be located in areas without eroding the views considered to be important to the local community and can be appropriately designed to take into consideration the wider landscape features of the surrounding area to provide new vistas and views.

In addition, as set out in case law, to be valued, a view would need to have some form of physical attribute. This policy must allow a decision maker to come to a view as to whether particular locations contains physical attributes that would 'take it out of the ordinary' rather than selecting views which may not have any landscape significance and are based solely on community support.

Views can change annually, seasonally, monthly, daily and even hourly. Table 1 only provides vague information in respect of views and does not provide detailed, substantive evidence in respect of the precise nature of views to be protected. As a consequence, it is not clear to understand how the strict requirements of the policy might be interpreted by a decision marker, having regard to Paragraph 16 of the Framework.

Conclusions

Gladman recognises the role of Neighbourhood Plans as a tool for local people to shape the development of their local community. However, there is a need to ensure that a Neighbourhood Plan can first be found to be consistent with the basic conditions. Having reviewed the proposed policies of the CNP, Gladman has concerns that the submission version does not meet basic condition (a), as the plan conflicts with national policy and guidance.

Gladman hope that the comments made within this representation have been found to be helpful and constructive. Should you wish to discuss any of the comments made any further please do not hesitate to contact one of the Gladman team.

Kind regards,

Richard Agnew
Planner
Gladman