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RE: Adderbury Neighbourhood Plan Regulation 16 Consultation

Dear Sir/Madam,

This letter provides Gladman Developments Ltd (Gladman) representations in response to the submission version of the Adderbury Neighbourhood Plan (ANP) under Regulation 16 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 ANP 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 ANP's ability to meet basic condition (a) and this will be discussed in greater detail throughout this response.

Relationship to Local Plan

The current development plan that covers the Adderbury Neighbourhood Plan area and the development plan which the ANP will be tested against is the Cherwell Local Plan 2011-2031 (Part 1) and the saved policies of the Local Plan 1996.

The Council is currently preparing a Local Plan Part 2 which will contain strategic site allocations and development management policies. Work is also underway on a Partial Review of Cherwell Local Plan Part 1 seeking to accommodate Oxford's unmet housing need.

Within the adopted Local Plan Part 1 Adderbury is categorised as a Service Village suitable for minor development in addition to infilling and conversions. To meet housing needs in the rural areas a further 750 dwellings will be developed along with provision for 750 dwellings to come forward through windfall and as such the ANP should provide sufficient flexibility to ensure that it can assist the Council in meeting the housing requirements of the district, a failure to provide this flexibility would mean a failure to meet the basic conditions.

Adderbury Neighbourhood Plan

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

Policy AD1: Adderbury Settlement Boundary

This policy seeks to introduce a settlement boundary for Adderbury, undermining the current approach taken by the Council in the Local Plan Part 1. Cherwell District Council have not designated settlement boundaries preferring a criterion based approach to allow the flexibility for demonstrably sustainable development to come forward without delay. The approach taken in the ANP policy is therefore more restrictive than the adopted Local Plan policy and could be seen to undermine the strategic objectives of the adopted Local Plan conflicting with basic condition (e).

This is because the policy seeks to introduce a presumption in favour of local landscape protection and enhancement. There is no such presumption in the Framework, the only presumption is in favour of sustainable development as set out in paragraph 14 unless specific policies in the Framework indicate development should be restricted. One of the core planning principles seeks for the intrinsic character and beauty of the countryside to be recognised but there is not a presumption in favour of its protection and enhancement. Paragraph 113 of the Framework deals with landscape protection which sets out protection should be commensurate to its status with distinctions made between international, national and local designations. For these reasons Gladman suggest this approach is deleted in favour of the District Councils approach in the Local Plan Part 1.

Policy AD5: Local Gaps

This policy seeks to introduce local gaps to prevent the coalescence of Adderbury and nearby settlements. Gladman consider the introduction of a gap policy, even if labelled as a local gap, to be a strategic policy beyond the remit of neighbourhood plans. The Local Plan does not deem it necessary to introduce strategic gaps between settlements with the preferred criterion based approach more than capable of dealing with any potential coalescence issues that may arise through a development proposal. Gladman therefore suggest this policy is deleted to ensure that the plan meets the basic conditions.

Policy AD6: Managing Design in the Conservation Area and its Setting: Church Quarter

This policy will only support development if it avoids any obstruction of views from Banbury Road to the Church Quarter Character Area. This is considered to be overly restrictive and Gladman suggest a more flexible approach should be taken to accord with the Framework, where the impacts of any development in this area should be measured in the

planning balance. Only where development in this area would have a significant adverse impact on the views to the Church Quarter Character Area should otherwise sustainable development be sought to be restricted.

This policy also makes reference to obstructing views into the open countryside from the western end of Mill Lane. This should again be considered in the planning balance and not as restrictive as this policy is worded. It is not sufficient to seek to protect views simply for providing a nice view of the countryside and evidence is required to demonstrate how the view identified has demonstrable attributes that elevates the sites importance above the norm.

Policies AD10 and AD11

These policies also identify further areas for views not to be obstructed. Gladman raise the same points as identified above and suggest the same modifications are made.

Policy AD17: Locally Listed Buildings

This policy seeks to resist any proposal that would result in harm to the significance of a Local Heritage Asset. This does not accord with the Framework, especially paragraph 135 which seeks for any harm or loss to the significant of a heritage asset to be considered in a balanced judgement, not simply to restrict development. Gladman suggest that this policy is modified to accord with national policy regarding non-designated heritage assets.

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 ANP 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) and as 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,



Gladman Developments Ltd.