

Planning Policy  
Shropshire Council  
Abbey Foregate  
Shrewsbury  
SY2 6ND

By email only to: [planning.policy@shropshire.gov.uk](mailto:planning.policy@shropshire.gov.uk)

Dear Sir/Madam,

This letter provides Gladman Developments Ltd (Gladman) representations in response to the submission version of the Woore Neighbourhood Plan (WNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. Gladman requests to be added to the Council's consultation database and to be kept informed on the progress of the emerging neighbourhood plan. 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 WNP 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 WNP's ability to meet basic condition (a) and (d) and this will be discussed in greater detail throughout this response.

### **Relationship to Local Plan**

To meet the requirements of the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.

The current adopted plan that covers the Woore Neighbourhood Plan area and the development plan which the WNP will be tested against is the Shropshire Local Plan. The two key documents that make up the Shropshire Local Plan are the Core Strategy DPD, adopted February 2011, and the Site Allocations & Management of Development Plan (SAMDev), adopted December 2015. Together these documents provide the overarching planning policy framework for Shropshire covering the period up to 2026.

The Council are currently in the process of preparing a partial review of the Local Plan. This document is seeking to ensure that in compliance with the Framework, the Full Objectively Assessed Housing Needs will be met in the authority. This document is still in the early stages of preparation with Shropshire Council undertaking an eight-week Preferred Scale & Distribution of Development Consultation in late 2017. Gladman suggest sufficient flexibility is therefore drafted in to the policies of the WNP to ensure that there is no conflict with the emerging Local Plan Review that could lead to these policies being superseded under Section 38(5) of the Planning Compulsory Purchase Act 2004.

### **Woore Neighbourhood Plan**

Gladman would like to take this opportunity to remind the Council that it is not within the remit of a Neighbourhood Plan to determine planning applications, and as such where reference is made in Policy ENV1 to 'will not be permitted', Gladman suggest that the wording is amended to read 'not supported'.

### **Vision & Objectives**

Whilst noting the intentions of the Vision and Objectives, Gladman suggest a slight alteration to the wording. Where reference is made to 'protect and enhance', we suggest it is amended to read 'conserve and enhance' to ensure it aligns with the core planning principles of the Framework.

### **Policy HOU1 & HOU2**

Policies HOU1 and HOU2 introduce a development boundary and set out a housing requirement of 30 dwellings. We believe in its current draft the policy does not promote positive planning.

Firstly, Gladman do not consider the use of development boundaries to be an effective response to future development proposals if they would act to preclude the delivery of otherwise sustainable development opportunities coming forward. The use of a development boundary 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). The Local Plan Review made clear that a single criteria-based policy will be used to manage development in rural settlements such as Woore. Therefore, for the

settlement boundary policy to be appropriate it should be significantly more flexible and sustainable development adjacent to the settlement boundary should be considered. The issue regarding settlement boundary designations have been considered in Examiner's reports, we highlight the Examiners Report<sup>1</sup> in to the Godmanchester Neighbourhood plan which states;

*'limiting new development to "within the settlement boundary" could prevent new housing development, even of a moderate or minor scale'*

Consequently, the Inspector concluded the following;

*'Nevertheless, in my opinion, Policy GMC1 should be modified to state that "Development...shall be focussed within or adjoining the settlement boundary as identified in the plan'*

In addition, Gladman are concerned that the housing policies seek to limit the housing requirement to 30 dwellings. The housing figure is yet to be determined as part of the Local Plan review process and may infact be higher than 30, as such to provide sufficient flexibility we suggest that this figure should be stated as a minimum. This would help ensure elements of the policy are not superseded under Section 38(5) of the Planning Compulsory Purchase Act 2004. Furthermore, we note the policy also seeks to cap development to 10 dwellings. There is no reason to limit development to 10 dwellings; one development of 30 dwellings could provide significantly more benefits than 3 developments of 10 dwellings, for example a development above 10 dwellings are at the level at which affordable housing could be sought. Gladman suggest removing this restriction from the policy.

### **Policy HOU3 - Design**

Policy HOU3 sets out a list of design criteria that all proposals for residential development will be measured against.

Whilst Gladman recognise the importance of high quality design, planning policies should not be overly prescriptive and need flexibility in order for schemes to respond to sites specifics and the character of the local area. There will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.

Gladman therefore suggest that more flexibility is provided in the policy wording to ensure that a high quality and inclusive design is not compromised by aesthetic requirements alone. We consider that to do so could act to impact on the viability of proposed residential developments. We suggest that regard should be had to paragraph 60 of the NPPF which states that: *"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles"*.

### **Policy GAP1 – Sensitive Gaps**

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<sup>1</sup><http://www.huntingdonshire.gov.uk/media/2780/godmanchester-neighbourhood-plan-examiner-final-report.pdf>

Whilst noting the intentions of Policy GAP1 to prevent coalescence between the settlements of the parish, Gladman submit that Policy GAP1, and the gaps identified on the accompanying map, are overly restrictive and unnecessarily confine development to one area of the parish. Gladman have seen no evidence to support the extent of these designations and as the Guidance states that proportionate, robust evidence should the choices made and the approach taken this policy should be deleted from the WNP.

We are also concerned with the designation of 2 sensitive gap areas as 'Green Borders'. The supporting text to the policy states 'the purpose of these is to maintain windows out into the open countryside'. Gladman submit in its current form, the designation of 'green borders' within Policy GAP1 is overly broad, lacks sufficient clarity and appropriate precision within the wording. In its current form Policy GAP1 does not provide a practical framework from which decisions can be made. Gladman suggest that these designations are also deleted from the WNP.

Further, these areas would already be protected by local and national policies regarding open countryside and this designation would add no further detail.

## **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 WNP 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 conditions (a) and (d). The plan does not conform with national policy and guidance and in its current form does not contribute to the achievement of sustainable development.

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,

Andrew Collis

Gladman Developments Ltd.