

**Oundle**  
**Neighbourhood Plan 2011 - 2031**  
**Regulation 14 Consultation Draft**



**May 2018**

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## APPENDICES

Appendix 1      Land East of Cotterstock Road, Oundle

# **1 INTRODUCTION**

## **1.1 Context**

- 1.1.1 These representations provide the response of Gladman Developments Limited (hereafter referred to as “Gladman”) to the Oundle Neighbourhood Plan Regulation 14 Consultation Draft, which has been published by Oundle Town Council for consultation from Monday 9<sup>th</sup> April until Monday 21<sup>st</sup> May 2018.
- 1.1.2 Gladman welcomes the opportunity to comment on the Oundle Neighbourhood Plan (ONP). Through this response, we will explore the relationship of the proposed neighbourhood plan to relevant national and local policy requirements. Where relevant, we will highlight areas of support, as well as elements that we feel may require refinement as the Plan is further developed.
- 1.1.3 Gladman has an interest in Land East of Cotterstock Road and would welcome the opportunity to discuss the site with the Town Council in due course.

## **2 LEGAL AND POLICY CONTEXT**

### **2.1 Legal Requirements**

2.1.1 Neighbourhood Plans must be prepared 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 a neighbourhood plan 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 (or neighbourhood plan).
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders. Read more details.
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- e. the making of the order (or neighbourhood plan) 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 (or neighbourhood plan) 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).

2.1.2 The Neighbourhood Plan have regard to these basic conditions throughout the preparation process. It will be especially important for the version of the Plan that is prepared for submission to East Northamptonshire District Council under Regulation 16 to take full account of these basic conditions and it must be accompanied by a 'Basic Conditions Statement' to demonstrate that it meets these requirements.

### **2.2 National Planning Policy Framework, & Planning Practice Guidance**

#### National Planning Policy Framework

2.2.1 The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how they are expected to be applied. In doing so it sets out the requirements for 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 identified development needs.

- 2.2.2 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 (OAN) for housing, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to neighbourhood plans.
- 2.2.3 The application of the presumption in favour of sustainable development has 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.
- 2.2.4 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.

#### Planning Practice Guidance

- 2.2.5 The Planning Practice Guidance (PPG) provides further details on how specific elements of the Framework should be interpreted when preparing Local and Neighbourhood Plans. The neighbourhood planning chapter in particular provides a clear indication of how the Government expects qualifying bodies to take account the requirements of the Framework when preparing a neighbourhood plan.
- 2.2.6 On 11<sup>th</sup> February 2016, the Secretary of State published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these updates highlighted a number of component parts of the evidence base that are required to support an emerging neighbourhood plan, in particular, the importance of considering housing reserve sites and providing indicative delivery time tables to ensure that emerging evidence of housing needs is addressed in order to help minimise any potential conflicts that can arise so that these are not overridden by a new Local Plan. In this circumstance, we refer to the emerging East Northamptonshire District Local Plan Part 2.
- 2.2.7 The PPG makes clear that up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development<sup>1</sup>. Furthermore, the PPG indicates that 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

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<sup>1</sup> PPG Paragraph: 009 Reference ID: 41-009-20160211

avoided unless this can be supported by robust evidence<sup>2</sup>. Where a need for market and/or affordable housing is identified, the neighbourhood plan should seek to deliver this need in full with sufficient flexibility to respond to rapid change, otherwise there is risk that the Plan will be found contrary to basic conditions (a) and (d).

## **2.3 Adopted Development Plan**

2.3.1 The adopted Development Plan for East Northamptonshire includes the North Northamptonshire Joint Core Strategy (NNJCS), which was adopted in July 2016. The NNJCS contains an overarching strategic plan for an area that includes the administrative areas of East Northamptonshire District Council, Corby Borough Council, Kettering Borough Council and the Borough of Wellingborough. Each of the individual local planning authorities will be responsible for preparing a Part 2 Local Plan. It is anticipated that East Northamptonshire District Council will publish a 'District Wide Part 2 Local Plan' to complement the NNJCS, however to date this has not yet progressed to the pre-submission consultation stage. The Rural North, Oundle and Thrapston Plan (July 2011) continues to form part of the adopted development plan for East Northamptonshire District and will therefore also need to be taken into account through the production of the Oundle Neighbourhood Plan.

2.3.2 The NNJCS identifies a network of urban and rural areas and directs development towards the Growth Towns and Market Towns. In relation to Market Towns, such as Oundle, the NNJCS also emphasises the need to provide a strong service role for the local community and that of those of the wider rural hinterland. This role should therefore be positively reflected through the objectives and policies of the ONP.

2.3.3 It is also important to note that the adopted NNJCS includes a provision that in order to maintain a rolling supply of deliverable sites to provide 5 years' worth of housing (plus relevant buffer), the Council will identify developable sites or broad locations of growth for the rest of the plan period. Furthermore, the NNJCS sets out a mechanism to trigger corrective action to boost housing supply should it be required at any time during the plan period<sup>3</sup>. The ONP will therefore need to reflect this position and should not contain provisions that would unnecessarily preclude the delivery of further sustainable development opportunities should they be required to meet housing needs over the plan period.

## **2.4 Sustainability Appraisal/Strategic Environmental Assessment**

2.4.1 The preparation of neighbourhood plans falls under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposals would be likely to have significant environmental effects.

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<sup>2</sup> PPG Paragraph: 001 Reference ID: 50-001-20160519

<sup>3</sup> Para 9.6 and Policy 29, North Northamptonshire Joint Core Strategy, July 2016.

2.4.2 Both the SEA Directive and Neighbourhood Planning PPG make it clear that an SEA Screening Assessment should be undertaken at the earliest opportunity<sup>4</sup>. The PPG also makes clear that the proposals in a draft neighbourhood plan should be assessed to identify the likely significant effects of the available options. Reasonable alternatives should be identified and considered at an early stage in the plan making process through assessment that informs the preferred approach<sup>5</sup>.

2.4.3 It is noted that an SEA Screening Report has been submitted to ENDC. Whilst SEA may ultimately be screened out, there are circumstances where High Court judgments have confirmed that the environmental impact of neighbourhood plans should have been considered. For example, a High Court Judgment relating to a neighbourhood plan for Henfield in Horsham District<sup>6</sup>, consideration was given to the need to consider the environmental impact of introducing a settlement boundary, paragraph 100 of the written judgment states:

*“The real problem is that there does not appear to have been any assessment of the environmental impact of the BUAB which appears inextricably linked, understandably, with the chosen spatial strategy. There is no explanation in the SA/SEA as to why the proposed delineation is preferred to any alternatives. The line was amended to take into account the consent granted for land to the east of Manor Close but no explanation is given for not extending it to the west to include the Barratt site. The issue was raised by the claimants in their representations on the draft HNP in November 2015 but, apparently, ignored by the independent examiner, the defendant and the interested party in the plan making process. It follows that approach, too, was in breach of EU obligations.”*

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<sup>4</sup> PPG Paragraph 029 Reference ID: 11-029-20150209

<sup>5</sup> PPG Paragraph 037 Reference ID: 11-037-20150209

<sup>6</sup> R. (Stonegate Homes Limited) v. Horsham District Council and Henfield Parish Council [2016] EWHC 2512 (Admin)

## **3 OUNDLE NEIGHBOURHOOD PLAN**

### **3.1 Vision, Aim and Objectives**

3.1.1 There is a need for the vision of the Plan to be locally distinctive and therefore Gladman supports the proposed vision that seeks to ensure that Oundle remains a stunningly beautiful, thriving market town renowned for being a fantastic place to live and to work and a joy to visit. The objectives cover a range of important topics and it is therefore vital that the related policies that are contained within the Neighbourhood Plan fully complement and assist the delivery of the Plan's vision as well as that of the area's adopted Development Plan.

### **3.2 Neighbourhood Plan Policies**

3.2.1 Several of the proposed policies make reference to a policies map, which does not appear to have been included within the Regulation 14 ONP consultation material. It is noted that the intended page reference for the policies map at paragraph 5.1 remains incomplete. In some circumstances, it will be necessary to see the detail contained on the policies map in order to fully understand and inform our comments on the proposed scope of the relevant policy.

#### **Policy O.1 – The Settlement Boundary**

3.2.2 Gladman notes the intention of Policy O.1 to set a settlement boundary for Oundle. The supporting text associated with this policy (within paragraphs 5.4 to 5.7 of the ONP) sets out the proposed rationale for the approach based on the role of Oundle as a 'Market Town' as defined through Policy 11 of the NNJCS. This highlights the role of Oundle as a Market Town and the intention to set a settlement boundary to enable a clear distinction between the town and open countryside, whilst planning positively for growth. At this stage, the extent of the settlement boundary cannot be seen on a policies map, however the text in paragraph 5.5 usefully explains that it will largely maintain the boundary that was provided within the 'Rural North, Oundle and Thrapston Plan, 2011 with extensions being made to encompass the proposed allocations contained within the ONP.

3.2.3 Policy O.1 sets a principle in general support of development within the settlement boundary, subject to the wider policies of the Development Plan. This proposed approach recognises the role of Oundle as a sustainable location and is generally welcomed by Gladman. Gladman do however wish to highlight that there will be a need for the final version of this policy to reflect the provisions contained within the NNJCS (see 2.3.3 above) in order to support and enable the delivery of sustainable development over the duration of the plan period. It should also reflect the provisions of the RNOTP, including paragraph 8.18, which is relevant to Gladman's land interest East of Cotterstock Road.

3.2.4 In addition, paragraph 5.7 and 'Supporting Action 1' sets out an intention for Oundle Town Council to oppose development adjacent to the settlement boundary and on land outside the plan area where the proposal conflicts with the objectives of the Neighbourhood Plan. It is however important that any such action positively reflects a presumption in favour of sustainable



development and recognises that there may well be development opportunities in such locations that will have the ability to support the sustainable development of Oundle, East Northamptonshire District and the wider NNJCS area.

### **The Protection of Green Spaces (policies O.2, O.3, O.4 and O.5)**

- 3.2.5 The emerging ONP includes a range of policies relating to the protection, provision and enhancement of green spaces. It is important that evidence is provided to demonstrate the justification for these proposed designations, that this is commensurate to the level of protection that is being sought through the Plan and that this does not unnecessarily preclude sustainable forms of development from coming forward.
- 3.2.6 Gladman note that 8 locations are proposed for designation as Local Green Space within Policy O.2. The designation of land as Local Green Space (LGS) is a significant policy designation that effectively provides protection that is comparable to that for Green Belt land. As such, the Parish Council should ensure that the proposed designations are capable of meeting the requirements of national policy if they consider it necessary to seek LGS designation
- 3.2.7 The Framework is explicit in stating at paragraph 77 that ‘Local Green Space designation will not be appropriate for most green areas or open space’. With this in mind, it is imperative that the plan-makers can clearly demonstrate that the requirements for LGS designation are met. The designation of LGS 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, recreational 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.
- 3.2.8 Policy O.2 refers to an Open Space Background Paper, however it appears that no clear evidence has been provided at this stage to support the proposed LGS designations. In finalising the neighbourhood plan, it will be important to ensure that sufficient information is provided to justify how the proposed designations meet all three tests required by National Planning Policy.
- 3.2.9 Policy O.3 introduces the concept of ‘important open space’. Gladman broadly supports the approach to the protection of open space that is set out within the ONP. This recognises that some flexibility will be required to cater for opportunities that may arise and that there may be changes in circumstance over the plan period. In relation to the areas listed, Gladman notes the reference to an Open Space Background Paper and Policies Map and look forward to being provided the opportunity to review these documents in due course as part of the Regulation 16 consultation.
- 3.2.10 Policy O.4 relates to ‘Minor Amenity Land’. It indicates that proposals will be refused if it results in a loss of minor amenity land that contributes to the character and visual amenity of an area, unless the benefits of the development clearly outweigh the loss of the green space. Gladman would

wish to see evidence of the areas that are considered to be ‘Minor Amenity Land’ and for the policy to ensure that incidental areas that have limited or no function do not prevent sustainable forms of development from coming forward.

- 3.2.11 Policy O.5 relates to the provision and enhancement of open space associated with new development. It is noted that this intends to reflect the thresholds and standards set out in the East Northamptonshire Local Plan.

**Policy O.7 Protecting Important Views**

- 3.2.12 It is noted that Policy O.7 requires development proposals to respect important views, including those identified on the policies map. At this stage, in the absence of the policies map, it has not been possible to comment in any detail with regards to this policy. However, Gladman support the flexibility that is provided within the proposed wording which recognises that new development can often be integrated within and on the edge of settlements without resulting in adverse impacts to the setting, landscape character or important views all of which can be addressed through appropriate design measures.

**Policy O.15 Circular Cycle/Pedestrian Network**

- 3.2.13 Gladman notes and supports the commitment to the promotion of walking and cycling that is set out within the Neighbourhood Plan and the ambition to strengthen the network of routes within and around the Town. Gladman would welcome the opportunity to discuss this further with the Town Council in the context of Land East of Cotterstock Road, which is the subject of an allocation set out through Policy O.16 and Policy O.25. The site provides a clear opportunity to contribute positively to the Plan’s objective to improve connectivity (Objective 4) by delivering this element of the proposed network and we look forward to working with the Town Council in this regard.

**Policy O.16 Housing Site Allocations and Policy O.25 Land East of Cotterstock Road**

- 3.2.14 Gladman welcomes the intention for the Neighbourhood Plan to include a range of housing site allocations. In relation to Land East of Cotterstock Road, Gladman supports the proposed allocation and would welcome the opportunity to discuss the site with Oundle Town Council. A Plan showing the full extent of Gladman’s interests can be seen at Appendix 1. As the Town Council will be aware, the wider site is referenced at paragraph 8.18 of East Northamptonshire District Council’s adopted Rural North, Oundle and Thrapston Plan and extends beyond the parish boundary.

## **4 CONCLUSIONS**

- 4.1.1 Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. The Regulation 14 consultation marks an important milestone in the preparation of the Oundle Neighbourhood Plan and Gladman welcomes the opportunity to comment on the emerging document.
- 4.1.2 It is clear from national guidance that the Oundle Neighbourhood Plan must be consistent with national planning policy and the need to take account of up-to-date housing needs evidence for the wider East Northamptonshire District Council area.
- 4.1.3 In order for the Plan to proceed and meet all of the neighbourhood plan basic conditions, the Town Council must ensure that its policies are based on robust and justified evidence and contain policies that provide sufficient flexibility. Furthermore, all relevant evidence used to inform the Plan should be made available so that interested parties can fully understand the rationale behind preferred approach that has been selected.
- 4.1.4 Gladman support a number of elements contained within the suite of policies that have been proposed and would welcome an opportunity to discuss the development opportunity at 'Land East of Cotterstock Road' with the Town Council, including the contribution that it can make towards the delivery of the circular cycle/pedestrian network that is proposed by the Neighbourhood Plan. Gladman also look forward to working with the Town Council and reviewing the version of the Plan that is published under Regulation 16 in due course.

## **APPENDIX 1: –**

### **LAND EAST OF COTTERSTOCK ROAD, OUNDLE**

