

## Comment

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<b>To which part of the Holt Neighbourhood Plan Proposal does your comment relate?</b>	Holt Neighbourhood Development Plan – Regulation 16 Consultation

### Comment:

#### Introduction

Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development with associated community infrastructure. From this experience, we understand the need for planning to deliver the homes, jobs and thriving local places that the country needs. Every effort should be made to deliver the housing and economic needs of an area, whilst responding positively to the wider opportunities for growth.

This letter provides Gladman's representations in response to the submission version of the Holt Neighbourhood Plan which Wiltshire District Council is currently seeking comments under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

#### National Planning Policy and Guidance

Before a Neighbourhood Plan can proceed to referendum it must be tested against the Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 and further detailed in paragraph 065 of the Neighbourhood Plan PPG. These Basic Conditions are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the 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;
- 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
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development ;
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority ;
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations ;
- g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Having reviewed the Holt Neighbourhood Plan, it is clear that there have been major flaws throughout the plan preparation and that there are many components, both policies and the supporting text, that are contrary to the requirements of national policy and the basic conditions. The plan documentation reveals many gaps in the kind of robust evidence that is expected by the PPG and which is necessary for a Neighbourhood Plan that intends to endure for 11 years.

#### Presumption in Favour of Sustainable Development

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 requirements for the preparation of Neighbourhood Plans and the role these should take in setting out policies for the local area. The guidance set out in the Framework has now been supplemented by the Planning Practice Guidance (PPG) on Neighbourhood Plans.

Gladman note that the Wiltshire Core Strategy (WCS) was adopted by Wiltshire Council on 20 th January 2015. This plan provides the overarching planning policy framework for Wiltshire for the period up to 2026. The Holt Neighbourhood Plan must be in general conformity with the adopted version of the WCS.

Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. Its states that:

*“ The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:*

- 1 *Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;*
- 2 *Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan ”*

At the heart of the Framework is the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan- making and decision making. As currently drafted, the Holt Neighbourhood Plan fails to positively seek opportunities, contrary to the requirements of paragraph 14 of the Framework, and is in conflict with basic conditions (a), (d) and (e). As proposed the Plan is inflexible and continues to be based upon a restrictive approach to growth. This is contrary to the whole ethos of the Framework and the presumption in favour of sustainable development.

Holt Neighbourhood Plan is ineffective, inflexible and unable to respond rapidly to changes in the market ie. where the Council are unable to demonstrate a 5 year housing land supply. As such this plan is still based on an arbitrary strategy that seeks to restrict all growth by defining a tightly drawn settlement boundary. This is contrary to national planning policy and practice guidance on housing and neighbourhood planning and breaches basic conditions 8(2) (a), (d) and (e).

Gladman would be opposed to the definition of an urban edge if this would preclude appropriately sited and sustainable development coming forward to meet the borough's housing needs, in accordance

with the presumption in favour of sustainable development. The Framework makes clear that proposals that are sustainable should go ahead without delay. An overly restrictive approach could result in a plan that is not positively prepared, effective or deliverable and therefore inconsistent with basic condition (a) and (d).

#### Holgate J in *Woodcock v Secretary of State for Communities and Local Government* [2015]

The recent judgment of Holgate J in *Woodcock v Secretary of State for Communities and Local Government* [2015] EWHC 1173 (Admin) demonstrates the implications of progressing a Neighbourhood Plan where there is no local plan in place nor a 5 year housing land supply. In summary, this High Court judgment sets out the following key points:

- 1 That paragraph 14 and 49 of the Framework in regard to five year land supply and the weight to be given to extant housing land supply policies applies equally to both emerging and “made” Neighbourhood Plans as other development plan documents otherwise adopted/or emerging by the local planning authority.
- 2 There is nothing in policy or statute that elevates Neighbourhood Planning to a level above the wider development plan that enables special consideration.
- 3 Neighbourhood Plans must respect national policy and the core planning principles outlined within the Framework.
- 4 Prematurity must be assessed against the whole of the requirements of PPG. In Neighbourhood Planning there is no requirement for planning bodies to produce an Objective Assessment of Housing Needs, as there is no requirement to consider the effectiveness or justification of a plan.

Holgate made clear that paragraph 49 of the Framework in regard to five- year housing land supply and the weight to be given to extant housing land supply policies applies equally to both emerging and “made” Neighbourhood Plans as other Development Plan Documents otherwise adopted and/or emerging by the local planning authority. It is clear that there is nothing in policy or statute that elevates Neighbourhood Planning to a level above the wider Development Plan that enables special protection.

Although it is acknowledged Wiltshire District currently have an adopted plan and consider they can currently demonstrate a five year housing land supply, in the event that the Council's supply falls away and a 5 year supply can no longer be demonstrated policies relating to the supply of housing, contained within the Neighbourhood Plan, will, along with the adopted Development Plan, also be considered out of date.

In light of the above, Housing Objective 3 together with Policies H3.1 and H3.2 are too restrictive in their current form and will prevent the delivery of sustainable growth opportunities, counter to the national policy imperative which seeks to significantly boost the supply of housing. The Holt Neighbourhood Plan will need to contain a sufficient degree of flexibility in order to respond both rapidly and effectively to adverse market issues, and to ensure the deliverability of the plan over the plan period.

Gladman submit that it is appropriate delete Housing Objective 3 and Policies 3.1- H3.2 and that they be replaced with the following policy:

#### *Presumption in Favour of Sustainable Development*

*When considering development proposals, the Parish Council will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.*

*Planning applications adjoining the existing settlement boundary will be permitted provided that the adverse impacts do not significantly and demonstrably outweigh the benefits of development.*

#### Tannery Site Allocation

The WCS contains a requirement for approximately 780 units of new housing to be provided between 2006 and 2026 for the Bradford-on- Avon Community Area. Of these, about 595 dwellings should be provided in the town of B radford-on- Avon with the remaining 175 to be provided in the rest of the area (ie. Holt, Westwood, Winsley, Limpley Stoke, Monkton Farleigh, Starverton and Wingfield). 95 dwellings have already been planned or built, which leaves another 90 to be built on sites as yet unspecified.

The Tannery site was initially allocated as an area of opportunity within the West Wiltshire District Plan 1st Alteration 2004, meaning that a mixed development of housing, business and commercial premises should be undertaken, and this has been endorsed by the new planning authority, Wiltshire Council in its recently published Core Strategy.

Given that Holt is the only large village not heavily constrained by green belt, Gladman contend that Holt Neighbourhood Plan is overly reliant upon the Tannery site allocation to meet the proposed housing requirements for the area. No robust evidence has been produced to demonstrate that a significant level of housing will come forward within the proposed settlement boundary. The plan fails to allocate a sufficient level of allocation to provide a flexible approach to the Council's housing requirement. Whilst acknowledging that the Tannery site is acceptable in principle, given that it has been an allocation since 2004 and no application has been submitted on the site to date, we have serious concerns regarding the sites deliverability as it has not delivered any housing during either pre-recession or post-recession periods. The policy requirements now attached to this policy (i.e. 50% commercial land, 40% affordable housing etc.) may jeopardise the delivery of the proposal. If the site does not come forward as expected it will likely impact on the Neighbourhood Plans ability to obtain the necessary financial contributions required to secure the plan's wider objectives. Gladman submit that it is of critical importance that further land be allocated within the Holt Neighbourhood Plan to ensure a flexible and responsive supply of housing to assist Wiltshire District Council in maintaining its 5 year housing land supply.

#### Site Submission – Land off Melksham Road, Holt

Holt Parish Council are aware that Gladman have land interests at land south of Melksham Road, Holt. Gladman consider the site to be suitable, available and deliverable for housing development. See Appendix 1 for a location plan. The site is capable of accommodating 98 dwellings including affordable housing delivered in accordance with planning policy, an equipped children's play area, structural planting, landscaping and informal open space.

The site is situated to the east of Holt and comprises a single agricultural field totalling approximately 3.7 hectares in size. It contains a number of existing hedgerows and mature trees which denote the boundary of the site. There is one Public Right of Way which crosses the site from the eastern boundary and exits to the field south-west of the site. The site is well contained by the existing urban form of Holt and established field boundaries.

The site is suitably located with good access to existing facilities and services. The site could provide the necessary homes required to sustain the vitality and viability of local services and facilities for future years in addition to providing additional benefits. The specific benefits associated with the development of this scheme are as follows:

- 1 The provision of up to 98 dwellings to meet the local and wider area housing needs, including the provision of policy compliant affordable housing.
  - 2 Creation of a high quality residential environment which respects the character of Holt.
  - 3 Will provide a balanced mix of dwellings providing a choice of type and size in response to the identified housing demand and market assessment for Holt.
  - 4 Significant improvement to the public realm with considerable amount of open space, including the creation of a Children's Area of Play and areas of amenity green space and an extensive green infrastructure network.
  - 5 The site will provide for pedestrian links through the site, linking it to Holt centre and the surrounding area.
  - 6 The development is directly adjacent to existing bus stops on Melksham Road and in Holt centre providing good transport links to the surrounding area.
  - 7 A sustainable increase in population within Holt to sustain and support the vitality and viability of the area and its businesses, services, and facilities.
  - 8 Increased tax revenue and receipt of New Homes Bonus to further invest back into the community.
- To secure the wider objectives of the HNP it is essential that the Plan allocates residential development sites to deliver the wider plan objectives eg. Improvements to the local economy, maintaining key facilities and essential services and delivering the required infrastructure across the settlement.

#### Conclusion

Gladman object to the HNP in its current form, which is distinctly anti- growth and attempts to resist future growth through a number of policies which seek to constrain new sustainable development proposals from coming forward.

Gladman would like to remain involved throughout the preparation of the HNP and therefore request to be added to the consultation database. Gladman wish to take part in the hearing session(s) of the examination of the Neighbourhood Plan. To be clear, in a plan of this scale and complexity, we consider that a hearing is essential (paragraph 9 of Schedule 4B Town and Country Planning Act). Should you have any queries in relation to our response please do not hesitate to contact us. Gladman would be happy to meet with the Town Council to discuss these representations in further detail.

**I wish to be notified of the decision on the Holt Area Neighbourhood Plan Proposal.**      Yes