

RBD/lb/22478

19th May 2016

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Dear Sirs,

Response to Draft Chelveston-cum-Caldecott Parish Council Neighbourhood Plan Consultation- May 2016

RE: Land at Chelston Rise

Davies & Co has been instructed to make representations to the Emerging Draft Chelveston-cum-Caldecott Parish Council Neighbourhood Plan ("NDP" version 4 - March 2016), which has recently been submitted to East Northamptonshire Council ("ENC") for the "Regulation 16" consultation.

The DNP has clearly been informed by significant amounts of local consultation following on from the approval of the neighbourhood plan area by ENC in October 2014. Our Client has been involved in the discussions to date on the overall strategy for the draft NDP as well as site specific allocation, as they have an interest as owners of land at Chelston Rise and have made appropriate representations throughout the process.

As it will be demonstrated within this letter of representations, elements of the draft Neighbourhood Plan are not consistent with the NPPF and adopted and emerging development plan and therefore the draft NDP should not be found "sound".

The Site & Background

The Chelston Rise settlement was successfully converted to civilian use in 2010 having been vacated by the United States Air Force in 2009. The need for enhanced security made the site both unattractive for families and unviable for ongoing military use.

The site was purchased our Client who has invested significantly to refurbish the houses to a very high standard and enhanced landscaping across the site.



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The site comprises of a current total of 50 residential properties set around an existing estate road with a frontage onto Caldecott Road. The site also includes a dedicated and well overlooked play space at the centre of the site and the footprint of a former school and associated basketball court (the "previously developed" part of the site) to the northwest.

Further north on the land parcel are playing fields which previously mainly served the former school on site but are now underutilised following the schools demolition, with little direct natural surveillance from the adjoining housing.

Two outline permissions have been recently granted earlier this year across part of the site (Ref: 16/00180/OUT & 16/00218/OUT) for a total of 9 dwellings. An Officers report for the outline permission for 5 dwellings is attached (Attachment 1) and is highly relevant since it confirms the principle of additional housing in this location was acceptable.

Given the principle of new housing in this location has recently been accepted, this letter will demonstrate this policies within the draft NDP should be amended to include an element of housing on the underutilised playing fields and basketball court. This would help boost housing supply and also cross-subsidise the upgrading of the playing fields and the relocation of the basketball court alongside the existing child's play area which is located on a well overlooked part of the site with good natural surveillance.



Aerial photograph of housing and land at Chelston Rise

The Development Plan

The Development Plan for Chelveston cum Caldecott consists of the National Planning Policy Framework (NPPF) (2012), the adopted Joint Core Strategy (2008). The "saved" policies from the District Wide Plan also form part of the Development Plan, however very few are still relevant at a strategic level. There is a replacement Emerging Joint Core Strategy (JCS) (2011-2031) which is currently at an advanced stage (examination held in July 2015).

- NPPF

At a national level, paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental. Paragraph 13 of the NPPF confirms that the NPPF constitutes guidance for LPAs and decision takers both in drawing up plans and as a material consideration in determining planning applications.

Paragraph 14 of the NPPF confirms that at its heart there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision-taking.

In terms of planning for rural areas, NPPF paragraph 28 sets out planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development.

Paragraph 29 of the NPPF recognises opportunities to maximise sustainable rural transport solutions vary from urban to rural areas and that development in rural areas generally cannot be expected to achieve the same level of sustainability in transportation terms as urban areas.

Paragraph 47 makes it clear Councils should boost significantly the supply of housing through a variety of measures.

Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas and states housing should be located where it will enhance or maintain the vitality of rural communities.

Overall there is a clear policy presumption at a national level to support sustainable development within rural areas, recognising small to medium scale housing within villages and settlements can ensure the long term viability of local services whilst providing much needed rural housing.

- Local Development Plan

At a local level, as the adopted Development Plan is time expired and is therefore out-of-date, having been adopted prior to the NPPF (2012). Furthermore, some of the saved policies are inconsistent with the NPPF and therefore, in line with paragraph 215 of the NPPF, they should be given limited weight.

The replacement Emerging Joint Core Strategy (JCS) (2011-2031) is currently at an advanced stage. The preparation of the emerging JCS began in 2011 and the draft plan was submitted to the Secretary of State for Examination on 31st July 2015.

The strategy for "Rural Areas" is set out within the emerging JCS in detail (P77). This notes villages vary greatly in character, size and function and it is important for plans to be responsive to local circumstances.

Paragraph of 5.14 of the JCS notes local housing needs will be identified through "site specific" assessments agreed with the local planning authority and evidence provided by applicants may be a material consideration where it demonstrates how a proposal will address issues such as a community's need for affordable housing, the need to support viable local services or to enable a local business to prosper.

Policy 11 relates to "The Network of Urban and Rural Areas" and part (b) encourages small scale infill development in villages where this will not "materially harm" the character of the settlement and residential amenity or exceed the capacity of local infrastructure or services.

It must be noted the policy does not set out a specific "settlement boundary" approach or impose a "blanket ban" on new development in rural areas, in accordance with the positive thrust of the NPPF in relation to rural development.

Policy 7 is also to a degree relevant and relates to "Community Services and Facilities." This sets out development should support and enhance community services and facilities. The policy includes various strands including (a) maximizing opportunities for the co-location of facilities or the use of existing suitable sites and (c), safeguarding existing facilities unless it can be demonstrated that they are no longer viable.

Part (d) of the policy also sets out development should not result in a net loss of open space, allotments, sports and recreation buildings and land, including playing fields unless (i) the facility is surplus to requirements; or (ii) site of equivalent quality and accessibility can be provided, serviced and made available to the community prior to use of the existing site ceasing; or (iii) the development is for alternative sports and recreation provision, the need for which clearly outweighs the loss.

Main modifications to the plan have been the subject of recent consultation and the Council within recent planning decisions have set out emerging policies within the plan *"should be given significant weight compared to those in the adopted Core Strategy which pre dates the NPPF."* As the next section demonstrated, the emerging NDP largely fails to consider the emerging JCS and therefore cannot be found to be "sound".

Draft Neighbourhood Development Plan (NDP)

The Chelveston-cum-Caldecott Neighbourhood Development Plan (NDP) has been prepared by the Parish Council. It covers the period 2016-2031 and is an opportunity for local people to shape their own futures, mapping out how the Village will develop.

- Overall Strategy

As a starting point, the "Chelveston-cum-Caldecott Past, Present, Future" consultation event was then held in the Village Hall during December 2012. A 2013 survey as part of the consultation event showed the majority of households indicated that they would support up to 20% growth over 20 years.

The development strategy set out in the Chelveston-cum-Caldecott NDP sets out the parish should remain as a small but sustainable rural village, with three distinct settlements, each retaining its unique character and boundaries, but part of a combined Parish, with a strong sense of community. The strategy goes on to state that 2031 the Parish should have grown “by no more than 20%” whilst:

- maintaining a mix of all age groups and housing types,
- with local employment opportunities for young people,
- with a thriving pub,
- and access to public transport.

It’s not entirely clear the origins for the “no more than 20% growth” figure or whether this has been the subject of a robust evidenced based calculation. Notwithstanding the apparent lack of evidence based, these strategic aspirations are contrary to the aims of paragraph 47 & 55 of the NPPF, which makes it clear Councils should boost significantly the supply of housing (i.e. not just meet demand) through a variety of measures and promote development in rural areas where it will enhance or maintain the vitality of rural communities.

The growth figures set out in the draft NDP are also contrary to Policy 11 of the Emerging Joint Core Strategy (JCS) (2011-2031).

As previously rehearsed, this encourages small scale infill development in villages where this will not “materially harm” the character of the settlement and residential amenity or exceed the capacity of local infrastructure or services.

It must be noted the Policy 11 does not set out a specific “settlement boundary” approach or impose a “blanket ban” on new development in rural areas, in accordance with the positive trust of the NPPF in relation to rural development.

It is also clear additional small to medium scale housing can within the village and settlements can ensure the long term viability of local services whilst providing much needed rural housing.

Our Client therefore contends to boost housing supply in the NDP area and to help build a sustainable and thriving community with good local services for all residents, it is important new small and medium scale housing proposals are fully considered. Without new housing for all elements of society, the Village will stagnate as the population aged and there is no influx of new residents.

- Specific Draft NDP Policies

This section of the representations addresses specific policies within draft NDP and provides comments on such policies.

Draft **Policy H1** relates to new housing in the parish which is proposed to be limited to in-fill developments on sites allocated within the defined settlement boundaries (H1a, H1b, H1c). The policy goes on to state housing development will not be considered on open land outside or adjacent to the defined settlement boundaries.

Draft **Policy H4i** relates to preserving the character of the Chelston Rise settlement. The draft policy sets out development within Chelston Rise will be “strictly controlled” to preserve the “unique character” of the site.

The policy also states new developments will only be considered within the settlement boundary defined in policy H1a, and the Local Green Spaces LGS1 / 2 / 3 (1- open space including children play space / 2- playing fields & basketball court / 3- adjacent paddock) will be protected from development to conserve their amenity value.

Draft **Policy H5** relates to development site allocations with a policy objective to achieve the managed growth of the Parish at a pace which promotes the effective integration of new residents into the community, and in locations which preserve and enhance the character of each settlement, without extending the existing settlement boundaries. The policy goes on to set out up to 37 new properties will be considered from 2016-2031 on the sites identified as preferred options during the land owner and resident consultation process.

Chelston Rise site is a viable and sustainable community is clearly been successfully established. There are sufficient local employment opportunities within the vicinity of the site, a good road network. The site is also within walking distances of services within Chelveston and Caldecott.

Draft Policies H1, H4i and H5 are contrary to the aims of paragraph 47 & 55 of the NPPF, which makes it clear Councils should boost significantly the supply of housing (i.e. not just meet demand) through a variety of measures and promote development in rural areas where it will enhance or maintain the vitality of rural communities. There is also no provision within the draft NDP if one or more of the sites which are proposed to allocated in the plan does not come forward within the plan period or if there are increased needs for housing within the settlement.

The restrictive approach to housing development set out in the draft NDP is also contrary to Policy 11 of the Emerging Joint Core Strategy (JCS) (2011-2031) which does not set out a specific "settlement boundary" approach or impose a "blanket ban" on new development in rural areas, in accordance with the positive thrust of the NPPF in relation to rural development. Policy 11 of the JCS is not referenced within the housing policies within the draft DNP. Therefore the draft DNP cannot be found "sound."

Draft **Policy H5h** relates specifically to housing allocations at Chelston Rise. This sets out the sites NDP-S019c (in-fill spaces between existing properties which already have outline permission) are allocated for the development of up to 4 houses in the period 2016-2025. The site NDP-S019d (the previously developed land comprising the footprint of the old school and boiler house off The Crescent at Chelston Rise) is allocated for the development of up to 6 houses in the period 2016-2025. The draft policy also has a number of requirements including;

- i. *the developments should be in the same "open plan American suburban style" as the existing properties;*
- ii. *the developments should follow the line of The Crescent;*
- iii. *the developments should protect the amenity value of the playing fields (LGS2).*

Our Client would like to make representations this policy should be amended to include an element of housing on the underutilised playing fields and basketball court. This would help cross-subsidise the upgrading of the playing fields and the relocation of the basketball court alongside the existing child's play area which is a well overlooked part of the site with good natural surveillance, in accordance with Policy 7 of the JCS relating to community facilities and playing fields.

The principle of new housing in this location has already been accepted with two outline permissions have been recently granted earlier this year across part of the site (Ref: 16/00180/OUT & 16/00218/OUT) for a total of 9 dwellings. An Officers report for the outline permission for 5 dwellings is attached (Attachment 1) and is highly relevant since it confirms the principle of additional housing in Chelston Rise is acceptable;

".....a large established group of 50 dwellings originally constructed for the adjacent Chelveston airfield. Accordingly, whilst not historically a village, it is considered that Chelston Rise can be regarded as a settlement. As such, it is suitable to be considered for new housing development." (P2, Para. 7.2 – Attachment 1 – Officers Committee Report – 30th March 2016)

The additional housing on the part of the existing underutilised playing fields would be designed to reflect the character of the settlement, protect the open character of the area whilst providing much needed natural surveillance to the enhanced playing fields.

This would ensure the future development would accord with Policy 11 of the emerging JCS, which encourages small scale infill development in villages where this will not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure or services.

The JCS is at an advanced stage of preparation following examination and policies should be given significant weight compared to those in the adopted Core Strategy which pre dates the NPPF. The draft NDP has failed to have proper regard to these key emerging policies which set out the development strategy and therefore cannot be found "sound."

Whilst it's acknowledged the site does have its landscape constraints, these can be overcome through the detailed design and technical solutions within the final scheme. These matters should not prevent the allocation of the site for housing which would also help facilitate improvements to the available recreational area on the site whilst, providing much needed housing adjacent to existing development within the Chelston Rise to ensure the long term viability surrounding local services.

The proposals would help boost housing supply in accordance with the NPPF on this available and deliverable site within the NDP area and to help build a sustainable and thriving community with good local services for all residents. Without new housing for all elements of society, the Village will stagnate as the population aged and there is no influx of new residents.

Conclusion

The draft NDP has clearly been informed by significant amounts of local consultation following on from the approval of the neighbourhood plan area. However, the evidence base for the draft NDP in relation to required housing numbers is questionable and would not help boost housing supply in accordance with the principle of the NPPF.

Full and proper consideration should therefore be given to allocating additional land at Chelston Rise for housing on the part of the existing underutilised playing fields for the reasons set out within this representation.

We would appreciate an acknowledgement of this representation letter and look forward to working with the community, the school and the Parish Council to consider options for development to provide much needed housing and other measures, and to support local services.

Yours sincerely

A black rectangular redaction box covers the signature of Barry Davies. A thin, light-colored line extends from the bottom right corner of the redaction box.

Barry Davies