

Personal Details		Agents Details (if applicable)	
Organisation Name:	Francis Jackson Homes Ltd	Organisation Name:	n/a

Are you responding, to object to, or in support of the Plan¹?

Object

Support

To which statutory requirement does your response relate?

1) Legal compliance

2) Compliance with the Duty to Cooperate

3) Soundness

If your response is about the Plan's "soundness", to which of the soundness tests does it relate?

a) Positively prepared

b) Justified

c) Effective

d) Consistent with national policy

Please provide details about what part/ parts of the Local Plan your representation relates (as appropriate)

Section/ Chapter

Number/ reference	1
Heading	Spatial Development Strategy

Policy/ paragraph

Number/ reference	EN1
Heading	Spatial development strategy

Policies Map

Number/ reference	
Heading	

Statement

How does the Plan, section, or policy/ paragraph meet, or fail to meet, the relevant statutory requirements [(1)-(3), above] and/ or soundness test [(a) – (d), above]?

We object to emerging Local Plan Policy EN1, in particular section 2) a) as drafted which states: - "2. Freestanding villages

a) To support and strengthen local services at the eight large villages (Table 4), small scale infill and windfall development opportunities within the existing built up areas will be supported. Further development of an appropriate scale will be supported, where it can be demonstrated that this is necessary to fulfil a defined local need. Development beyond the extent of the current built up areas will be resisted, unless promoted through a Neighbourhood Plan."

We consider the policy is not sound, being inconsistent with national planning policy.

The use of the phrase "Development beyond the extent of the current built up areas will be resisted" is not positive framed or phrased, and is so rigid in its terminology to effectively rule out even any consideration of other material circumstances and considerations where development beyond village confines may be needed to support or enhance a new community facility or mixed use scheme.

Additionally, the only named exception to this, as stated, is unless the site is 'promoted' (not allocated) through a Neighbourhood Plan.

Not all communities will have the resources, time, funding or expertise to deliver a Neighbourhood Plan, and the NPPF does not require them to do so to deliver such facilities. As such, this policy as drafted is clearly not in accordance with the latest iteration of the NPPF and places a rigid and restrictive barrier to potential development that is not found in national planning policy, and which renders this policy not sound as drafted.

Paragraph 83(d) of the NPPF states that, "Planning policies and decisions should enable:

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

Regarding the location of same, paragraph 84 of the NPPF continues, "Planning policies and decisions should recognize that sites to meet local business and community needs in rural areas may have to be found adjacent to

or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

The current policy is far from enabling and encouraging. It actively ‘resists’ such opportunities outside of village confines, even on the edge of/physically well related to larger settlement such as Nassington which the Plan envisages will be a focal point for community infrastructure and services. There is clear conflict between the NPPF and the emerging Policy EN1 on this basis. A more positively prepared and/or flexible policy approach is needed to be properly NPPF compliant.

The 2019 iteration of the Framework also notes at paragraph 77, that, “in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.” This thrust is directly supported by paragraph 78, which states, “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

As such, acknowledgement that some mixed use schemes on the edge of larger sustainable settlements may be required to come forward to help facilitate and enable the delivery of community projects via the supporting delivery of housing (market and affordable), for example, is needed, along with confirmation that these are not solely forced to come forward through a Neighbourhood Plan should be included within the Policy.

For an objection, how could the Plan, section, or policy/ paragraph be amended in order to meet the stated statutory requirement and/ or soundness test?

A more positively prepared and/or flexible policy approach is needed to be properly NPPF compliant. As drafted, it is too rigid, inflexible and negatively worded. It places barriers on development of this type, nature and location that the NPPF does not.

The Policy must acknowledge the what the NPPF says about such matters, and accept that in some circumstances, development of this nature should be encouraged/allowed outside village confines, and not only via a Neighbourhood Plan which is not always applicable/possible.

Also an acknowledgement that some mixed use schemes on the edge of larger sustainable settlements may be required to come forward to help facilitate and enable the delivery of community projects via the supporting delivery of housing (market and affordable), for example, would be welcomed, along with confirmation that these are not solely forced to come forward through a Neighbourhood Plan either.

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Are you responding, to object to, or in support of the Plan²?

Object

Support

To which statutory requirement does your response relate?

1) *Legal compliance*

2) *Compliance with the Duty to Cooperate*

3) *Soundness*

If your response is about the Plan's "soundness", to which of the soundness tests does it relate?

a) *Positively prepared*

b) *Justified*

c) *Effective*

d) *Consistent with national policy*

Please provide details about what part/ parts of the Local Plan your representation relates (as appropriate)

Section/ Chapter

Number/ reference	4
Heading	Spatial Development Strategy

Policy/ paragraph

Number/ reference	EN1
Heading	Spatial development strategy

Policies Map

Number/ reference	
Heading	

Statement

How does the Plan, section, or policy/ paragraph meet, or fail to meet, the relevant statutory requirements [(1)-(3), above] and/ or soundness test [(a) – (d), above]?

We object to emerging Local Plan Policy EN1, in particular section 2) a) as drafted which states: - "2. Freestanding villages a) To support and strengthen local services at the eight large villages (Table 4), small scale infill and windfall development opportunities within the existing built up areas will be supported. Further development of an appropriate scale will be supported, where it can be demonstrated that this is necessary to fulfil a defined local need. Development beyond the extent of the current built up areas will be resisted, unless promoted through a Neighbourhood Plan."

The use of the phrase "Development beyond the extent of the current built up areas will be resisted" is not positive framed or phrased, and is so rigid in its terminology to effectively rule out even any consideration of other material circumstances and considerations where development beyond village confines may be needed to support or enhance a new community facility or mixed use scheme.

Additionally, the only named exception to this, as stated, is unless the site is 'promoted' (not allocated) through a Neighbourhood Plan.

Not all communities will have the resources, time, funding or expertise to deliver a Neighbourhood Plan, and the NPPF does not require them to do so to deliver such facilities. As such, this policy as drafted is clearly not in accordance with the latest iteration of the NPPF and places a rigid, restrictive and negatively worded barrier to potential development that is not found in national planning policy, and which renders this policy not sound as drafted.

Paragraph 83(d) of the NPPF states (emphasis added with underlining) that, "Planning policies and decisions should enable: d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

Regarding the location of same, paragraph 84 of the NPPF continues, "Planning policies and decisions should recognize that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an

unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

The current policy is far from enabling and encouraging. It actively ‘resists’ such opportunities, even in larger settlement such as Nassington which the Plan envisages will be a focal point for community infrastructure and services. There is clear conflict between the NPPF and the emerging Policy EN1 on this basis.

A more positively prepared and/or flexible policy approach is needed to be properly NPPF compliant.

The 2019 iteration of the Framework also notes at paragraph 77, that, “in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.”

This thrust is directly supported by paragraph 78 (emphasis added), which states, “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

As such, acknowledgement that some mixed use schemes on the edge of larger sustainable settlements may be required to come forward to help facilitate and enable the delivery of community projects via the supporting delivery of housing (market and affordable), for example, is needed, along with confirmation that these are not solely forced to come forward through a Neighbourhood Plan should be included within the Policy.

For an objection, how could the Plan, section, or policy/ paragraph be amended in order to meet the stated statutory requirement and/ or soundness test?

See above

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Support

To which statutory requirement does your response relate?

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If your response is about the Plan's "soundness", to which of the soundness tests does it relate?

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c) Effective

d) Consistent with national policy

Please provide details about what part/ parts of the Local Plan your representation relates (as appropriate)

Section/ Chapter

Number/ reference	4
Heading	Spatial Development Strategy

Policy/ paragraph

Number/ reference	EN5
Heading	Development on the periphery of settlements and rural exceptions housing

Policies Map

Number/ reference	
Heading	

Statement

How does the Plan, section, or policy/ paragraph meet, or fail to meet, the relevant statutory requirements [(1)-(3), above] and/ or soundness test [(a) – (d), above]?

As per our representation regarding Draft Policy EN1, Draft Policy EN5 also fails to acknowledge any circumstances where market and affordable housing development may jointly be required to support, enable or facilitate the delivery of a community-led development proposal on the edge of a suitably sustainable settlement.

This is especially important in the 8 large freestanding villages where the quantum of housing need over the plan period may well require some mixed market and affordable housing development adjacent to or outside of the current village confines in any event to meet local levels of housing need.

Without this, there is no flexibility in the proposed housing policies (largely of restraint) to ensure the ongoing vitality and viability of rural communities in all such circumstances.

Paragraph 78 of the NPPF states, "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."

As such, acknowledgement that some mixed-use, community led-schemes beyond the existing edge of settlement may be required to come forward to help facilitate and enable the delivery of them via the delivery of housing (market and affordable), for example, and that these are not forced to come forward through a Neighbourhood Plan should be included within the Policy.

For an objection, how could the Plan, section, or policy/ paragraph be amended in order to meet the stated statutory requirement and/ or soundness test?

Acknowledgement that some mixed-use, community led-schemes beyond the existing edge of settlement may be required to come forward to help facilitate and enable the delivery of them via the delivery of housing (market and affordable), for example, and that these are not forced to come forward through a Neighbourhood Plan should be included within the Policy.