



Gladman Developments Ltd

Matter 10 – Development management policies

Qu10.8 Policy LP1, Sustainable Development (with regard to MM20).

(a) It is necessary to repeat the presumption in favour of sustainable development in the NPPF2012? If so, should policy LP1 and paragraph 6.2 refer to the phrasing of the NPPF2018?

- 1 Gladman support the inclusion of policy LP1 as it sets out North Warwickshire's commitment to making local planning decisions based on a presumption in favour of sustainable development. It provides assurance of a local approach to planning that is proactively seeking to improve the social, environmental and economic well-being of the area, confirming that the process of 'weighing up' the relevant factors in decision making will aim to strike an appropriate 'planning balance' across the three pillars of sustainability.
- 2 Gladman do consider that for effectiveness and clarity the other elements of the policy would be better incorporated into other policies within the plan.
- 3 For clarity it may also be prudent for the Council to include reference to the presumption contained within the latest iteration of the NPPF which will be the basis for decision taking.

Qu10.9 Policy LP2, Settlement Hierarchy

(a) is MM23 necessary for soundness?

(b) for effectiveness, should LP2 contain a statement as to what is permissible within development boundaries?

(c) Should indicative scales or proportions of development for each category of settlement be set to provide a clear basis for decision-taking?

(d) Is the approach outside of settlements, i.e. 'category 5', consistent with paragraph 55 of the NPPF2012? Does it provide suitable flexibility and reflect other types of development that may come forward in rural areas?

- 4 Gladman welcome a number of the changes brought about in MM23 and consider that they are necessary for soundness, in order to ensure that the policy is effective, justified, positively

prepared and in accordance with national policy. However we consider that further changes to the policy are required in order to ensure soundness.

- 5 Firstly, with regard to section B of the policy in relation to development boundaries we consider the policy does not give the required and desired flexibility for the plan to be able to respond to rapid change. We believe a permissive settlement boundary policy akin to HOU3 of the recently adopted Ashford Local Plan, contained as Appendix 1, is vital to ensure that the plan is sound. We consider that this would be better as a stand alone policy within the plan sitting outside of the settlement hierarchy policy LP2. Considering applications purely on the basis of an 'identified need' as the policy seeks to do does not give adequate consideration to the sustainable merits of an application which may come forward.
- 6 Should the policy criteria remain in policy LP2 we consider that further wording alterations will be required. For example bullet point 2 of the policy refers to an 'identified gap' whilst bullet point 3 refers to the need to maintain clear separation between settlements. These are in effect trying to achieve the same goal, however with regard the 'identified gap' there is no consideration of the impact that any development would have on a gap and whether it would actually lead to the sort of problems with separation and settlement character that bullet point 3 is referring to. This is evident from the fact that bullet point 2 also refers to a much more stringent protective designation such as Green Belt. Therefore should the Inspector consider it sound for MM23 to go forward without the additional policy we reference in paragraph 5 of this statement we believe that reference to 'identified gap' in bullet 2 should be deleted.
- 7 Gladman have previously referenced how we consider 'category 5' to be inconsistent with the NPPF. This is a further reason for the inclusion of a policy such as that within the Ashford Local Plan referenced above. That policy identifies a list of settlements and considers that proportionate growth on the edge of those settlements may be appropriate if certain criteria in the policy are met i.e. in relation to the impact on services etc.

Qu10.15 Policy LP8, Windfall allowance

(a) Noting MM45, MM46 and MM47, how should policy LP8 be revised in the light of evidence of windfall evidence presented at examination [NWBC18]?

(b) With regard to NPPF2012 paragraph 154, does policy LP8 give a clear indication of how a decision-taker should respond to a proposal for windfall development? If not, should it instead be treated as a component of housing supply, or referred to in policy LP32 regarding the design principles used to determine the acceptability of development?

- 8 See Gladmans Matter 9 statement and Appendix 1.

Appendix 1 – Ashford Local Plan Policy HOU5

rule of restraint and these are replicated in the policy below, alongside proposals for replacement dwellings. In considering applications for the re-use of redundant or disused buildings, proposals will need to demonstrate that the existing buildings have been on site for a number of years and are no longer needed for their current or previous use. The building shall have been appropriately maintained and not allowed to fall into disrepair as a prelude to suggesting an enhancement to the setting of the area.

- 6.63 Proposals for exceptional dwellings under the second part of policy HOU5 shall be subject to a rigorous and independent assessment of their design quality. The views of the Ashford Design Panel will need to be sought and, where necessary, proposals amended to ensure their views are reflected. The architecture of a proposal and how that responds to the landscape character and setting of the site will be fundamental in establishing whether the scheme is genuinely exceptional or not.

Policy HOU5 - Residential Windfall Development in the Countryside

Proposals for residential development adjoining or close to the existing built up confines of the following settlements will be acceptable:

Ashford, Aldington, Appledore, Bethersden, Biddenden, Brabourne Lees/Smeeth, Challock, Charing, Chilham, Egerton, Great Chart, Hamstreet, High Halden, Hothfield, Kingsnorth*, Mersham, Pluckley, Rolvenden, Shadoxhurst, Smarden, Tenterden (including St Michaels), Wittersham, Woodchurch and Wye.

**Existing Kingsnorth village*

Providing that each of the following criteria is met:

- a) The scale of development proposed is proportionate to the size of the settlement and the level, type and quality of day to day service provision currently available and commensurate with the ability of those services to absorb the level of development in combination with any planned allocations in this Local Plan and committed development in liaison with service providers;**
- b) The site is within easy walking distance of basic day to day services in the nearest settlement, and/or has access to sustainable methods of transport to access a range of services;**
- c) The development is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network without adversely affecting the character of the surrounding area;**
- d) The development is located where it is possible to maximise the use of public transport, cycling and walking to access services;**
- e) The development must conserve and enhance the natural environment and preserve or enhance any heritage assets in the locality; and,**
- f) The development (and any associated infrastructure) is of a high quality design and meets the following requirements:-**
 - i) it sits sympathetically within the wider landscape,**
 - ii) it preserves or enhances the setting of the nearest settlement,**
 - iii) it includes an appropriately sized and designed landscape buffer to the open countryside,**

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- iv) it is consistent with local character and built form, including scale, bulk and the materials used,
- v) it does not adversely impact on the neighbouring uses or a good standard of amenity for nearby residents,
- vi) it would conserve biodiversity interests on the site and / or adjoining area and not adversely affect the integrity of international and national protected sites in line with Policy ENV1.

Residential development elsewhere in the countryside will only be permitted if the proposal is for at least one of the following:-

- Accommodation to cater for an essential need for a rural worker to live permanently at or near their place of work in the countryside;
- Development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- It is the re-use of redundant or disused buildings and lead to an enhancement to the immediate setting;
- A dwelling that is of exceptional quality or innovative design* which should be truly outstanding and innovative, reflect the highest standards of architecture, significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area;
- A replacement dwelling, in line with policy HOU7 of this Local Plan;

Where a proposal is located within or in the setting of an AONB, it will also need to demonstrate that it is justifiable within the context of their national level of protection and conserves and enhances their natural beauty.

**These proposals will be required to be referred to the Ashford Design Panel and applications will be expected to respond to the advice provided.*

Policy HOU10 will also be applied to relevant garden land applications.

Self-Build / Custom Build Development

- 6.64 The Council will support the principle of Self and Custom Build development as an opportunity to bring choice to the housing market as well as enabling local people to design and build their own home that will meet their bespoke needs.
- 6.65 The NPPF makes it clear that LPAs should identify and make provision for the housing ‘needs of different groups in the community such as people wishing to build their own homes’. ‘Self-build housing’ is identified by the Community Infrastructure Levy Regulations as a dwelling built by (or commissioned by) someone to be occupied by them as their sole or main residence for at least three years. Custom-Build homes encompass self-build but tends to be where individuals work with specialist developers to build their home.
- 6.66 This policy will contribute towards the availability of self and custom build plots enabling local residents to deliver high quality homes, as well as supporting the local economy providing work for builders and associated trades.
- 6.67 The establishment of a Right to Build Register and evidence gained from future SHELAAAs and SHMAAs has and will continue to help inform the level of need for Self Build. Based on current