TOWN AND COUNTRY PLANNING ACT 1990

Written Representations on the Broughton Neighbourhood Plan 2016-2031
Regulations 16 & 23
Pre-Submission Consultation

Site RA/127
The Paddock
Meadow Close
Broughton

November 2017

Statement on behalf of Snowdon Homes

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1. INTRODUCTION AND BACKGROUND

1.1 My name is Nigel Ozier and I am the Managing Director at Aitchison Raffety, Chartered Town Planning Consultants. I have an Honours Degree in Urban and Regional Planning and am a Member of the Royal Town Planning Institute.

1.2 I write in response to the Broughton Parish Council’s Pre-Submission consultation on the Broughton Neighbourhood Plan, on behalf of our client Snowdon Homes, under Regulation 16 and 23 of the Neighbourhood Planning Regulations 2012 (as amended).

1.3 Aitchison Raffety has carried out extensive dialogue with Kettering Borough Council to have Site RA/127 identified within the emerging Part 2 Local Plan. On 26 November 2016 the Council held a Committee Meeting to update Council Members. This was regarding the assessment of sites for the allocation of housing land in the villages, for inclusion in the draft Site Specific Part 2 Local Plan; and for Members to endorse the ‘next steps’ (as outlined in Section 5 and 6 of Appendix 1 of the report). Section 5 of the recent Committee Meeting Report supported the principle of the development of site RA/127 for residential use, recommended further work be completed, and for planners at the Council to continue to engage with the Neighbourhood Plan Group about the emerging Neighbourhood Plan. As such, in January 2017 we submitted a response to a draft version of the Neighbourhood Plan in respect of our client’s site, proposing development of 26 houses. Our response explained that under paragraph 184 of the National Planning Policy Framework, Neighbourhood Plans are required to be in general conformity with the strategic policies of the Local Plan for the area and that the Council had identified the site within their Strategic Housing Land Availability Assessment (SHLAA) forming a key element of the emerging ‘Part 2’ Local Plan.

1.4 Having submitted written responses to the Neighbourhood Plan Group about the benefits of our site, we recently submitted an outline application (KET/2017/0615) for the residential development of up to 20 dwellings with the demolition of the existing house; with all matters reserved. The proposal includes a housing mix of 2, three bedroom, 10, four bedroom and 2, five bedroom properties for market sale. Affordable housing consists of 2, three bedroom and 4, two bedroom accommodation. This application is due to be determined on 28 November 2017. In preparing the application we consulted and closely discussed with the Council’s Development Officer the potential inclusion of the site within the village confines as part of the emerging Local Plan Part 2. The site is still being considered for inclusion within the village confines by the Council within Part 2 of its Local Plan and this was made clear in our previous written representation to the Neighbourhood Plan Group. A draft of the Local Plan Part 2 was due for consultation in June or July 2017, although it is now expected between November and December 2017.

1.5 Having undertaken a process of consultation with the Local Authority, and submitted written representations to the Neighbourhood Plan Group, we are disappointed that our site is still not included. Consequently, whilst we await Part 2 of the Local Plan we feel that there are some glaring omissions from the Neighbourhood Plan, which we bring to your attention in our comments set out below. We trust that you will take our comments on-board in respect of our client’s site, with the aim of ensuring Broughton maintains its village identity, character and status, whilst accommodating required levels of housing growth and above all ensuring the delivery of a sound Neighbourhood Plan, which is robust to scrutiny.
2. **LEGAL PLANNING REQUIREMENTS OF THE PLAN**

**Town and Country Planning Act 1990 (as amended)**

2.1 We recognise that the Neighbourhood Plan is proposed for consultation prior to independent examination. The following stage will be to proceed to referendum; however the Plan must be tested against conditions set out within paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended). These legislative conditions include:-

(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,

(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,

(e) the making of the neighbourhood development 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 neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and

(g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

2.2 On review of the latest Broughton Neighbourhood Plan we have identified major flaws throughout the Plan preparation contrary to basic conditions 8(2) (a), (d), (e) and (g). We have found many components in respect of policies and supporting text which are contrary to these conditions. These basic conditions are reinforced by National Planning Practice Guidance, (paragraphs 53 ID: 41-053-20140306 & 65 ID: 41-065-2014306).

**The National Planning Policy Framework (NPPF)**

2.3 The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied in respect of plan-making and decision-taking (paragraphs 1, 6 and 13). It provides a framework within which local people and their accountable Councils can produce their own distinctive Local and Neighbourhood Plans. The requirements set out in the Framework have now been supplemented by the Neighbourhood Plan section of National Planning Practice Guidance (NPPG) and sections of Viability, Housing Land Availability Assessment, and Strategic Environmental Assessment. The provision of the Framework and the NPPG are mandatory material considerations for the purposes of basic condition 8(2)(a).

2.4 Under paragraph 184 of the Framework there is clear guidance requiring Neighbourhood Plans to be in general conformity with the strategic policies of the Local Plan. Neighbourhood Plans should reflect these policies and positively support them. Importantly, Neighbourhood Plans and Orders should not promote less development than set out in the Local Plan or undermine its strategic policies.
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Site RA/127, The Paddock, Meadow Close, Broughton

2.5 At the heart of the NPPF lies the presumption in favour of sustainable development (paragraph 14) which should be seen as a golden thread running through both plan-making and decision-making. 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, with sufficient flexibility to adapt to rapid change.

2.6 The application of the presumption has implications for neighbourhood planning (Paragraph 16). Critically it means that neighbourhoods should:-

- develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;
- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and
- identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.

2.7 The Framework seeks to build a strong, competitive economy and within paragraph 21 states that “Planning should operate to encourage and not act as an impediment to sustainable growth... Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing” (my emphasis).

National Planning Practice Guidance

2.8 Neighbourhood Planning is described within National Planning Practice Guidance as providing “a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider area” (Paragraph 001, reference ID: 41-001-20140306).

2.9 Paragraph 40 (ID 41-040-20160211) states that the evidence required to support a Neighbourhood Plan should be proportionate, based upon robust evidence to support the choices made and approach taken. Where Neighbourhood Plans contain policies relevant to housing supply these policies should take account of the latest and up-to-date evidence of housing need. In particular, where a qualifying body is attempting to identify and meet housing need, a Local Planning Authority should share the relevant evidence base, on housing need gathered, to support its own plan-making.

2.10 When submitting a draft Neighbourhood Plan to a Local Planning Authority, the authority are required to consider the Plan against the statutory requirements set out within paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990. Following an independent examination and the examiner’s report being received, the authority will take a formal view on whether the draft Neighbourhood Plan meets the basic conditions. The planning authority is also required to provide constructive comments on an emerging Plan or Order before it is submitted (Paragraph 53 ID: 41-053020140306). The authority should discuss the contents of any supporting documents, including the basic conditions statement. If a Local Planning Authority considers the draft Neighbourhood Plan may fall short of meeting one or more of the basic conditions, they should discuss their concerns with the qualifying body in order that these can be considered before the draft Plan or Order is formally submitted, in accordance with paragraph 67 ID: 41-067-20140306.
2.11 The qualifying body must demonstrate that its Neighbourhood Plan or Order meets the basic conditions, by providing a basic conditions statement to accompany the draft Neighbourhood Plan when it is submitted to the Local Planning Authority, in accordance with Regulation 15(1)(d) and Regulation 22(1)(e) of the Neighbourhood Planning Regulations 2012 (as amended) Paragraph 68 ID: 41-068-20140306.

2.12 Written representations will be taken into account by the examiner as set out within paragraph 56 ID: 41-056-20140306. Furthermore, a Neighbourhood Plan or Order must not constrain the delivery of important national policy objectives. The National Planning Policy Framework is the main document setting out the Government’s planning policies for England and how these are expected to be applied (Paragraph 69 ID:41-069-20140306).

2.13 Aitchison Raffety considers that the Broughton Neighbourhood Plan in its current form fails to comply with the various key paragraphs of the Framework and NPPG. We also feel it fails to meet basic conditions (a), (d), (e), and (f) which will be addressed throughout this representation. We therefore urge the Parish Council to respond to the advice as set out within this statement in attempting to progress to examination, or risk failing to meet the basic conditions of the Planning Act.

3. SUMMARY OF THE BROUGHTON NEIGHBOURHOOD PLAN

3.1 The vision of the Broughton Neighbourhood Plan is described in its Vision Statement as set out below:

“The vision of the Broughton Neighbourhood Plan is to deliver future change in a managed way that is best suited to the village and the wider Parish in which it sits, delivering for the first time ever, a bespoke response to specific local needs and a strategic solution as to how this will be accomplished”.

3.2 The Plan’s vision fundamentally fails by neglecting to seek the provision of housing to meet both the local and wider area’s needs. Part 2 of the Council’s Local Plan is emerging and as such there may be a need to accommodate housing need from the wider area over the Plan period. Our site is currently being considered by the Council and was viewed favourably in the Planning Committee Meeting held 26 November 2016, as such the proposed confines boundary within the Neighbourhood Plan is considered premature.

3.3 The village boundary designation is evidently a restrictive tool to constrain development growth, which is contrary to the positive approach encouraged by the NPPF. This restrictive approach is evident within Principle 1 of the Neighbourhood Plan which states:

“The boundary will be tightly defined around the built-up framework and where possible will follow defined features such as walls, hedgerows and roads”.

3.4 Rather than provide a presumption in favour of Sustainable Development (in accordance with the NPPF), the Broughton Neighbourhood Plan sets out a ‘Broughton Sustainable Solution Statement’ with the most relevant points set out below:

“1. To focus on building the type of housing based on established Broughton Parish need to maximise the full potential of the village sites for the future”
“4. To deliver an increased supply of housing required to enable the opportunity for the young, single and senior members of our community to remain in Broughton”

3.5 Point 1 is a very cut and dry approach to delivering housing needs and reflects a blanket style approach which will prevent development in one village but not in another. This is contrary to both the NPPF and NPPG. We remind the Neighbourhood Planning Group that the Council may need the village to help accommodate its strategic housing needs as Part 2 of the Local Plan progresses. The Council’s emerging Local Plan is in its infancy and as such the Neighbourhood Plan cannot be seen to have fully considered the full Objectively Assessed Needs of the Borough.

3.6 The success of Point 2 depends upon the ability of the village to fully meet its housing needs over the whole Plan period. In assessing its housing growth requirements it has used projections which informed the Core Strategy. Sites proposed within the Neighbourhood Plan also favour small contained sites, these may not deliver the affordable housing requirements the Neighbourhood Planning Group wish for. There have been recent changes in Planning Practice Guidance which remove the requirement to deliver affordable housing on sites of 10 units or less. As such this fundamentally impacts on the ability of the Plan to deliver sufficient housing to enable the opportunity for the young, single and senior members of the community to remain in the village.

3.7 Chapter 4 of the Neighbourhood Plan provides the housing need calculation for Broughton, based on information supplied by the Council used to inform the Core Strategy. Based on this information there is an expectation to deliver 27 houses up to the period 2031. The table states the Housing Needs Assessment identified a need for 13 affordable homes. Given the recent changes in planning guidance, removing the need to provide affordable homes on sites of 10 units or less, and the preference of the Plan to allocate small contained sites, our site will help to meet the affordable housing needs over the Plan period. Despite our site thereby helping to meet this need the Neighbourhood Planning Group has discounted our site with claims that the local school is at capacity and development would put pressure on the facility. No consideration or planning balance appears to have been given to the benefits of accommodating new housing. The Group claims development could be more sustainably delivered in Kettering but this argument is premature, given the infancy of Part 2 of the Local Plan.

3.8 We also remind the Neighbourhood Planning Group that National Planning Practice Guidance recognises all settlements can play a role in delivering sustainable development, with guidance on rural housing stating “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 avoided unless their use can be supported by robust evidence”.

4. ASSESSMENT OF THE NEIGHBOURHOOD PLAN AGAINST THE NATIONAL PLANNING POLICY FRAMEWORK

4.1 This section assesses the proposed Broughton Neighbourhood Plan against the National Planning Policy Framework which forms a mandatory material consideration.
Paragraph 6

4.2 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Broughton is a sustainable settlement with shops, bus services and a school.

Paragraph 14

4.3 Paragraph 14 sets out the presumption in favour of sustainable development, which lies at the heart of the NPPF. It should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means:-

- Local Planning Authorities should positively seek opportunities to meet the development needs of their area

- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:-
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole
  - Specific policies in this Framework indicate development should be restricted

4.4 We request that the settlement boundary be deleted and replaced with a criteria based approach which reflects the presumption in favour of sustainable development. This will ensure that the Plan allows for a sufficient degree of flexibility and thereby enable the Plan to meet the basic conditions.

4.5 It is considered that the application site (RA/127) represents a sustainable and logical site for residential development, meeting a need identified by the Borough Council in its documents leading up to the emerging Local Plan and by the Neighbourhood Planning Group. The site lies between existing development and can be developed without harm to the surrounding area. It does not extend the village into more sensitive areas outside the built-up areas. The report which was presented to the Borough Council’s Policy Committee in respect of the Site Specific Local Plan confirmed the site as a sustainable location for housing. It would also conform with Policy 15 in the recently adopted Core Strategy.

4.6 The recent development by Redrow Homes to the west of the site has materially altered the appearance and form of this part of the village. As a direct result, the application site is surrounded by residential development to the east, west and south. Any development would constitute ‘infill’. As part of the land adjoining Meadow Grange, the proposals represent an acceptable development, meeting housing need in the settlement without any extension into the surrounding open areas.
4.7 Paragraph 49 states that housing applications should be considered in the context of the presumption of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a 5 year supply of deliverable sites.

4.8 Should it be found that Kettering Borough Council cannot identify a 5 year housing land supply then those policies contained within the Broughton Neighbourhood Plan, together with the relevant Development Plan policies, will also be considered out-of-date and the presumption in favour of sustainable development will apply.

4.9 Case law has upheld by a decision in the High Court, Woodcock Holdings vs the Secretary of State and Mid-Sussex District Council (Appendix 1). This demonstrates the implications of progressing a Neighbourhood Plan where there is no up-to-date adopted Development Plan or 5 year housing land supply in place. The judgement demonstrates:-

- That paragraphs 14 and 49 of the Framework (relating to 5 year land supply and the weight to be given to extant housing land supply policies) apply equally to both emerging and made Neighbourhood Plan policies in respect of other Development Plan documents otherwise adopted and/or emerging by the Local Planning Authority
- The Neighbourhood Plan cannot be given more weight than the wider Development Plan
- Neighbourhood Plans must respect national policy and core planning principles set out within the Framework
- Prematurity must be assessed against NPPG

4.10 In October 2015 an appeal decision at Thorpe Road, Earls Barton, Northamptonshire (Appendix 2) reflected the importance of the Woodcock Holdings judgement. The appeal allowed delivery of 39 dwellings at an advanced stage of the Neighbourhood Plan preparation (one day prior to the Neighbourhood Plan referendum). It is important therefore that the Broughton Neighbourhood Planning Group allow for a significant degree of flexibility and adaptability, to respond rapidly to changes in the market, otherwise the Plan will be found to be out-of-date before its adoption. The Secretary of State agreed with the Inspector that the scale of the development was sufficiently small enough not to be premature in terms of jeopardising future development within the Neighbourhood Plan. In conclusion the Secretary of State considered the lack of a 5 year housing land supply and the contribution the appeal proposal would make to increasing housing land supply, weighed heavily in favour of the appeal, and agreed with the Inspector that the proposal would amount to sustainable development. In carrying out a planning balance in respect of paragraph 14 the Secretary of State found that the harm identified was insufficient to significantly and demonstrably outweigh the acknowledged benefits of the sustainable development.

4.11 The Broughton Neighbourhood Plan has presented a restrictive approach to the growth of the village by discounting all sites being assessed under the Council’s Site Specific Proposals LDD, arguing there is a number of constraints on category 2 SHLAA sites (page 30 of the Plan). In calculating the development need for the village the Neighbourhood Planning Group have utilised the Borough Council’s assessment for Broughton as utilised in the preparation of the Core Strategy.
It is important to note that the Council’s Overall Assessed Need will have to be updated to take account of the most up-to-date Household Projections, which may point to a significant increase to the Borough’s housing needs. This reinforces the inappropriateness of progressing the Broughton Neighbourhood Plan at this point in time, when the strategic priorities for the Borough are still yet to be determined.

**Paragraph 16**

Paragraph 16 states that: “The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should”:

- “develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;
- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and
- identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed”.

We recognise that the Broughton Neighbourhood Plan is making policy judgements that have yet to be determined through Part 2 of the Local Plan. The Neighbourhood Plan is inflexible and restrictive to development need. This is contrary to the positive approach contained throughout the National Planning Policy Framework as a whole, and its presumption in favour of sustainable development.

**Paragraph 17**

Paragraph 17 states that: “Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking”. There are a total of twelve principles, which state planning should:-

- “be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency”
- “proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth”.

As the Broughton Neighbourhood Plan has not fully assessed the Overall Assessed Needs of the Borough it cannot be seen to proactively drive and support the delivery of sustainable development. It is not possible that the Broughton Neighbourhood Planning Group have a full accurate policy base, as the emerging Part 2 Local Plan is yet to reach an advanced stage, which
will determine the strategic priorities for the wider area, allowing decisions on planning applications to be made with a high degree of predictability and efficiency.

4.17 The Broughton Neighbourhood Plan limits growth to the existing settlement boundary in advance of the Part 2 Local Plan which is considering village confines. Our site has been found to have support of the Council following the Planning Committee Meeting held 26 November 2016. The Neighbourhood Plan is promoted on the basis of an inflexible position that fails to positively respond to the wider growth opportunities contrary to the Council’s own assessment. The Neighbourhood Plan is inconsistent with basic conditions (a), (d) and (e).

Paragraph 47

4.18 Paragraph 47 states that: “To boost significantly the supply of housing, local planning authorities should:-

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;
- identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

4.19 The vision and objectives of the Broughton Neighbourhood Plan should be aspirational and growth orientated, responding to the objectives of the Framework, particularly paragraph 47 which seeks to significantly boost the supply of housing. Paragraph 47 also does not provide a cap where a Council has a 5 year supply of housing. The Broughton Neighbourhood Plan seeks to constrain the total supply of housing within the Neighbourhood Plan area. Paragraphs 14, 16, 47, 49 and 184 are the main policy considerations for the purpose of assessing basic condition 8(2) (a).

4.20 As Part 2 of the Local Plan is still awaited, the Broughton Neighbourhood Plan cannot be seen to sufficiently deliver against housing Objectively Assessed Needs. The progress of the Plan should therefore be delayed until a more up-to-date and adopted Plan is in place.

Paragraph 49

4.21 Paragraph 49 states:-

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”. 
Planning applications for residential development are required to be assessed in the context of the presumption in favour of sustainable development. The Broughton Neighbourhood Plan has a restrictive approach to growth through a tightly drawn settlement boundary. This is at a time when we await Part 2 of the Local Plan and when our site has support of the Council following the Planning Committee Meeting held 26 November 2016. The Neighbourhood Plan’s housing policies will be considered out-of-date along with those within the Development Plan should the Council fail to demonstrate a 5 year supply of land for housing. It is therefore paramount that the Neighbourhood Planning Group redraw its village confines to include our site for housing.

**Paragraph 156**

4.23 Paragraph 156 states:-

“Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:
• the homes and jobs needed in the area;

4.24 Local Planning Authorities are required to set out the strategic priorities for areas within the Local Plan, which includes Neighbourhood Plans supporting these priorities and meeting them in full. Our site has support of the Council following the Planning Committee Meeting held 26 November 2016. The site is still being considered by the Council within their emerging Local Plan which is in its early stages of preparation. The Broughton Neighbourhood Plan cannot be consistent with the requirements of the Framework or meet basic conditions when based on a Development Plan which is out of date.

**Paragraph 157**

4.25 Paragraph 157 states that:-

“Crucially, Local Plans should:
• plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework; and
• allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate”.

4.26 The Broughton Neighbourhood Plan has sought to resist allocating land for housing with only limited allowance for housing to meet local or the wider area’s housing needs. The Plan is based on a restrictive approach to growth and therefore cannot be shown to plan positively to support the delivery of sustainable development required to meet the Plan’s objectives.

**Paragraph 158**

4.27 Paragraph 158 states that:-

“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and
strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.

4.28 We have grave concerns that the restrictive approach taken by the Broughton Neighbourhood Planning Group will not provide the housing required to help meet the Council’s full Overall Assessed Needs [OAN]. This is reflected by the Council’s support for our site at the Planning Committee Meeting held 26 November 2016. If the Broughton Neighbourhood Plan is progressed, it is highly likely to fail to deliver against the full OAN. Housing need for Broughton needs to be established to set the correct level of housing growth for the village over the full Plan period. This should happen once the emerging Local Plan Part 2 has been tested and adopted by the Council. Redrawing the village confines to include our site for housing would help the Plan to deliver against the Local Plan Part 2 OAN.

Paragraph 159

4.29 Paragraph 159 sets out the requirement for authorities to fully understand housing needs in their areas. It states:-

“Local planning authorities should have a clear understanding of housing needs in their area. They should:
• prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries.
• prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period”.

4.30 Given the infancy of the emerging Local Plan Part 2, the Council may not have a full understanding of its OAN. As such, progressing the Neighbourhood Plan in its current state is likely to limit the village’s ability to deliver its full housing need. This is reflected by the Council supporting our site at the Planning Committee Meeting held 26 November 2016.

Paragraph 184

4.31 Paragraph 184 identifies the need for Neighbourhood Plans to be prepared in alignment with the strategic needs and priorities of the wider local area. It states:-

“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies”.

4.32 Part 2 of the Local Plan is awaiting consultation and is therefore in its early stages. Our site has support of the Council following the Committee Meeting held 26 November 2016, which indicates there is a need for Broughton to accommodate housing to meet the full OAN. The
Broughton Neighbourhood Planning Group have utilised housing growth figures used in preparing the Core Strategy and these figures cannot be considered robust until Part 2 of the Local Plan has been subject to an Inspector’s scrutiny at Local Plan examination. Including our site will help the village meet its housing needs over the Plan period and safeguard the overall character of the settlement, given the Council have considered it a favourable site at the Planning Committee Meeting held 26 November 2016. Should the Neighbourhood Planning Group maintain its current settlement boundaries then it will likely result in undermining strategic policies for the wider area.

5. **ASSESSMENT OF THE NEIGHBOURHOOD PLAN AGAINST NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

5.1 This section is structured around the requirement set out in various sections of the National Planning Practice Guidance (NPPG) and highlights how the Broughton Neighbourhood Plan Group has failed to meet these requirements or the basic conditions.

Paragraph 004 ID: 41-004-020140306

5.2 “A Neighbourhood Plan should support the strategic development needs set out in the Local Plan and plan positively to support local development (as outlined in Paragraph 16 of the National Planning Policy Framework)“.

5.3 The Broughton Neighbourhood Plan in its current form cannot be considered to plan positively as required by National Planning Guidance. We consider that the Plan has constrained growth with a negative vision and without fully determining need.

Paragraph 005 ID: 41-005020140306

5.4 This paragraph states that a Neighbourhood Plan must be deliverable. “If the policies and proposals are to be implemented as the community intended a neighbourhood plan needs to be deliverable. The National Planning Policy Framework requires that the sites and scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be delivered viable is threatened“.

5.5 All of the developable sites identified within Table C have been discounted, despite the Plan acknowledging the local Housing Needs Assessment identifying a need for 13 affordable homes. If the Broughton Neighbourhood Plan Group continue with those sites they wish to see developed then it is unlikely they will meet their affordable homes requirement. Recent changes to Planning Practice Guidance states that small residential schemes (of 10 or fewer dwellings with a floor-space not exceeding 1000sqm) should not be required to provide affordable housing. This change to Planning Practice Guidance has resulted in many small schemes being permitted without any affordable housing, which would otherwise have been required. The Neighbourhood Plan has calculated that there is an expectation to deliver a further 27 houses until 2031. Our site proposes a total of 20 dwellings and as such would help to meet the affordable homes target as set out within the Broughton Neighbourhood Plan; despite this it has been discounted without proper consideration of its merits. Site specific viability testing should have been applied, to assess the deliverability of affordable housing which is an important factor in basic condition 8(2)(a).
This paragraph relates to whether a Neighbourhood Plan can come forward before an up-to-date Local Plan is in place. It states:-

“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan. A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested... Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- The emerging neighbourhood plan
- The emerging Local Plan
- The adopted development plan”

“With appropriate regard to national policy and guidance, the local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not over-ridden by a new Local Plan”.

The emerging Local Plan is not yet at an advanced enough a stage to which policies within the Broughton Neighbourhood Plan can be set against or fully tested by as required by the assessment of conformity. The Broughton Neighbourhood Plan constricts development growth and has not allocated any reserve sites in respect of emerging evidence to ensure housing need can be addressed within the plan period.

The evidence needed to support a neighbourhood plan or order is set out within paragraph 40. It states:

“While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order. A local planning authority should share relevant evidence, including that gathered to support its own plan-making, with a qualifying body”.

We do not consider the Broughton Neighbourhood Plan to have been supported by a robust or credible evidence base. The housing requirements which inform the Plan are based upon projections which informed the Core Strategy and until Part 2 of the Local Plan has been fully
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Prepared, examined and tested by a Planning Inspector at examination the Broughton Neighbourhood Plan group cannot be seen to have fully considered the Overall Housing Need of the wider area. Therefore we do not feel that the Neighbourhood Plan has been positively prepared. The Neighbourhood Planning Group are also unlikely to achieve their affordable housing targets which form a key objective of the Plan as a result of changes in Planning Practice Guidance, we consider this a glaring oversight in the consideration of our site.

Paragraph 041 ID: 41-041-20140306

5.10 Paragraph 41 explains how policies in a neighbourhood plan should be drafted. It states:-

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared”.

5.11 We do not consider the Broughton Neighbourhood Plan to be clear or consistent with national planning policies. There are a number of policies contained in plan as discussed in Section 3 of these representations which we feel are contrary to paragraph 41 (above) and the plan therefore cannot be considered consistent with basic condition (a).

Paragraph 42 ID: 41-042-20140306

5.12 Paragraph 42 relates to the power neighbourhood plans have to allocate sites for development. It states:

“A neighbourhood plan can allocate sites for development. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria”. (Guidance on assessing sites and on viability can be found within Planning Practice Guidance).

5.13 A ‘Development Site Evaluation Report’ accompanies the Broughton Neighbourhood Plan in which our site was assessed by the planning group. It was recognised at Stage 1 (Initial assessment and site exclusion) that the site lies within or adjacent to a settlement identified in the CSS as a location for further housing development and that further housing allocations were required for the settlement. We rebut the groups claims that the site is not located within a settlement where there is an identified need for affordable housing. Conclusions for Stage 1 were to progress the site for detailed assessment.

5.14 In the Stage 2 (Detailed Assessment) of the review of the site the Group have applied a range of criteria relating to accessibility. We do not consider the assessment criteria which has been applied is appropriate or suitable as it does not relate to The Institution of Highways and Transportation ‘Guidelines for Journeys on Foot’ in which 1000m distance is considered as being acceptable, and the preferred maximum as being 2000m distance. Clearly the site is accessible, and by the same token would score higher than a number of parts of the existing settlement. In respect of ‘cultural heritage’ the Group recognise that Historic England raised no concerns to our site, yet have concluded development is likely to have a negative impact on the historic environment (given it is adjacent to the Conservation Area). No justification or assessment has been carried out by the Group, and we consider development of the site is unlikely to impact on the historic environment. Regarding the ‘built environment’ the site has
been assessed as being ‘high density’, again we rebut this as our recent planning application was made at a lower density than the potential capacity the Local Authority felt the site could provide.

5.15 Within the ‘Infrastructure’ section the Neighbourhood Planning Group have assessed the capacity of the highway network to be limited or insufficient despite the Highways Authority not responding to additional traffic to Grange Road. We contest the Groups assessment on highways as the authority did not feel there were grounds to object, therefore the capacity should be considered as being sufficient. In respect of infrastructure, services and drainage our client is willing to appropriately service the site and we do not consider this criteria to be appropriate in assessing its sustainability or suitability for housing growth.

5.16 Planning Practice Guidance makes it very clear that where there is the intention to allocate sites that an appraisal of all available land options should be considered to ensure the delivery of sustainable development. Our site is over ten units in scale and will therefore help deliver affordable housing in the village. The sites which the Neighbourhood Plan is proposing are small in scale and unlikely to achieve any affordable housing. We do not therefore consider the Broughton Neighbourhood Plan to accord with paragraph 42 of the PPG above.

Paragraph 69 ID: 41-069-20140306

5.17 Paragraph 69 relates to the requirement for a Neighbourhood Plan to have ‘regard’ to national policy. This means that:

“A neighbourhood plan or Order must not constrain the delivery of important national policy objectives. The National Planning Policy Framework is the main document setting out the government’s planning policies for England and how these are expected to be applied”.

5.18 We reject the Broughton Neighbourhood Plan as it is evidently constraining the delivery of important national policy objectives, particularly paragraph 47 which seeks to boost significantly the supply of housing with a presumption in favour of sustainable development. As such the Neighbourhood Plan contradicts national planning requirements and is therefore inconsistent with basic conditions (a) and (d).

Paragraph 70 ID: 41-070-20140306

5.19 Paragraph 70 explains which national policies are relevant to a neighbourhood plan or Order. It states:

“Paragraph 16 of the National Planning Policy Framework is clear that those producing neighbourhood plans or Orders should support the strategic development needs set out in Local Plans, including policies for housing and economic development. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan. More specifically paragraph 184 of the National Planning Policy Framework states that neighbourhood plans and Orders should not promote less development than set out in the Local Plan or undermine its strategic policies.

The content of a draft neighbourhood plan or Order will dictate which additional national policy is or is not a relevant consideration to take into account. The basic condition allows qualifying
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bodies, the independent examiner and local planning authority to reach a view in those cases where different parts of national policy need to be balanced.

A qualifying body is advised to set out in its basic conditions statement how they have had regard to national policy and considered whether a particular policy is or is not relevant. A qualifying body is encouraged to set out the particular national polices that it has considered, and how the policies in a draft neighbourhood plan or the development proposals in an Order take account of national policy and advice”.

5.20 It is clear that the Broughton Neighbourhood Plan has sought to discount and prevent growth outside of the existing settlement boundary, despite the Council currently preparing Part 2 of its Local Plan, in which our site was seen favourably at the Planning Committee Meeting held 26 November 2016. We feel the Plans proposed allocations are insufficient and have no regard to the Council’s Overall Assessed Needs. The Broughton Neighbourhood Plan cannot be seen to support strategic development needs as these have yet to be confirmed in an up-to-date Local Plan, and instead imposes a strategic policy of its own to constrain growth. This approach does not accord with the National Planning Policy Framework which seeks to “significantly boost” the supply of housing with a presumption in favour of sustainable development.

5.21 Paragraph 16 clearly states that Neighbourhood Plans should support the strategic development needs set out in Local Plans, yet the Neighbourhood Plan rings fence any strategic development need within its “Broughton Sustainable Solution Statement” which states it will “focus on building the type of housing based on established Broughton Parish need to maximise the full potential of the village sites for the future”. No consideration has been given the full Overall Housing Needs of the wider area as Part 2 of the Local Plan is yet to be fully formulated and examined and tested by a Planning Inspector.

5.22 The basic conditions statement completely overlooks the presumption as set out within the framework, this is reflected within the Plan which even fails to identify what or where ‘Sustainability Policy 1’ is. The Plan seeks to achieve development of one and two bedroom dwellings (affordable housing) but seeks to deliver this identified need via small sites below ten units in total. The Neighbourhood Planning Group has failed to recognise there is no policy requirement to deliver affordable homes on schemes under 10 units and has completely discarded our site which is proposing 20 units (thereby contributing toward the delivery of affordable housing). By discounting our site the Neighbourhood Planning Group has failed to meet its own policy objectives before the Plan has even reached referendum stages.

5.23 In short, the Broughton Neighbourhood Plan fails to deliver the key requirements of the NPPF or NPPG, (in particular regard to paragraphs 16, 47 and 49 of the NPPF).

Paragraph 73 ID: 41-073-20140306

5.24 Paragraph 73 recognises that a neighbourhood plan may require an environmental assessment it is likely to have significant effect on the environment. It states:

“A neighbourhood plan may require an environmental assessment if it is likely to have a significant effect on the environment. Where this is the case the draft neighbourhood plan may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004. This may be the case, for example, where a neighbourhood plan allocates sites for development.
A qualifying body is strongly encouraged to consider the environmental implications of its proposals at an early stage, and to seek the advice of the local planning authority on whether the Environmental Assessment of Plans and Programmes Regulations 2004 are likely to apply.

5.25 The Broughton Neighbourhood Plan should be tested with significant SEA level scrutiny, particularly as the emerging Local Plan SA is still some way from being formulated and being subject to examination. It is not appropriate to rely on evidence which has yet to be tested.

Paragraph 005 ID: 10-005-20140306

5.26 NPPG includes guidance on viability. Paragraph 005 relates to the assessment of viability in plan-making. It states:

“Local Plans and neighbourhood plans should be based on a clear and deliverable vision of the area. Viability assessment should be considered as a tool that can assist with the development of plans and plan policies. It should not compromise the quality of development but should ensure that the Local Plan vision and policies are realistic and provide high level assurance that plan policies are viable.

Development of plan policies should be iterative – with draft policies tested against evidence of the likely ability of the market to deliver the plan’s policies, and revised as part of a dynamic process.

Evidence should be proportionate to ensure plans are underpinned by a broad understanding of viability. Greater detail may be necessary in areas of known marginal viability or where the evidence suggests that viability might be an issue – for example in relation to policies for strategic sites which require high infrastructure investment”.

5.27 The Neighbourhood Planning Group has failed to recognise that planning guidance has been revised removing the need to deliver affordable homes on 10 units or less would suggest that viability within the Plan requires more thought. It does not therefore appear that the Parish Council has undertaken any up-to-date viability assessment of the plans cumulative obligations to test whether the policies will result in having a negative effect on development viability. The Parish should revisit its evidence base to ensure this is undertaken, as failure to do so may jeopardise the plans ability to secure the delivery of sustainable development.

Paragraph 004 ID: 3-004-20140306

5.28 NPPG provides advice on housing and economic land availability assessment. An assessment of land availability identifies a future supply of land which is “suitable, available and achievable” for housing and economic development uses over the Local Plan period. The assessment of land availability includes the Strategic Housing Land Availability Assessment requirement as set out within the National Planning Policy Framework. This assessment of land availability is an important set in the preparation of Local Plans.

5.29 Paragraph 004 relates to whether neighbourhood forums and parish council can use the guidance. It states:

“Designated neighbourhood forums and parish/town councils may use the methodology to assess sites but any assessment should be proportionate. Neighbourhood forums and parish
councils may also refer to existing site assessments prepared by the local planning authority as a starting point when identifying sites to allocate within a neighbourhood plan” (my emphasis).

5.30 We recognise that the Neighbourhood Planning Group has used housing projection growth which informed the Core Strategy as part of identifying the future housing needs for Broughton. The planning guidance above clearly states that existing site assessments should be seen as a starting point and any assessment by the NP group should be proportionate. We do not consider the assessment of our site to have been proportionate. The assessment of our site does not reflect the presumption in favour of sustainable development as set out within the NPPF and no consideration has been given to its contribution to meeting the affordable housing needs within Broughton. The Neighbourhood Plan is proposing small infill sites in the hope that they will deliver affordable housing. No consideration has been given to recent changes in planning guidance removing the requirement to provide affordable housing on sites of ten units or less. Part 2 of the Local Plan is being prepared and our site was considered by the Council as being favourable for inclusion at the planning committee held 26 November 2016. The Broughton Neighbourhood Plan has discounted the site on an unproportioned set of criteria which does not reflect the positive approach to growth which the NPPF clearly sets out. The Neighbourhood Plan is considered premature given the Part 2 of the Local Plan has not fully assessed the Overall Assessed Needs of the wider area and is some way of being subject to any formal examination by a Planning Inspector.

Paragraph 010 ID: 3-010-20140306

5.31 Guidance on the broad location and size of sites which should be considered for assessment is set out within paragraph 010, which states:

“Plan makers will need to assess a range of different site sizes from small-scale sites to opportunities for large-scale developments such as village and town extensions and new settlements where appropriate.

The assessment should consider all sites and broad locations capable of delivering 5 or more dwellings or economic development on sites of 0.25 hectares (or 500 square metres of floor space) and above. Where appropriate, plan makers may wish to consider alternative site size thresholds”.

5.32 The Broughton Neighbourhood Plan has discounted all allocations outside the current settlement confines to deliberately constrain growth over the plan period. A series of small sites have been included in the hope that affordable housing will be delivered. No consideration to recent changes in planning guidance has been given which removes the requirement to provide affordable housing on sites of 10 units or less. Our site has been unfairly assessed and does not reflect the favourable outcome at the Council’s planning committee held 26 November 2016. Our site has the potential to deliver 20 units or more which will thereby help the village meet its affordable housing requirements over the plan period.
The factors which should be considered for when and whether sites / broad locations are likely to be developed are set out within paragraph 18. It states:

“Assessing the suitability, availability and achievability of sites including whether the site is economically viable will provide the information on which the judgement can be made in the plan-making context as to whether a site can be considered deliverable over the plan period” (my emphasis).

Our previous written representations on the draft Broughton Neighbourhood Plan set out why we felt our site was suitable, available and achievable. For completeness this has been re-provided in Section 6 of this representation.

Planning Practice Guidance sets out how the five year housing supply relates to neighbourhood planning. It states:

“Local planning authorities need to be able to demonstrate a 5-year supply of deliverable sites in order to comply with national policies. The National Planning Policy Framework asks local planning authorities to use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing, identifies key sites that are critical to the delivery of the housing strategy and identifies and updates annually a supply of specific deliverable sites sufficient to provide a 5-year supply.

Neighbourhood plans set out policies that relate to the development and use of land and can be used to allocate sites for development but the plans must be in general conformity with the strategic policies of the Local Plan. Where a neighbourhood plan comes forward before an up to date Local Plan is in place, the local planning authority should work constructively with a qualifying body to enable a neighbourhood plan to make timely progress and to share evidence used to prepare their plan. Neighbourhood plans should deliver against the objectively assessed evidence of needs”.

The provision of housing set out within the Broughton Neighbourhood Plan is unlikely to be sufficient to meet housing needs and the evidence supporting the emerging Plan is yet to be tested at examination against the test of soundness and therefore the proposed housing policies for Broughton may not provide a sufficient level of housing to meet market or affordable housing needs. As previously explained due to changes in planning guidance there is no planning requirement to provide affordable housing on sites of 10 units or less. Our site will contribute toward affordable housing needs of the village within the plan period.

6. **SUITABILITY OF SITE RA/127**

6.1 The Council identified Site RA/127 within its Strategic Housing Land Availability Assessment (SHLAA) for the Borough which forms a key element of the emerging Local Plan.

6.2 On 26 November the local authority held a Policy Committee meeting with the purpose of updating members on the assessment of sites for the allocation of housing land in the villages
for inclusion in the draft Site Specific Part 2 Local Plan; and for members to endorse the ‘next steps’ as outlined within Sections 5 and 6 of Appendix 1 of the Committee Report.

6.3 A summary of our site is provided below, with quotations set out in italics which have been taken directly from the Council’s report. This is presented against National Planning Practice Guidance assessment criteria to demonstrate why our site is the most appropriate for the Broughton Neighbourhood Plan.

6.4 Following the commencement and development of site RA/098 - land to the east of Cransley Hill by Redrow Homes, existing development now lies to the east, west and south of site RA/127; and as such the development of RA/127 would be defined as ‘infill’ and is no longer located outside the village settlement. This is illustrated in the diagram directly below.

Location and extent of Site RA/127 (represented by red line boundary) showing the potential for infill development following the recent development of site RA/098 Little Cransley

Available: The site is controlled by our client who wishes to bring the land forward for housing development. Furthermore our client is Snowdon Homes and National Planning Practice Guidance states ‘a site owned by a house builder should suggest greater certainty in this regard’.
**Achievable:**

“Access to this site is dependent on the demolition of Meadow Grange off Grange Road; however it has been confirmed by the site promoter’s agent for this site, that the residents of this property are aware of this and that access can be made off Grange Road to serve the development. This would be the preferred approach by NCC Highways”.

The loss of the bungalow can also potentially be re-provided on site RA/127 as part of a responsive development mix, should a market need be demonstrated.

“The issue of noise has been highlighted by KBC Environmental Protection Team, given the site’s close proximity to the A43, although not significant, it is likely to be addressed through appropriate mitigation measures at planning application stage”.

“For this site, there is a concern in relation to the proposed density of the site. In 2014, it was identified that the anticipated yield for the site would be 10 dwellings”. “However, as part of the information submitted by the agent for this site, the proposed yield is considerably higher than this, at 26 dwellings”.

**Suitable:**

Paragraph 6 of the National Planning Policy Framework (NPPF) states the purpose of the planning system is to contribute to the achievement of sustainable development. Broughton is a sustainable settlement with shops, bus services and a school. The site is within walking distance of these services and facilities.

In terms of constraints, there are no Listed Buildings, Tree Preservation Orders or Public Rights of Way on the site. The Broughton Conservation Area boundary is located to the south of the site; the boundaries are separated by the access track which connects to Kettering Road.

Crucially, the recent implementation of the Redrow scheme RA/098 has materially altered the appearance of this part of the village (especially when approaching Broughton from the north). As a direct result RA/127 will be surrounded by residential development to the east, west and south; any development on the site would constitute in-fill development. It is therefore logical to conclude that limited infilling in this instance would not have any detrimental impact upon the village nor wider area. Additionally, the infilling proposed on this site could create a defensible northern boundary to the village, especially when considering that the A43 is located a short distance to the north of the site.

6.5 The case officer acknowledged that the provision of 20 dwellings for RA/127 is appropriate based on an assessment to calculate the average dwellings per hectare in Broughton. This density would also ensure that potential development of the site would be in keeping with the character of the area and the overall objectives of the Neighbourhood Plan. We can confirm that this level of development is acceptable to Snowdon Homes. We again request the inclusion of our client’s site for 20 dwellings the Neighbourhood Plan.
7. **CONCLUSION**

Assessment against the basic conditions

7.1 We object to the Broughton Neighbourhood Plan which is an attempt to restrict future housing growth in the area through a number of policies which seek to constrain the ability of new sustainable development proposals coming forward.

7.2 The approach the Broughton Neighbourhood Plan has taken in its assessment of sites is deeply flawed, not only in its application of local and national policy; but lacks clear, robust and up-to-date evidence to inform its policy objectives and meet its strategic objectives. The Plan should be radically overhauled as we propose to avoid the plan being found unable to meet a number of the basic conditions prior to adoption, or even being found out-of-date before it is even implemented.

7.3 The Broughton Neighbourhood Plan contains a number of issues which contravene the following basic conditions:

(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State.
   - We object to the plans strategy to constrain sustainable housing growth through a series of objectives and policies which are in conflict with the National Planning Policy Framework.
   - The Plan overlooks advice and guidance set out within the National Planning Practice Guidance in relation to Neighbourhood Plans, Housing Land Availability, and Viability.

(d) The making of the neighbourhood development plan contributes to the achievement of sustainable development.
   - The Neighbourhood Plan promotes a series of small sites in the hope they will deliver affordable housing, despite Planning Practice Guidance removing the need to provide affordable housing on sites of 10 units or less.
   - The Plan has discounted all other allocations, despite our site being considered favourably by the Planning Committee held 26 November 2016; and which would help meet local affordable housing needs over the plan period.
   - The criteria applied in assessing our site are not proportionate or fairly applied and does not reflect the Council’s own assessment at a recent Planning Committee.
   - The proposed allocations provide little flexibility or contingency in the event of a shortfall in the Council’s housing land supply. The Plan fails to positively contribute to the delivery of sustainable development of a scale to meet the plans objectives resulting in a strategy that is likely to fail to maintain the village’s vitality and viability providing housing to meet localised of housing needs in the wider area.

(e) The making of the neighbourhood development 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).
The current adopted Local Plan is out-of-date against the requirements of national policy. Part 2 of the Local Plan is emerging and in early stages of plan preparation. The Neighbourhood Plan is relying on housing projections used to inform the Core Strategy and until Part 2 of the Local Plan has been adopted following examination by a Planning Inspector cannot be considered to have fully taken into account the Full Objective Assessed Needs of the wider area. The Neighbourhood Plan therefore cannot be fairly tested against the strategic needs of the Borough.

(g) Prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

- The neighbourhood plan claims to meet its future development needs yet only provides small windfall sites. This approach is not only constrictive to development but there is no certainty that small sites will deliver affordable housing. Recent changes in Planning Practice Guidance state that sites of 10 units or less are not required to provide affordable housing. Achieving affordable housing over the plan period is a key objective of the Neighbourhood Plan.

7.4 We strongly urge the Neighbourhood Planning Group to include our site within the plan allocated for housing development. This will help to meet the village’s future housing needs and deliver affordable homes. Our site has been considered favourable by the Council at the Planning Committee Meeting held 26 November 2016 and would not result in urban sprawl. The site represents an infill opportunity in a sustainable location in accordance with the NPPF.

7.5 We wish to remain involved in the preparation of the Neighbourhood Plan and wish to take part in the hearing sessions of the examination of the Neighbourhood Plan. We also request to be notified of any steps taken toward a new plan version and a further Regulation 15 submission.