

Long Itchington, Bascote & Bascote Heath Neighbourhood Plan (Submission Plan) – response of the Examiner to the concerns of the Qualifying Body

1. The policies have been developed following a comprehensive local questionnaire survey that achieved an almost unprecedented response from 75% of the local community (aged 16 or over). This provided a substantial evidence base for the views of local people and the policies are drawn to reflect these views.

This is noted and appreciated but, to be effective, the Neighbourhood Plan must develop sound Policies from the community's areas of interest – see 2 below.

2. On several occasions, you comment that a NP policy does not add anything to other existing policies. Our understanding was that the NP seeks to identify national and local policies that are particularly relevant to deliver the wishes of local people (as evidenced by the results of the questionnaire survey mentioned in above). Whilst it is accepted that in some cases the NP policies do not add to these, we see their inclusion as providing a local context particularly read in conjunction with their 'Explanation' and 'Evidence' sections. We would appreciate an explanation of why this approach is not acceptable and note that responders at Reg. 14 and 16 stages have not sought to change it.

Whilst, broadly speaking, a Neighbourhood Plan must work within the Policy framework provided by higher-level Plans, there is no value in repeating higher-level policies since they will continue to be an essential part of every planning decision. The Neighbourhood Plan can add important detail that is particular to the Neighbourhood Area planning decisions. The most obvious example is that, within the national and local support for the retention of valuable green spaces, the Neighbourhood Plan can designate named areas of particular local significance, thus interpreting higher-level policies in the neighbourhood context. Similarly, Core Strategy support for Local Needs Housing Schemes can be realised locally with the allocation of land at the community's preferred location and at a scale appropriate to local housing needs. However, these things are not to be done simply because the community wants them, but because evidence has been gathered to show that the national or Core Strategy criteria are met. The "proportionate evidence" to which the NPPF (para 35) refers is not evidence of wishes, but factual evidence of how green spaces are significant or what level of local demand there is for additional housing. Therefore, the Built Up Area Boundary (BUAB) that the Long Itchington Plan wishes to adopt needs to be justified by evidence that the SDC methodology has been followed or a variation to the methodology must be stated and justified. Having said that, there may be instances where Core Strategy Policies can be better contextualised for the Neighbourhood Area; for instance, a policy about the retention of community facilities may benefit from local knowledge and detail exactly the facility properties included, so there is absolute clarity about what the policy means for the Neighbourhood Area. If the wording of Core Strategy Policies is varied in other ways, the differences must be noted and justified, otherwise unintended differences will mean that it is not "evident how a decision maker should react to development proposals" (NPPF para 16). Inconsistencies between policies within the Neighbourhood Plan itself also give rise to similar confusion and lack of clarity. Overall, the expectation is that Plan content should "serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)" (NPPF para 16).

- References to national and local planning policies have been repeated throughout the text, where appropriate, because of advice received from our planning consultants, other advisers and by reference to other communities' Neighbourhood Plans. It is also considered to be useful to adopt this approach so that anyone reading only a particular section(s) of the document would be aware of the relevant policy references that might otherwise be missed.

There is absolutely no objection to the national and local policy context for a Neighbourhood Plan Policy being provided. You are obliged to provide an accompanying Basic Conditions Statement which should cover that ground, but it is helpful to me and the reader that the key context for each Policy is available and clear. What is problematic however is if that context is called upon inaccurately or only selectively – this will again call into question “how a decision maker should react to development proposals” (NPPF para 16). I would add that, whilst content of the NPPF and Core Strategy might provide part of the justification for the inclusion of a specific policy, they are not ‘evidence’ that the policy is needed locally or that the terms of the neighbourhood policy are justified.

On a related matter, I have expressed a concern about the repetitive use of “the proposal would not conflict with any other policies in the Plan”, or similar. It is probable that proposals will present a challenge to individual policies to varying degrees; by definition, sustainable development will be achieved by considering the economic, environmental and social factors collectively. Therefore, if it is needed at all, an overarching statement that the ‘Plan consists of individual policies that will be applied collectively as appropriate to individual proposals’, or similar, should provide sufficient clarity.

- We are keen to ensure that the policies are positively worded. It is not the intention to be negative and the community welcomes development that is appropriate and preserves the rural character and setting of the NP area. Any specific suggestions that you can make to improve this would, therefore, be very welcome.

Apart from framing the wording of policies positively, for which my recommendations can include, I believe that a significant improvement would arise from every Policy serving “a clear purpose” (NPPF para 16). To that end I would like to propose, and get your reaction to, the following, achieved by removing duplication and focusing exclusively on the neighbourhood:

D1 – establishes the boundary and purpose of the BUAB, including clarity that Model Village is in the countryside

D2 – establishes the preference for the reuse of previously developed land whether that land is within or outside of the BUAB

H1 – supports the provision of affordable housing when a local need is established

H2 – establishes a more particular policy for the use of garden land in Long Itchington [clarity still required on what distinguishes acceptable proposals drawn from successful examples]

H3 – establishes in principle support for proposals that broaden the range of housing

BE1 – establishes design standards for all types of development

BE2 – establishes the Heritage Assets to be conserved

EB1 – establishes in principle support for the expansion of existing businesses whilst resisting the loss of business sites to other uses

EB2 – establishes in principle support for the growth of tourism, in particular for additional caravan and camping facilities

NE1 – establishes valued views [clarity still required on the selection process which implies that views are solely concentrated at Long Itchinton].

NE2 – designates Local Green Spaces [larger scale maps required for unambiguous boundaries]

NE3 – designates green infrastructure [clarity required on the distinction of areas between LGS and GI]

NE4 –protection for Wildlife Habitats and Biodiversity [map could provide the local dimension]

NE5 – Flooding and Water Management for the Neighbourhood Area

NE6 – generic policy for Renewable Energy and Energy Efficiency

C1 – establishes in principle support for new and retention of existing community facilities

C2 – establishes in principle support for new and retention of existing Sports Grounds and Children’s Play Areas

C3 - establishes in principle support for new and retention of existing access to the countryside

C4 - establishes in principle support for new and retention of existing allotments [clarity still required as to whether allotments are preferred as LGS which, as Green Belt, would restrict any ‘development’ to that applicable in the Green Belt].

5. A ‘Built-Up Area Boundary’ for Long Itchington village has been identified on the advice of our planning consultants and discussions with SDC (which has not sought to remove it other than around Model Village as originally proposed). You have noted that BUABs (or ‘settlement boundaries’) are recognised as a legitimate means to manage the location of development (Policy SAP. 7 in the emerging plan) and this Policy states, inter alia, that a settlement boundary can help to ‘... prevent encroachment into the countryside.’ It is accepted that there is a discrepancy between the BUAB proposed by SDC and that in the NP. This appears to have arisen because a new housing development at Stockton Road was under construction at the time the NP boundary was drawn. This discrepancy will be removed. The plan on the Parish Council’s website you mentioned is out of date and will also be removed.

Noted.