

**Daventry District Council**

**Byfield Village Design Statement**

**Supplementary Planning Document**

**Statement of Consultation**

**Adopted February 2016**



## Introduction

This report sets out the consultation undertaken on the Byfield Village Design Statement Supplementary Planning Document. This report is required by Regulation 12 of the Town and Country Planning (Local Development) (England) Regulations 2012.

At its meeting on 10<sup>th</sup> September 2015 the Council's Strategy Group resolved that consultation could take place on the VDS.

## Consultation

Consultation commenced on 5<sup>th</sup> October 2015. Developers, Parish Councils and adjoining Local Authorities were notified.

## Publicity

The draft SPD could be accessed from the Planning Policy and Consultation pages of the Daventry District Council Website.

Copies were available in all district libraries as well as the Council Offices at Lodge Road, Daventry.

The Council placed notices in the Daventry Express, a copy of which is included at Appendix A.

## Consultation Period

Consultation took place with organisations referred to above and local residents on the document for a period of 6 weeks until 5.00pm on the 16<sup>th</sup> November 2015.

## Comments received.

Three responses were received. These are set out in appendix B.

## Consideration of Responses

The Council carefully considered all of the comments received. A number of changes were made to the document as a result of these responses. These changes are set out in appendix B.

The representations were reported to the Council's Strategy Group on 11<sup>th</sup> February 2016 followed by Full Council on 25<sup>th</sup> February 2016 when the document was adopted.

## Appendix A

### Byfield Village Design Statement

#### Town and Country Planning (Local Planning) (England) Regulations 2012

#### Regulation 12, 13 and 35 – Consultation Statement regarding Supplementary Planning Document

Daventry District Council is consulting on a Village Design Statement (VDS) for Byfield. The document will, when adopted, provide design guidance for development in Byfield parish and will supplement the Saved policies from the Daventry District Local Plan and the West Northamptonshire Joint Core Strategy.

The Council hereby welcomes comments from any interested party on the document. The document will be available during the consultation period for inspection at Daventry District Council, Lodge Road, Daventry, the libraries at Brixworth, Daventry, Long Buckby, Moulton and Woodford Halse during normal opening hours.

A copy will also be available on the Council's website:

<https://www.daventrydc.gov.uk/living/planning-policy/village-design-statements/>

The consultation commences on Monday 5<sup>th</sup> October and closes at 5pm Monday 16<sup>th</sup> November.

Comments in writing should be forwarded to Tom James, Principal Policy Officer (Planning), Daventry District Council, Lodge Road, Daventry, Northamptonshire, NN11 4FP or e-mail [planningpolicy@daventrydc.gov.uk](mailto:planningpolicy@daventrydc.gov.uk) by **5:00pm Monday 16<sup>th</sup> November** at the latest.

Comments cannot be accepted after this time.

Tom James  
Principal Policy Officer (Planning)

**Appendix B Schedule of Comments, Agreed Responses and Actions**

Respondent	Summary of Comments	Suggested Response	Suggested Action
Natural England	<p>Natural England is a non-departmental public body, with the purpose of ensuring the conservation, enhancement and management of the natural environment.</p> <p>Natural England welcomes design guidelines that respect and where possible, enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits to the local community.</p> <p>Offers the following general advice:</p> <ul style="list-style-type: none"> <li>• Give appropriate consideration to protected landscapes.</li> <li>• Cross reference local landscape character assessments.</li> <li>• National Character Area Profiles are useful to identify opportunities for positive environmental change.</li> <li>• Green infrastructure is relevant in the rural context and the VDS could</li> </ul>	<p>The VDS makes reference to preserving existing and planting new native trees in Guideline 4A.</p> <p>The Newham-Woodford Halse-Sulgrave East local green infrastructure Corridor runs to the east of Byfield, but not within the parish. The VDS does not refer to greenspace networks, biodiversity or linkages to greenspace beyond the village. However, green infrastructure connections are covered by Policy BN1 of the West Northamptonshire Joint Core Strategy and for this reason it is not considered necessary for the VDS to include a specific reference.</p> <p>The VDS was publicised through the parish magazine and made available on the village website.</p>	No change required.

	<p>usefully promote high quality and multifunctional green infrastructure.</p> <ul style="list-style-type: none"><li>• Welcomes design guidelines that respect and where possible, enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits to the local community.</li><li>• Features like trees, green facades and green roofs can be important in increasing ecological connectivity between green spaces.</li><li>• The design statement should recognise and reference designated wildlife sites and other biodiversity assets such as protected species, ecological networks, habitats and green spaces. Design guidelines should respect and where possible enhance the village's local and neighbouring biodiversity resources.</li><li>• Community engagement with the local community is important to ensure that they can contribute from the outset.</li></ul>		
--	---	--	--

<p>Gladman</p>	<p>Gladman Developments Ltd. specialise in the promotion of strategic land for residential development and associated community infrastructure. Every effort should be made to meet the housing and economic needs of an area whilst responding to wider opportunities for growth.</p> <p>There are fundamental concerns about the proposed VDS SPD which will need to be addressed.</p> <p>The Council will be aware that Gladman have land interests in land off Woodford Road and is actively working to promote the site for residential development.</p> <p>The role of the VDS SPD is to provide guidance on existing planning policy in line with the NPPF. It does not provide the opportunity to reinvent existing and adopted planning policies. Oppose the use of the word “Policy” throughout the VDS for this reason. It should be</p>	<p>The VDS will have the status of a supplementary planning document (SPD) and as such will be a material consideration in determining planning applications. However, as stated on the face of the Act and Regulations<sup>1</sup> and as further evidenced by the Milton Keynes judgement<sup>2</sup>, an SPD can contain policies relating to development and the use of land.</p>	<p>No change required</p>
----------------	---	---	---------------------------

<sup>1</sup> Planning and Compulsory Purchase Act 2004, Section 17(3) and (5); Town and Country Planning (Local Planning) (England) Regulations 2012, Regulation 8(2) and (3).

<sup>2</sup>[2013] EWHC 751. Available at <http://www.bailii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWHC/Admin/2013/751.html&query=751&method=boolean>

	amended to clarify that it is guidance.		
	<p>Oppose Policy 3 – Positioning of multi-unit developments, which states that “Byfield residents would hope that major multi-unit developments are not permitted...” This does not accord with national policy which seeks to significantly boost the supply of housing. The statement does not relate to any design measures and its inclusion is questioned. It should be deleted.</p>	<p>Byfield is defined in the Local Plan as a Restricted Infill Village (saved Local Plan Policy HS22). In such villages development is restricted to small scale development within the existing confines of the village. Large scale housing development such as that referred to in the guideline would not be in conformity with this policy in any case. However, changing the emphasis of the guideline to integrating new development into the village would be more appropriate for the VDS.</p> <p>The settlement hierarchy and policies in the emerging Part 2a Settlements and Countryside Local Plan will provide new local policy on the level of development considered appropriate in the villages and settlements. Until the hierarchy has been defined, the existing saved</p>	<p>Re-title policy to “Integration of new development” and re-word as follows:</p> <p><del>“Byfield residents would hope that major multi-use developments are not permitted. However, if they are ever permitted they</del> <i>New development</i> should be integrated and positioned in the village landscape.....”</p>

		<p>policies will apply, alongside the Joint Core Strategy and NPPF.</p>	
	<p>Object to Policy 7A – Future Proofing, which goes beyond the requirements of Building Regulations. This might harm the viability of a proposal and would be inconsistent with NPPF paragraph 173.</p>	<p>The issue covered by this policy overlaps with 7D Sustainability. It is considered that 7A could be combined with 7D. By asking developers to consider and not require sustainable design and features it is considered that the policy will be consistent with the requirements for energy efficiency recently introduced through the Deregulation Act 2015.</p>	<p>Delete policy 7A and re-word 7D as follows:</p> <p><i>“Developers and architects <del>must be required to demonstrate that should consider how</del> their proposals can incorporate <del>are</del> sustainable and <del>possess the design flexibility</del> flexible design features <del>that sustainable</del> that will enable them to remain <del>so</del> sustainable into the foreseeable future and respond to future changes in the world. Wherever space is available provision should be made for household sustainability.</i></p> <p>Re-word supporting paragraph below as follows:</p>

			<p>“.....should not compromise the needs of the future. <i>Sustainable and flexible design could consider issues that include attention to energy, waste and water management, provision of garden areas, domestic office or workroom space and off-road parking space.</i></p>
	<p>Significant concerns about provisions of Policy 7E – Sociability, which has no regard to design principles and strays into matters best dealt with in a neighbourhood plan.</p>	<p>This policy and Overall Policy (vi) are concerned with “sociability” and are not related to design and visual character. It is considered that they should both be deleted although the supporting text paragraphs 15) (i) – (iii) above can be retained.</p> <p>The views of residents, the Parish Council and local interest groups will be taken into consideration by the District Council when determining planning applications. It is not necessary for this to be a policy</p>	<p>Delete policy 7E and part (vi) of Overall Policy.</p>

	<p>Overall policy should be considered in the context of the environmental and economic benefits of a development i.e. provision of market and affordable houses to meet a shortfall, improved landscaping/green infrastructure and increased expenditure.</p>	<p>Byfield is defined in the adopted Local Plan as a Restricted Infill Village and major development outside the confines would not be in keeping with existing local policy. The emerging Part 2a Settlements and Countryside Local Plan will allocate villages and settlements to a hierarchy but until this is adopted, the existing saved policies will apply alongside the Joint Core Strategy and national policy.</p>	<p>No change required.</p>
	<p>Policy should recognise the best use of land. Would support an approach that would ensure density assumptions are considered on a site by site basis to ensure that each site achieves the optimum density for its location, context, infrastructure and accessibility. Inappropriate density assumptions would be contrary to NPPF paragraph 47. Densities should be discussed with stakeholders and developers.</p>	<p>In terms of density, Policy H1 of the Joint Core Strategy states that developments should make the best use of land subject to criteria, which include the existing character and density of the local area. Given this, the VDS policy should be amended to say that density of development should respect the local context.</p>	<p>Re-word overall policy (v) to:</p> <p>“...house plots or development areas. <i>Density of development should reflect the local context. If higher density <del>close-packed</del> development is ever necessary.....”</i></p>

	<p>The Parish Council will be aware of Gladman's interests in land off Woodford Road. The Byfield. Map on page 44 clearly shows that no footpaths or important viewpoints affect this land. An outline application has been submitted and a subsequent reserved matters application can take account of detailed design guidance.</p>	<p>A previous application referred to in the response was refused (reference DA/2014/0724). There is a current application (reference DA/2015/0276) which has not been decided. The refused application has been subject to an appeal, a public inquiry is scheduled for May 2016.</p>	<p>No change required.</p>
<p>Michael Buckley</p>	<p>Please accept this email as a ringing endorsement of the VDS. It completely captures the essence of what Byfield is and should continue to be. All planning requests should be viewed in comparison to the notes of the details of the houses, landscape and atmosphere that have made the village a great place to live and outlined in the VDS.</p>	<p>Comments welcomed.</p>	<p>No change required.</p>