

This form has two parts:

Part A – contact details

Part B – your representation

Please fill in a separate sheet for each representation you wish to make.

Ref:

(for official use
only)

Part A

1. Personal Details*		2. Agent's Details (if applicable)
<i>* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in column 2.</i>		
Title		Mr.
First name		Gregg
Last name		Boyd
Job title (where relevant)		Senior Planner
Organisation (where relevant)	Roseneath Estates	Iceni Projects
Address line 1		114-116 Charing Cross Rd
Line 2		
Line 3		
City/Town		London
County		
Postcode		WC2H 0JR
Telephone number		07776688179
Email (if provided we will always contact you this way)		gboyd@iceniprojects.com

Part B: Please use a separate sheet for each representation

Please note all comments will be made publically available. If you do not have sufficient space in the box please continue on a separate sheet or expand the box.

3. To which part of the Local Plan does this representation relate?	Paragraph number	Policy number	Policies Maps
Vision & Spatial Strategy	Please see attached letter of representation to this form (dated 5 th October 2018) which sets out the specific paragraph numbers, policies and policies maps which are of concern.		
Development in the Rural Areas			

4. Do you consider the Local Plan is: (please tick in the box below as appropriate and then provide details in the space below)				
4. (1) Legally compliant?	Yes	✓	No	
4. (2) Compliant with the Duty to co-operate?	Yes	✓	No	
4. (3) Sound?	Yes		No	✓
4 (3) Please give details of why you consider the Local Plan is not sound, referring to the tests of soundness as appropriate, be as precise as possible.				
<p>Please see letter of representation at the back of this form (dated 5th October 2018) which provides details of why we consider the Local Plan is not sound; referring to the following tests of soundness:</p> <ul style="list-style-type: none"> - Positively Prepared - Justified - Effective - Consistent with National Policy 				
5. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the matter you have identified at part 4(1) or 4(3) above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. <p>It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.</p>				
<p>Please see attached letter of representation at the back of this form (dated 5th October 2018) which provides details of the modifications we consider are necessary to make the Local Plan sound.</p>				

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matter and issues he/she identifies for examination.

6. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? (please tick as appropriate)			
No , I do not wish to participate at the oral examination		Yes , I wish to participate at the oral examination	✓

7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.
<p>We have a number of objections to the Local Plan with particular concerns around the spatial strategy and the approach to development in the rural areas. We consider, as set out in our representations below this form, that a number of fundamental modifications are required to address our concerns.</p> <p>We consider that the Local Plan fails to support the objectives of the strategy by failing to support sustainable development in rural areas. We strongly consider that the Local Plan should be modified to rebalance growth across the District with greater flexibility for development in rural areas. This would enhance the vitality of rural communities as per the objectives of the Spatial Strategy; which the Local Plan as drafted currently fails to do.</p> <p>It is necessary we are able to articulate this case to the Inspector, on behalf of residents within local communities such as Creaton, where those residents are of the view that sustainable development is required to sustain the services and facilities within the village but may not be in a position to argue this case at an Examination in Public.</p>

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

8. Please tick the box if you wish to be notified of further progress of the Local Plan.	✓
---	---

9. Signature		Date	05.10.2018
---------------------	--	-------------	-------------------

Thank you for taking the time to complete the form.
Please return it to the Local Strategy Service at Daventry District Council
by 4.30pm on Friday 5th October 2018.
Responses received after this time will not be accepted.



PS072

Flitcroft House
114-116 Charing Cross Rd
London WC2H 0JR
tel: +44 (0)20 3640 8508
fax: +44 (0)20 3435 4228
email: info@iceniprojects.com
web: www.iceniprojects.com

FAO: Local Strategy Team
Daventry District Council
Lodge Road
Daventry
Northamptonshire
NN11 4FP

5th October 2018

Dear Sir/Madam,

THE SETTLEMENTS AND COUNTRYSIDE LOCAL PLAN (PART 2) - REPRESENTATIONS TO THE PROPOSED SUBMISSION PLAN

We write on behalf of Roseneath Estates Ltd “Roseneath” to submit representations to the Daventry District Council (“the Council”) Settlements and Countryside Local Plan (Part 2) Proposed Submission Plan. Our client has land interests at Teeton Lane in Creaton, a Site Location Plan for which is attached at Appendix 1.

These representations build on previous iterations submitted to the Issues and Options Consultation and the Emerging Draft Consultation, in March 2016 and January 2018 respectively. The arguments set out within our previous representations have not been incorporated; therefore, our fundamental objections to the Plan remain.

We reiterate herein matters that are significant in ensuring the plan is found **sound** at the Examination in Public scheduled for December 2018 to June 2019 a set out in the Council’s Local Development Scheme (December 2017) – albeit this is likely to be marginally out of date given the timing of this Consultation. Our primary objection to the Submission Local Plan is that it fails to support the long term sustainability and vitality of rural settlements - of which there are many in Daventry by the very nature of the District – contrary to what is set out in national policy.

It should be set out upfront that a revised National Planning Policy Framework (July 2018) has since been published following the Emerging Draft Consultation in January 2018; however, the transitional arrangements set out within this revised Framework state clearly that Local Plans submitted on or before 24th January 2019 should be examined against the policies of the previous Framework (March 2012). As a result, these representations focus on the previous Framework of March 2012.

The Local Plan fails to balance growth across the District which could be achieved by directing sustainable growth to smaller settlements as well as allocating larger strategic sites, with the Proposed Submission Local Plan simply relying on the latter to deliver the required number of homes over the Plan Period which is not positive planning, nor it is justified. As such, this representation seeks to confirm that the Local Plan as currently drafted **should not be found sound**.

a. Strategic Matters.

The Vision, Spatial Strategy and Rural Settlements

The 2012 Framework sets out a number of strategic matters that must be considered by plan-makers in the preparation of new Local Plans. A number of those matters with particular relevance to Daventry can be summarised as follows, whereby it is necessary for Local Plans to:

- Widen the choice of high quality homes [9];
- Positively seek opportunities to meet the development needs of the area [14];

- Contain sufficient flexibility to adapt to rapid change [14];
- Be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption in favour should apply locally [15];
- Respond positively to wider opportunities for growth [17];
- Seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings [17];
- Boost significantly the supply of housing [47];
- Meet the full objectively assessed housing needs of the housing market area and identify key sites that are critical to delivery of the housing strategy over the plan period [47]; and
- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups [50]

As the Framework makes clear, the Proposed Submission Local Plan should respond positively to the wider opportunities for growth, boost significantly the supply of housing and positively seek opportunities to meet the development needs of an area. However, for rural areas the Local Plan supports somewhat of a conflicting case in this regard. On one hand, the Local Plan Vision, which acts as a strategic mission statement for the District's future states:

“Our rural area will support a network of vibrant rural communities. Villages will retain their local distinctiveness and character, providing affordable homes for local people set within a beautiful landscape. The countryside will support a diverse rural economy including leisure and tourism through its waterways, country houses, parks and woodlands” (our emphasis)

However, on the other hand, the Spatial Strategy for the District moves to focus development at Daventry town only, with the Plan referencing the need to limit residential development in rural areas in order to underpin the Spatial Strategy. We consider it is somewhat unlikely that this lack of positive planning in rural areas will be effective in supporting a network of vibrant rural communities.

As the Framework [182] states, in order for a Plan to be sound, it must be:

- Positively Prepared – the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and where it is consistent with achieving sustainable development;
- Justified – the Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with National Policy – the Plan should enable the delivery of sustainable development in accordance with the policies in the Framework

It is considered that in order for the Local Plan to satisfy this criterion, it should revisit the Spatial Strategy and adopt a more balanced approach across the District which responds to not just the housing numbers, but to the true needs of rural communities such as Creaton.

This can be achieved by distributing the housing requirement across the District to smaller settlements such as Creaton which can deliver housing in the short-term and meet the needs of the local communities now, whilst distributing a portion of the housing requirement to larger strategic sites on the edge of Daventry which will deliver long-term and support overall growth in the District.

Overall, it is considered that the Plan, as currently drafted for submission, is not positively prepared and the Vision of the plan cannot be followed and should therefore be amended to reflect a better balance of housing provision rather than simply focussing development in and adjoining Daventry town.

b. Development in the Rural Areas

The Proposed Submission Local Plan sets out that rural areas will be the focus for about 2,360 dwellings to 2029, which is drawn from the West Northamptonshire Joint Core Strategy (WNJCS). The Plan [5.1.02] acknowledges that:

“Whilst the figures are expressed as ‘about’ and are not a ceiling, they are crucial to underpin the overall spatial strategy contained within the WNJCS of directing greater levels of growth to Daventry town.” (our emphasis)

This acknowledgement is welcomed, and we would place emphasis on the reality that a housing requirement is not a ceiling. The Framework is clear that in the context of housing delivery, a presumption in favour of sustainable development should be applied [44].

Alarming, the Council consider that it has now met the requirement of ‘about’ 2,360 dwellings in rural areas to 2029. We strongly dispute this assertion, and it is our case as part of these representations that the Council should aim to amend the proposed wording of Policy RA2 to ensure that this level of provision is seen as a minimum, allowing for flexibility so as to not restrict the provision of sustainable, deliverable sites in addition to this which should be approved without delay in accordance with the Framework [15].

Reconsidering Rural Settlements

The Council’s evidence base document ‘Settlement Hierarchy Background Paper’ (November 2017) is of particular relevance in considering the criterion of Policies RA1-RA6 in the Proposed Submission Local Plan. For instance, it states specifically in relation to Creaton that:

‘Since 2011, 1 dwelling has been completed and as at 1st April 2017 and 5 dwellings had planning permission which is relatively lower than some other secondary service villages. A housing need survey conducted in December 2012 identified a need for 3 affordable houses which is considered will be met by existing permissions’

We are grateful to the Council for producing this evidence base document which clearly highlights the village has 196 existing properties but only 6 in the planning pipeline for delivery and concludes its position as 20th in the hierarchy and defining Creaton as a Secondary Service Village under Policy RA2.

In this regard, we wish to emphasise this pipeline position is not one which provides a sound basis for supporting sustainable growth, or one which will enhance or maintain the vitality of rural communities in contrast to the Framework [28 and 54].

We consider that the provision of additional housing in rural settlements such as Creaton can make the settlement more sustainable by supporting existing services and facilities. We consider that Creaton has significant potential to support additional development given the range of services and facilities available (e.g. school, public house, shops & post office) and in turn, the provision of additional housing will support these services, as well those services in nearby villages.

Policy RA2 – Secondary Service Villages

As identified above, Policy RA2 identifies Creaton as a Secondary Service Village as a result of its scale and role in providing access to key services for local people. The Plan [5.2.21] goes on in stating that the rural requirement across Daventry has been met and there is no justification for further allocations for Secondary Service Villages within the Proposed Submission Plan.

To reiterate, Roseneath strongly disputes the assertion that the housing requirement within rural areas has been met. It should be stressed that this requirement is not based upon any up-to-date quantitative evidence of housing need in rural areas. Indeed, Daventry District Council's latest Housing Need Survey for the village of Creaton is now out-of-date having been prepared in November 2012. As such, it can no longer be considered to represent the true needs of the local community.

Furthermore, the housing requirement contained within the WNJCS which informs Policy RA2 is based on a Housing and Market Needs Assessment conducted in December 2013. It is considered that a Local Plan should plan positively and look to meet an up-to-date assessed housing need for the *local areas* within its District.

Considering the views of local communities, Creaton Parish Council's representations to the Emerging Draft Local Plan in January 2018 drew attention to the fact there has been consistent justification for development in the village. In their representations, the Parish Council note that:

- "The support for long term sustainability of rural communities appears to be at best minimal and actively seeks to prevent any organic or planned growth by way of 5.2.19"
- "The confines of the village are we assume on Inset Map 14. This has been drafted so as to provide a totally restricted boundary to the extent of ignoring existing dwellings and simply mirrors the 1994 plan. This inevitably leads to the conclusion that no small scale development will be permitted except in "exceptional circumstances"
- "The exceptional circumstances within 5.2.21 are to say the least, very limited and are effectively where a need is identified in the Housing Needs Survey or to support under threat local services"
- "Without an active growth of rural communities, they will stagnate and bring about loss of schools and place a heavy burden upon healthcare facilities due to inappropriate housing for the elderly. This should not need to be "exceptional circumstances" it should be planned."

The Parish Council's representations are shaped around the following key matters, which are relevant to Creaton as well as other villages in Daventry:

- an ageing population with no housing in the local area for the elderly to downsize into. This a national issue but is particularly heated in small scale settlements in rural areas;
- affordability issues with the inability for young families to move within the village and remain close to family; and
- the local primary school is struggling, mainly due to the ageing population and a lack of available houses for families.

In this regard, the policy objectives contained within Policy RA2 are unsound and unjustified. Daventry Council should (a) consider whether any updated evidence regarding housing need in these locations changes the policy requirements of the Policy itself and (b) take account of the views of the local community, such as those being voiced by Creaton Parish Council – which are significant.

Policy RA2 – Exceptional Circumstances

In line with the past comments of Creaton Parish Council, we also wish to highlight that the restrictive nature of the Proposed Submission Local Plan is apparent no more so than under Policy RA2. The Plan [5.2.23] appears to hinder any potential for flexibility, in stating that:

"there may be scope for development outside of the confines but only in exceptional circumstances" (our emphasis)

The 'exceptional circumstances' could include where the housing land supply is less than five years; where the development clearly meets an identified local need; or where a scheme is required to

support a local service. It is our argument that the Local Plan should look more towards the wording of the WNJCS [6.16] which recognises that:

“Whilst in general terms the rural housing needs will be set by the requirements set out in Policy S3, it is not the intention of the Plan to prevent additional appropriate development in the rural areas from coming forward” (our emphasis)

Clearly, the overly restrictive and negative policy such as Policy RA2 is not in line with national policy and does not seek to boost significantly the supply of housing. It is considered that this policy and the supporting text should be amended to reflect the presumption in favour of sustainable development in order to ensure that development which is sustainable and deliverable is approved without delay, contributing to the vitality, vibrancy and sustainability of rural settlements such as Creaton.

Policy RA6 – Open Countryside

It is considered that the policy wording for Policy RA6 should be amended in order to align with the objectives of the Local Plan Vision and be consistent with the National Planning Policy Framework.

At present, the policy does not provide for the necessary level of flexibility on settlement edges which is required; and fails to support the sustainable growth of villages which fall under the category of Secondary Service Villages [Policy RA2]. In contrast to the Vision, this does not support vibrant rural communities; rather it hinders rural communities.

On consistency with the Framework, the Local Plan plainly misinterprets the wording of national policy. Whereas the Framework states that planning should

“take account of the different roles and character of different areas... recognising the intrinsic character and beauty of the countryside” (our emphasis)

Policy RA6 moves to place unjustified emphasis on *protecting* the Countryside as if it were Green Belt land or land situated within an Area of Outstanding Beauty, by stating:

“The intrinsic character, beauty and tranquillity of the open countryside of the District will be protected” (our emphasis)

This is not justified, not effective, not consistent with national policy and is by no means positive planning set against the four tests of sound planning in the Framework [182] which point towards the need for a more flexible approach to Countryside development in the District.

c. The Proposed Development at land at Teeton Lane

Roseneath has previously submitted information highlighting the deliverability of land at Teeton Lane to provide a small scale development that would contribute towards meeting the future housing needs of the village. In line with what we suggest above in respect of the Council moving towards a more flexible approach to development in rural areas and settlement boundary limits, we consider this site will contribute to meeting an established need for housing and help towards achieving the vision of supporting the vibrancy of rural communities.

We note this site has been collated within the Council’s HELAA review provided as part of the evidence base; however, we would like to reiterate that the site:

- Is partly situated within the proposed settlement boundary and is not physically detached from the village, representing a sustainable growth opportunity commensurate to the village of Creaton which will enhance the sustainability of the existing settlement
- Benefits from excellent connections to the local strategic road network including the A14 and M1, as well as good public transport services towards Northampton and Welford where national rail services can be accessed;

- Is located in close proximity of the community facilities located within the village, including Creaton Post Office and Village Shop; Great Creaton Primary School; Creaton Village Hall; The Bricklayers Arms; and Village park;
- Provides an opportunity to provide for local housing needs as identified by the Parish Council, resulting in a wider choice of homes for the existing community of Creaton and those wishing to relocate to the village.

Fundamentally, the Parish Council has suggested that the site is one of two preferred options for development within the village. This stems from a Neighbourhood Plan Consultation in 2012, when 43% of respondents felt that site was “very suitable”. Coupled with this, it should be noted that landowner has received a number of recent enquiries regarding purchasing and renting prospective housing on this site.

In addition, as a minimum it is our recommendation that the Council realign the proposed settlement boundary of Creaton to include the entire curtilage of Berkley, 15 Teeton Lane within the confines of the settlement. At present, the proposed settlement boundary stops short of the curtilage boundary. The approach, as currently drafted, is not considered to be justified.

In context, this is inconsistent with the approach drawn for other properties within the village of Creaton (whereby the extent of a property’s curtilage is included) as well as other nearby settlement boundaries. None of these settlement boundaries simply ‘cut’ gardens in half from the settlement edge.

In order for the Plan to be effective, justified and positively prepared; it is considered that the approach to settlement boundaries should reflect a consistent and local approach which provides flexibility for prospective development which would boost significantly the supply of housing in line with the Framework [47]. As part of this, one imperative adjustment would include realigning the proposed settlement boundary of Creaton to reflect the extent of existing curtilages.

It is also our case that the settlement boundary of Creaton – and indeed the boundary of other villages – are not positively prepared and are drawn to restrict, rather than to encourage sustainable growth where appropriate in order to significantly boost the supply of housing in line with the Framework. It is considered this approach is somewhat outdated and the boundary should be amended to enable sustainable development which relates well to the existing settlements to be approved without delay.

d. Summary and Conclusions

In summary, these representations highlight to the Council and the Local Plan Inspector that in order for this Plan to be sound, it requires the following modifications:

- Support sustainable development in rural areas through both site allocation and windfall development in the context of the NPPF’s avocation of sustainable development, such as development at Land at Teeton Lane, which relates strongly to the existing village of Creaton;
- Recognise the need to adopt a flexible approach to settlement boundaries and development confines in order to boost significantly the supply of housing in line with the Framework and
- Update housing need evidence in small settlements to allow for more closely aligned development commensurate to the size of each settlement.

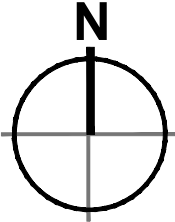
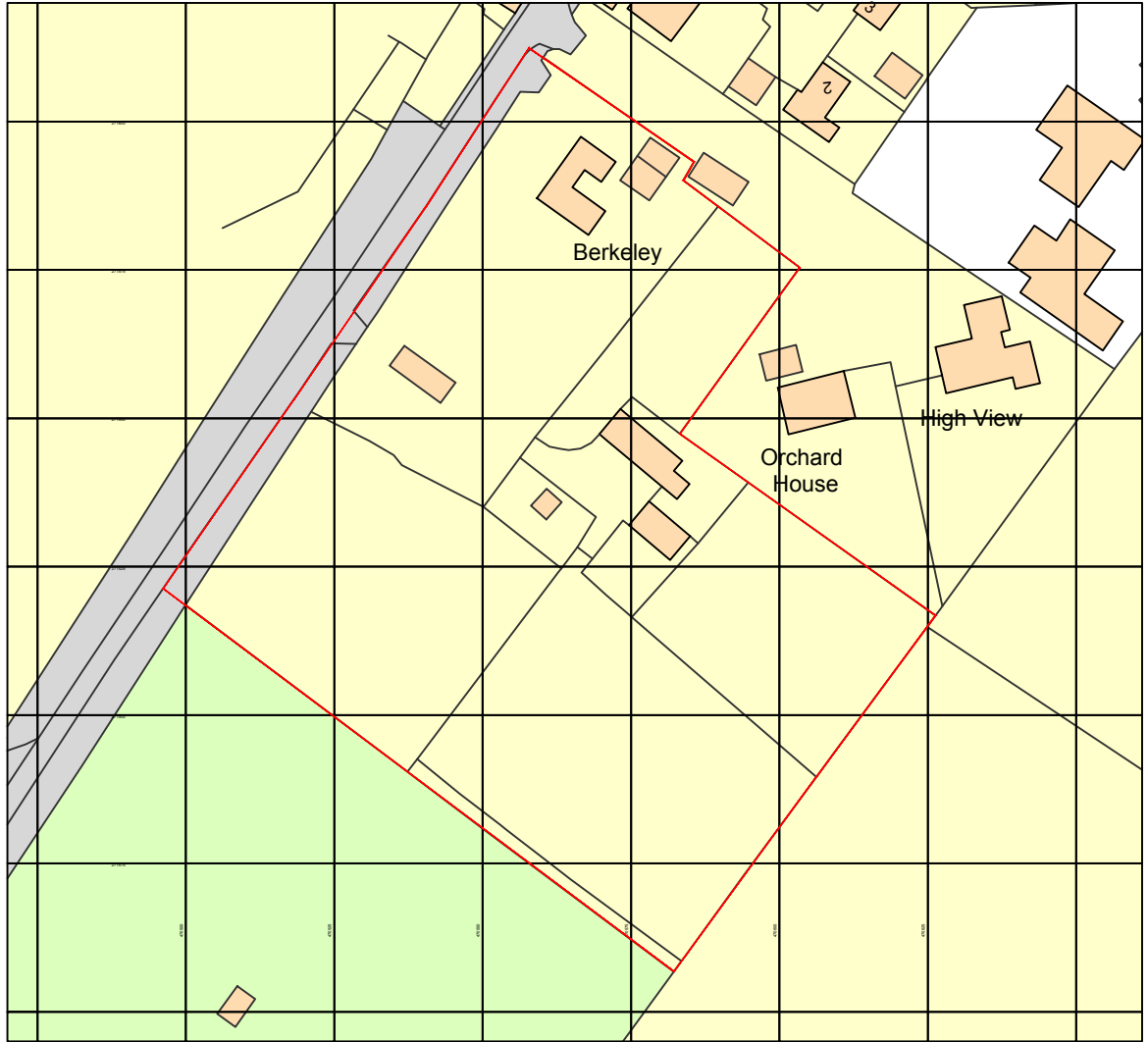
Thank you for providing us with the opportunity to comment on the Proposed Submission Local Plan document. We would be very grateful for confirmation that these representations have been received and confirm that we would like to be involved at the Examination in Public.

We trust that the comments are helpful and clear, however if you require further clarity on any of the comments made please do not hesitate to contact me on gboyd@iceniprojects.com.

Yours Faithfully,

Gregg Boyd
Senior Planner

APPENDIX 1: SITE LOCATION PLAN



Ordnance Survey, (c) Crown Copyright 2018. All rights reserved. Licence number 100022432

Site Location Plan - Teeton Lane, Creton, Northampton

Scale 1:1250

