

# #33

**COMPLETE**

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## Page 2: Part A

### Q1 Personal Details\*

Title	<b>Cllr</b>
First Name	<b>Nick</b>
Last Name	<b>Bunting</b>
Organisation (Where Relevant)	<b>DDC</b>
Address Line 1	<b>c/o Council Office</b>
City/ Town	<b>Daventry</b>

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### Q2 Personal Details Continued

Email (If provided we will always contact you this way)	<b>nbunting@daventrydc.gov.uk</b>
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### Q3 Agents Details (If Applicable)

**Respondent skipped this question**

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### Q4 Agents Details Continued

**Respondent skipped this question**

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## Page 3: Part B

### Q5 To which part of the Local Plan does this representation relate? Please state paragraph Number/ Policy Number/ Policies Maps

ENV1 & ENV2

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### Q6 Do you consider the Local Plan is:(Please tick in the box below as appropriate and then provide details in the space below)

(1) Legally Compliant?	<b>Yes</b>
(2) Compliant with the Duty to co- operate?	<b>No</b>
(3) Sound?	<b>No</b>

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**Q7** (1) Please give details of why you consider the Local Plan is not legally compliant, be as precise as possible. **Respondent skipped this question**

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**Q8** (2) Please give details of why you consider the Local Plan does not comply with the duty to co-operate, be as precise as possible. **Respondent skipped this question**

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**Q9** (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.

ENV1 & ENV2 will result in the removal of the SLA from the Nene Valley slope on the eastern side.

18. Differences in professionals' opinions should merit a precautionary approach in making changes; TEP have not made it clear how individual elements/attributes contribute in determining special qualities or distinctiveness, which undermines the original work. HBA consider the proposed deletion of the SLA at Brixworth must inevitably lead to erosion and degradation over time of a valued landscape. HBA do not consider the TEP photos support the case for SLA exclusion; further the TEP rebuttal does not counter the concerns or criticisms raised by HBA nor are the TEP arguments sufficiently robust and removal of the SLA is not merited and the existing SLA boundary should be retained.

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**Q10** 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. 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.

Retain the existing eastern edge of the SLA - approximately along the line of the A508 from the Bramptons, to the west of edge of Brixworth, north along the A508 including the village of Hanging Houhton, and the village of Draughton

Officers, Richard Wood, have confirmed that a fuller narrative response provided to them will be included in the submission to the Inspector

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**Q11** 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) **Yes, I wish to participate at the oral examination**

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**Q12** If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

To provide the context as the local ward councillor as the importance of retaining the existing boundary of the SLA

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**Q13** Do you wish to be notified of further progress of the Local Plan **Yes**

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## Comments on the revised DDC Settlements and Countryside Local Plan Cllr Nick Bunting

### Introduction

1. As the District Councillor for the Brixworth Ward within Daventry District, I write to support the objections to the Daventry District Council (DDC) Settlements and Countryside Local Plan (the Plan) to remove the Special Landscape designation from the Nene Valley adjacent to the villages of Brixworth, Hanging Houghton, Lamport and Draughton. Landscape character assessment (LCA) is the process of identifying and describing variation in character of the landscape. LCA documents identify and explain the unique combination of elements and features that make landscapes distinctive by mapping and describing character types and areas<sup>1</sup>.
2. Our landscapes are extremely important to us, they are part of our cultural heritage. With sympathetic planning, design and management they offer an opportunity to provide a more harmonious link between man and the natural world, for the benefit of both. Sensitive, informed, and integrated approaches should help us all to conserve, enhance, restore and regenerate landscapes that are attractive, diverse and publically valued, showing that environmental, social and economic benefits can go hand in hand.
3. Over the centuries writers, artists, and others have described and enthused about our landscapes. They have linked them with the social and economic processes and practices of the period, successfully describing and articulating what it is that is special about our landscapes, whether urban, rural, or somewhere in between. Importantly, they illustrated what makes one landscape different from another. Appreciation and understanding of our landscapes has increased over time, latterly via qualitative and quantitative methods associated with the social and natural sciences and often prompted by the need and desire to record, understand, influence, and manage change.

### Background

4. The representations that argue why the proposed withdrawal of the status of Special Landscape Area (SLA) from Boughton to Maidwell is not reasonable or acceptable - or at the very least, questionable are summarised in the following paragraphs.
5. The proposal is that the eastern sloping edge of the Brampton Arm of the River Nene is excluded (i.e. approximately from the valley floor to the A508) whereas the western sloping edge down to the river is retained (looking south to north).
6. Brixworth Parish Council (BPC) through the Brixworth Neighbourhood Plan Steering Group (BNPSG), has sought technical advice to advise them on this process from a number of

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<sup>1</sup> Introduction to Landscape Character Assessment

professionals.

7. TEP (the DDC's consultants) produced a report recommending the retention of the Special Landscape Area (SLA) status, but revising certain boundaries.
8. BPC produced, following extensive consultation with Officers at DDC the Brixworth Neighbourhood Development Plan (BNDP) finalised in December 2016. The BNDP included specific references to the surrounding landscape with regard to the sensitivity of the land to change, the views and setting of the settlement of Brixworth and referencing the SLA. The land sensitivity statements and BNDP subsequent policies are based upon evidence provided by an independent consultant Lockhart Garratt.
9. The BNPSG made previous representations to DDC objecting to the proposed revision of the SLA by contraction of its eastern edge from a line roughly along the A508 ridge line to the Nene Valley floor. These initial representations were presented on behalf of the BPC and BNPSG by Aitchison Raffety including an independent alternative report by consultants HBA.
10. DDC Officers have created a comprehensive plan for the period up to 2029 based the stated desire to develop the town of Daventry and selected Suburban Urban Extensions (SUEs), together with protection of valued rural landscape.
11. The report was commissioned by DDC in September 2016 and published in May 2017 to examine the robustness of SLA status. The report made recommendations to the boundaries of the SLA. It was examined by an independent consultant Huskisson Brown on behalf of the Brixworth Parish Council (BPC) who disagreed with its findings with regard to the loss of SLA status around Brixworth. Representations were made to DDC objecting to the report on behalf of BPC by Aitchison Raffety using the HBA report as evidence and including objections from the Brixworth Neighbourhood Plan Steering Group (BNPSG). TEP was instructed by DDC to consider the representations and TEP produced a response, which stated that they stand by their original report.
12. The report has a disjointed way of presenting the information. It is not a cohesive document and there are factual errors in spelling of place names and incorrect dates quoted, however, this is not the time for redrafting. Of importance though is that TEP quote the plan life as 2011 to 2019 and it should read 2011 to 2029.
13. The BNP was developed over several years and at all times in consultation with officers at DDC. DDC officer advice was considered and included where relevant within the plan and the support was appreciated by the BNPSG. The plan was made in December 2016 and thus was available for TEP as a supplementary planning document, although does not appear to have been consulted by TEP. The BNP is not anti-development as construction of some 240 homes along with several benefits to the community was supported.
14. Two key policy areas make reference to the SLA, Policy 2 relating to construction in the open countryside and Policy 3 relating to protection of key views around Brixworth.
15. Indeed no reference was made to the "made" neighbourhood plan in the TEP report, so policy wording already accepted and being used by DDC appears not to have been considered by

TEP.

16. In the TEP introductory page Huskisson Brown believe that the TEP report has not established a case for withdrawal of SLA status and argue that this radical change is not sufficiently proven. They have seen the TEP representation response and argue that this will reduce the level of protection of valued landscape over time and there is sufficient uncertainty to warrant not reducing the SLA around Brixworth especially.

### **Sustainable landscapes**

17. It has been repeated emphasised that it is matter of interpretation and opinion and that current methodology should be used. To paraphrase the recently issued NPPF the debate is about 'demonstrating why normal planning and development management policies would not be adequate'.
18. Differences in professionals' opinions should merit a precautionary approach in making changes; TEP have not made it clear how individual elements/attributes contribute in determining special qualities or distinctiveness, which undermines the original work. HBA consider the proposed deletion of the SLA at Brixworth must inevitably lead to erosion and degradation over time of a valued landscape. HBA do not consider the TEP photos support the case for SLA exclusion; further the TEP rebuttal does not counter the concerns or criticisms raised by HBA nor are the TEP arguments sufficiently robust and removal of the SLA is not merited and the existing SLA boundary should be retained.
19. It is recognised that "...our landscapes have evolved over time and will continue to evolve – change is constant but outcomes vary. The management of change is essential to ensure we achieve sustainable outcomes – social, environmental and economic. Decision makers need to understand the baseline and the implications of their decisions for that baseline. The process of Landscape Character Assessment has an important role to play in managing and guiding change. The character assessment should involve an understanding of how the landscape is perceived and experienced by people<sup>2</sup>.
20. A summary of the history of SLA demonstrates how it has been used to manage and guide that change and the relationship with development in recent years:
- a) Refusal of Sedgebrook village from Sedgebrook to within one field of Brixworth confines.
  - b) Refusal and appeal dismissal of a golf course at Merry Tom Lane Farm - References DA/2002/0636 and APP/Y2810/A/03/1120164. The main reason for dismissal "is the impact and scale and nature of the proposed development on the character and appearance of the landscape, particularly bearing in mind that the appeal site lies within a designated Special Landscape Area." Also, "it would fail to protect, conserve or enhance the character of this Special Landscape Area and would fail to accord with relevant national and local planning

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<sup>2</sup> Principle 3 – Key Principles for Landscape Assessment

policies.”

- c) Refusal and appeal dismissed of a garage erection in Stonehill Way as it would diminish views to the SLA - References DA/2012/0684 and APP/Y2810/ D12/2189368. The Inspector stated that the main reason for rejection is its “effect on the character and appearance of the surrounding area”, and “the proposed garage would appear as an incongruous addition from the setting of the village against the open countryside of the Special Landscape Area. This is characterised by open undulating countryside”
  - d) Refusal and appeal withdrawn of 150 houses at a site to the west of Northampton Road References DA/2011/0628 and APP/Y2810/A/12/2171440/NWF. In this case Daventry District Council engaged a consultant Liz Lake Associates to examine the merits of that proposal by Carter Jonas on behalf of the Merchant Venturers
  - e) Beyond the confines of Brixworth the Inspector has dismissed the erection of wind turbines seven in total across two applications. Along with other infill developments in Maidwell where the SLA was cited.
21. The designation of the land identified as 4d on the plan as an SLA is important to the layered protection of the character and views of the area, which are probably some of the best in the County.
22. It appears that:
- a) Little consideration has been given to longstanding consensus in the landscape evidence base;
  - b) There has been limited change in the physical or perceptual qualities of the landscape since it was first designated or reviewed since the 2014 changes to the definition of Landscape Character Assessment, for the BNP; and
  - c) It is not considered appropriate to remove the low-lying areas and eastern boundary as it lacks refinement and fails to recognise the special qualities of the underlying geology and physiology of the Northamptonshire uplands and adjoining vales and the relationship between the two. It is the tributaries which dissect the landscape that create and emphasise the rolling and undulating landscape.

### **Balance of Opinion**

23. Further it does seem to be illogical to remove the eastern boundary edge as both sides of the valley have similar gradients, landform, field pattern and scenic qualities. In my and that of other consultants opinion the western side of Brixworth both shares the special qualities associated with the SLA and contributes to the appreciation of these special qualities in the wider SLA on the eastern side of the valley.
24. The study is not transparent in its assessment process. No information is provided to clarify weighting or similar, or justification for comments such as “sufficient” distinctiveness. The proposed boundary amendments are wrong and potentially damaging to the special qualities that

the designation seeks to protect and would leave a swathe of valued landscape unprotected.

25. TEP has reviewed the scope and content of the representation from BPC. TEP concurs that the 'High Sensitivity' landscape and designated views from the BNDP contribute to and enable the appreciation of the landscape and the wider countryside.
26. The BNDP was made in December 2016 and through the lifetime of its preparation the DDC Officers were aware of its content and mentored and assisted the BNPSG in the plan preparation. The BNDP contains references to the SLA in the body of the text and in Policy 2 Development in the Open Countryside.
27. The importance of views to the setting of Brixworth was underlined by the BNDP Examiner when she recommended a text adjustment introducing Policy 3:
- “The following policy aims to protect the historic and landscape setting of Brixworth and views from public vantage points in the surrounding countryside and from the edge of the village from development that would have a harmful impact on it. The views and vistas are important to the unique character of the village and its rural feel, and it is appropriate for the Neighbourhood Plan to seek to protect them. This policy will only apply to land in the Neighbourhood Plan Area. The Neighbourhood Plan seeks to protect the setting of the village in order to maintain its local distinctiveness.”*
28. Extracts from the BNDP go on to say:
- View 4. “From a hilltop setting, this area has stunning views and includes a Special Landscape Area (SLA) with far reaching magnificent views over Northamptonshire rolling ironstone slopes. ....This is an area of peace, tranquillity and wellbeing vital to the setting of Brixworth. Over 3200 (67%) of residents signed a petition in 2011 to preserve this site from development; 800 letters were sent to DDC objecting to the site being developed. Developing this land is also contrary to HS14 of DDC Saved Policies.”*
- View 5. “This is the dominant view over the SLA when entering or leaving the village. This presents an accessible piece of open countryside by a permissive path and a rural feel to the entrance to the village. It is particularly attractive because of the changing seasons which are reflected in its undulating rolling landscape and the wide open skyline with constantly changing cloud formations.”*
29. In her recommendation for approval to DDC the Examiner also said;
- Following a site visit, it is evident that the elevated position of Brixworth means that views to the west across the Brampton valley towards the rolling hills in the distance and to the east to the Pitsford Reservoir are special. .... It is clear that the village residents value the views amongst attractive rolling hills and valleys.”*
30. Three independent consultants have commented that this land is valued and sensitive to change, as well as the DDC planning officers:
- a) Liz Lake Associates - appointed by DDC
  - b) Lockhart Garratt - appointed by BNPSG
  - c) Huskisson Brown - appointed by BPC

31. The proposed alteration of the SLA is illogical and unjustified. The A508 currently forms the SLA boundary as it sits on a clearly defined ridge that reads as part of the wider landscape of ironstone hills and creates a well-defined skyline, which contains the views across the area.
32. The BNP seeks to protect hillside slopes around the village, to protect the highly valued views and the setting of the village; TEP rebuttal does not give sufficient reason for the removal of SLA status on the western edge of Brixworth.
33. Additionally, residents in the form of the BNPSG, dispute the suggestions that fields are different on one side of the valley compared to the other as both sides of the valley look similar. Residents assert that the views into and out of Brixworth are stunning, as well as at other points such as near the Swan at Lamport where the landscape complements the other side of the valley and loss of status is detrimental to the whole landscape.
34. BNPG in their response assert that the photos selected by TEP do not justify the urban edge argument of Brixworth to distinguish it from Spratton - they are similar.
35. The group does not accept that the partial sighting of the Mercedes tower detracts from the view into Brixworth, indeed the DDC planning officer said on planning approval that it would not be a detractor.
36. TEP should not have suggested in LCT4 that a particular area of Brixworth is under development pressure and appeared to recommend a course of action to screen that development. We expressed concern that TEP appears to have stepped outside its terms of reference - see DDC Strategy Group report SG 150916/9 and extracts below.
37. *"The Landscape Study will involve the following tasks which will provide up-to-date evidence regarding the quality of the landscapes and the landscape character areas present in the District:*  
Report reference: SG.150916/9
38. *"Baseline review of existing evidence and detailed definition of landscape character. 2. Justification for a high-quality landscape designation. 3. Consideration of Area of Outstanding Natural Beauty (AONB) designation. 4. Policy approach to Daventry and Northampton fringe areas. 5. Policy formulation. 6. Production of a landscape assessment toolkit for use by the Council. 7. Case studies to demonstrate the application of the toolkit.*  
*The study would make recommendations for appropriate Local Plan policies on landscape protection, enhancement, high quality landscapes and the fringe areas, which would be used in decision-making. In all cases, the evidence would be required to have regard to the NPPF and current best practice and guidance."*
39. The Terms of Reference does not say - make comments or recommendations for sites that could be developed, so why did it say in section 2 of its Introduction page, "inform the consideration of site allocations in local and neighbourhood plans" and why does the following statement appear in LCT 4;
40. *"The south western edge of Brixworth is particularly under pressure for new building and is less constrained in development terms by landscape features as arable fields are large, with limited vegetation to field boundaries and more gently sloping landform. Through land management*



*there is opportunity to improve the settlement edge by providing an open space buffer along the proposed outer edge of any proposed development. This would include individual specimen trees, small copses and hedgerows with hedgerow trees interspersed amongst grassed areas and wild flower meadows. This would be in keeping with landscape character and would provide visual interest. There are opportunities for new hedgerow trees to the boundary of the Northampton Road promoted footpath, with small copses to the corners of fields. This would enhance views from the footpath and reduce the impact of any new development to the south of Brixworth."*

## Summary

41. It has been suggested; that recent controlled expansion at Brixworth does not qualify as 'urban development' so no additional protection is required. Yet if the developments referred to above had been approved by the planning inspectors and developed then the Brampton's, 'Sedgebrook' and Brixworth would be joined up into a homogenous version of Maudsley!
42. I and others have been reassured that the 'system' will provide adequate protection against speculative applications in open country side and that we have 6.6 years of land supply, a total of 3,180 houses. Well the cynic in me says 'TODAY' we have 6.6. years or a potential oversupply of 761 houses. The 'system' will protect us...Well, who am we to contradict the 'system'?
43. Yet...In November 2017 Lord Adonis "...urged Ministers, and council leaders across the arc covering Oxford, Milton Keynes, Bedford, Northampton and Cambridge, to "seize the opportunity" and harness the area's economic potential.
44. To do this, he encouraged them to work together to deliver new and improved infrastructure, helping to unlock opportunities to deliver one million new homes and jobs by 2050, including the country's first new towns in 50 years – tackling the area's housing shortage, improving local transport connections and creating new jobs.
45. He highlighted that these measures can be taken while at the same time protecting and enhancing the natural environment of the area..."
46. In my, almost 20 years of representing the residents of the Brixworth ward that we have a contradiction of professional opinion, which Officers have allowed to go unchallenged. That would enable the removal of a layer of protection from a sizable green wedge of the district from Maidwell to Boughton to the Brampton's with little, if any justification. Yet one consultants view could potentially adversely change hundreds, perhaps thousands of years of heritage, culture, and all that emotional guff that residents will say...Decisions made within this process have the potential to affect generations to come. Such decisions should focus on planning policies, which contribute to and enhance the natural and local environment by:
  - a) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

- b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - c) Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
  - d) Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; and
  - e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.
47. Residents, local Councilors, three experts all agree that to make a change that is fundamental to landscape protection the evidence **MUST** be overwhelming, it is clearly not the case in this instance.

Cllr Nick Bunting  
Brixworth Ward.