

18 August 2017
NDP Final Rep



Planning Policy
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Dear Sir or Madam,

**Whitchurch Neighbourhood Plan: Submission Version (August 2017)
Representation on behalf of Barwood Development Securities Ltd**

This representation is submitted by Savills on behalf of Barwood Development Securities Ltd (Barwood); who have land interests within the parish, and are promoting land for residential development through the emerging West of England (WoE) Joint Spatial Plan (JSP) and Core Strategy Review to meet the strategic development needs of the WoE area.

We previously submitted representations to the Pre-Submission Consultation in March 2017, and the May 2017 Submission Consultation. The current consultation relates to the same version of the draft Neighbourhood Development Plan (NDP) as the May 2017 Consultation, but with amended supporting documents. In accordance with Bathnes's website, we have reviewed the updated Consultation Statement.

This representation therefore updates our June 2017 response, to take account of the two additional documents.

We attach a copy of our March 2017 representation. This was submitted to provide constructive comments on the emerging NDP, and raised points for clarification and identified where the NDP required amendment to reflect national and local planning policy, or to reflect the remit of neighbourhood planning.

It is noted that contrary to the National Planning Practice Guidance (PPG), we have not been able to find published minutes of NDP group meetings to review the process through which the group considered the comments raised (see PPG: 41-015-20160211).

It is also noted with concern that according to the Consultation Statement, the NDP group have not met with Bathnes since May 2016 (p4). This is significant given that this indicates there have been no discussions since the publication of the JSP November 2016 which identified Whitchurch as a 'Strategic Development Location' for circa 3,500 dwellings.

Whilst recognising that a NDP can come forward prior to an emerging Local Plan, the PPG does require that a proactive and positive approach should be taken to working collaboratively between local authorities and neighbourhood plan groups; with discussions upon, and agreeing the relationship between policies in emerging NDPs, emerging Local Plans and adopted development plans; primarily to "*minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies*" (41-009-20160211). Given the clear conflict, discussed below, we would expect that some consideration had been given to the conflict between the emerging Local Plan and the draft NDP.

Our June 2017 representation, noted with concern that there has been no detailed response to the issues in our earlier representation, and that the Consultation Statement associated with the May 2017 Submission Version did not reflect the requirement set out in the Regulations. Regulation 15(2) The Neighbourhood Planning (General) Regulations 2012 requires that a consultation statement should contain:

- a) *Contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;*
- b) *Explains how they were consulted;*
- c) *Summarises the main issues and concerns raised by the persons consulted; and*
- d) *Describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.*

Notably, the Consultation Statement did not contain information in relation to requirements c) and d). Instead a table is presented that identifies 'Proposed Editorial Mistakes' as opposed to identifying the main issues and concerns raised by respondents, describing how these have been considered and addressed where relevant. As a result, there was no ability to reflect on issues and concerns raised by other parties, or to understand why the NDP group have not reflected any of the comments which we made previously. This greatly undermined the robustness of the consultation process, and raised a concern that the short time frame between close of publication on the Pre-Submission Version (7th March 2017) and publication of the Submission Version (19th May 2017) did not allow sufficient time for a detailed and robust assessment of the draft NDP and the representations made.

It is recognised that the recent publication of an updated Consultation Statement now includes a table at Appendix 8 which summaries points raised, contains a brief response and any changes proposed. We make further comment on this table where relevant below.

The table is not particularly detailed, and the outcome of the March 2017 consultation is not clear. There are a significant number of rows where the summary of comments states 'no added comments' but the WVNDP response says 'thank you for your response' or 'thank you for your concurring response'. Does this mean that in any row where the first response is given, that the comment was disagreeing with the draft NDP?

Basic Conditions

Our comments are made in the context of the Examiner's requirement to ensure that the draft NDP meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions are:

- having regard to national policies and advice contained in guidance issued by the Secretary of State;
- the making of the NDP contributes to achievement of sustainable development;
- the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area;
- the making of the NDP does not breach, and is otherwise compatible with, the European Union obligations; and
- the making of the NDP is not likely to have a significant effect on a European site either alone or in combination with other plans or projects.

Our previous comments were intended to be constructive and to aid the Parish Council in bringing forward a robust NDP. Given the stage that the NDP is now at, our comments now focus on how the NDP fails to accord with the basic conditions, and as such, where amendment is required.

Strategic Planning Context

The NDP recognises the current strategic planning context; identifying that the emerging JSP will soon replace the strategic development policies of the Core Strategy (adopted 2014). However, a reference to the Core Strategy Review should also be included at paragraph 1.3 of the NDP; with a Regulation 18 Consultation on this plan having already taken place.

The Core Strategy Review will be significant in relation to the NDP, as it will contain the detailed policies for the updated Green Belt boundaries, development management, affordable housing and housing mix policies etc, and as such, under paragraph 38(5), to the extent where there is any conflict with the NDP, the JSP and Core Strategy Review will take precedence. Reference to this emerging plan should therefore also be included to ensure that the reader is informed of the decision making context within the parish. It is noted that the Consultation Statement, p82, indicates that an additional paragraph would be added to the NDP in response to this comment, however, we have not been able to identify this in the May 2017 draft.

The National Planning Policy Framework (NPPF) sets a clear distinction in respect to 'local' and 'strategic' matters. NDPs must also be underpinned by the application of the presumption in favour of sustainable development, and must support the strategic needs set out in Local Plans, reflecting opportunities to plan positively to support local development; shaping and directing development in their area that is outside the strategic elements of the Local Plan (paragraph 16).

The draft NDP indicates that it is based upon the adopted Core Strategy; albeit it is recognised that there is also an emerging planning context. In this respect, it is noted that the PPG states that 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. For example, up to date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development"* (PPG: 41-009-20160211).

Banes, alongside the wider West of England local authorities, has identified an updated housing needs assessment for the region; and as part of the strategy to address that need, Whitchurch has been identified as a key location for development to meet the housing land supply requirements. The JSP: Towards the Emerging Spatial Strategy Document (November 2016) identifies "SE Bristol Whitchurch" for the delivery of up to 3,500 dwellings. The final consultation on the JSP is due in Autumn 2017; prior to the submission of the document to the Planning Inspectorate for Examination.

Whilst it is recognised that the NDP group may or may not support the emerging proposals, as per the PPG, the emerging strategic policies are relevant to the consideration of the basic conditions.

The Consultation Statement responds to every point where potential conflict is raised in relation to the emerging planning context by confirming that this will be addressed through a future NDP Review (see p.82, 84). This fails to reflect the PPG which, as referenced above, requires a proactive and positive approach to be taken to minimise any conflicts between emerging NDPs and emerging Local Plans.

The emerging NDP should either not address any matters relevant to the emerging Local Plan, and address these within a future review, or should directly address the strategic policies in the emerging Local Plan.

As currently drafted, the draft NDP is seeking to influence the emerging strategic policies of the JSP and Core Strategy Review by predetermining the role that Whitchurch may play in these strategic plans; notably, contrary to the draft proposals which have been formally published by the West of England Authorities. This is contrary to the NPPF, which requires NDPs to either support emerging strategic development needs, or to focus only on local development (with any disagreements in relation to strategic development to play out through the Local Plan process).

To ensure that the draft NDP is not contrary to the PPG, the following modifications are required:

- paragraph 2.6: delete second part of paragraph: *“but is yet to acknowledge how further growth into 2040 can be facilitated while retaining its historical village characteristics”*;
- paragraph 3.2: delete final part of paragraph: *“to ensure separation between the village and Bristol”*;
- paragraph 4.6: delete entire paragraph;
- paragraph 7.11: delete last part of paragraph: *“whilst retaining its seperate identity within the Green Belt requiring major investment and significant commitment to employment”*;
- paragraph 7.12: delete entire paragraph;
- paragraph 7.13: amend first sentence as the NDP does not respond to the JSP and JTS but rather is based upon the adopted Core Strategy. Delete entire second part of the paragraph: *“it seeks to establish and address key issues to retain the village as a village and maintain seperateness.....”*;
- paragraph 7.14: delete second sentence;
- paragraph 8.1: delete second sentence;
- paragraph 12.3: delete paragraph and accompanying Figure 13;
- paragraph 13.6: delete paragraph.

‘Village’

As previously raised, the term ‘village’ is used throughout the document in reference to ‘identity’ and ‘character’ as well as more generally in respect to ‘retaining the village as a village’. However, it isn’t immediately evident what the NDP actually means by the term ‘village’. As set out above, there are broader strategic policies coming forward which will result in additional development being directed to this location. As such, with no further guidance provided by the NDP as to what it means by ‘village’, notably those aspects of the ‘village’ which are particularly valued, the NDP’s aspirations or intentions will be incapable of being consciously reflected in the development proposals for the JSP’s ‘Strategic Development Location’.

The PPG states:

“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” (PPG: 41-041-20140306).

It is therefore noted that the NDP’s concept of ‘village’ is unclear and ambiguous given the lack of supporting information provided to clarify the intent of the policy and NDP references.

Section 6: Landscape Setting and Character

We would query the purpose of this section of the NDP. It provides a simplified summary of an existing evidence base document, and does not underpin or support any part of the draft NDP policies. In this respect, it is noted that evidence included, for example Figure 10, will be out of date as the new evidence base supporting the JSP and Core Strategy Review come forward.

Vision and Objectives

We note the Whitchurch Village Vision; but raise a concern that would immediately be out of date in autumn 2017 as the detailed proposals in the JSP and Core Strategy Review are published.

Objective 1: Maintain the village identity and increase sustainability

Following the comments above, we recommend that further consideration is given to defining what is meant when stating that the underpinning aspiration of the policy is to “*keep the village as a village*”. Detailed comments are included below in relation to the references to the ‘Green Buffer’.

- Policy WV1.1: Village Design

As per our previous representation, we request confirmation as to whether requirements c) and d) differ from Building Regulations, and the policies in the recently adopted Placemaking Plan. If they do not seek anything additional, then these elements of the policy should be deleted.

- Policy WV1.2: Provide a Mix of Housing Types

In line with the PPG reference above, in respect to clarity and ambiguity, it is not clear how the second element of the policy would be implemented, as there is no supporting text which sets out what the NDP means by large scale uniform type and size.

- Policy WV1.3: Allocation of Affordable Housing

We have no objection to this draft policy; recognising that the percentage of affordable housing provision is a strategic policy which may be updated in the JSP and/or Core Strategy Review.

- Policy WV1.4 – Heritage Assets and their Setting

It is recognised that this policy has been amended, however, it still does not accord with the NPPF.

Firstly, it includes a reference to ‘maintaining settlement separation’. This has not been demonstrated to be a ‘heritage’ consideration. Indeed, Figure 14 later in the NDP indicates that the fields between Bristol and Whitchurch represent the lowest risk to the significance of heritage assets. The reference to maintaining settlement separation should be removed from the draft policy.

The final element of the policy does not accord with national policy, and as such would fail to meet the basic conditions. We refer to the NPPF which at Section 12 sets out the approach to heritage assets. The draft policy currently sets the bar at no harm; the NPPF utilising a two track approach: at less than substantial (requiring the harm weighed against the public benefits of the proposal) see paragraph 134, or substantial harm which should be considered in light of paragraphs 132 and 133.

The policy is therefore not in accordance with national policy.

- Policy WV1.6 – Broadband Provision Policy

This policy is supported, but must be caveated with ‘where feasible’ to reflect where connection may not be possible. However, a Connectivity Statement should not be required as, if it is feasible, a planning condition can be included to ensure connections are provided.

Community Facilities

The ‘equine centre and Horse World’ are incorrectly identified as community facilities in the NDP; this should be removed. These are operational facilities of the charity on a day to day basis with only occasional public access. There is no evidence provided to support their classification as community facilities.

Objective 2: Manage and Maintain Green Buffer

- Policy WV2.1: Positive Green Buffer Management between Whitchurch Village and Bristol

The extent of the 'Green Buffer' is not clearly defined within the NDP. The text references Figure 13 but this shows the Green Belt boundaries. It wouldn't be appropriate to use these boundaries; with it unnecessary for a NDP policy to replicate the protection afforded by the Green Belt. It is also not clear where the evidence base is to justify a Green Buffer, and we would request that this is published. Any changes to the Green Belt will be considered through the strategic planning context, and a NDP can not create local policies to effectively undermine this process.

In addition, we draw attention to successive Neighbourhood Plan Examiner's Reports which have identified that blanket restrictions that seek to prevent the consideration of further sites for development in forthcoming developments plans is contrary to the NPPF:

*"Whilst the Neighbourhood Plan has chosen not to allocate land for housing development, national guidance is clear that neighbourhood plans should not put blanket policies in place that would restrict housing development (eg through allocations in emerging Local Plan) unless they are supported by robust evidence."*¹

This has been subsequently confirmed in the PPG (41-044-20160519).

The Green Belt currently provides protection from development, and as such Policy WV2.1 is not necessary.

The draft policy is therefore seeking to influence the emerging strategic planning context by restricting the locations which may be considered. No evidence is provided to justify the blanket identification of a Green Buffer.

This policy as drafted is contrary to national policy, and requires deletion to ensure the draft plan meets the basic conditions.

- Policy WV2.2: Development Proposals, particularly where sited on the edge of Whitchurch Village must maintain visual connections with the countryside.

As previously stated, we have no specific concerns in relation to this policy, recognising that its appropriateness will be considered on an application basis; however, we did suggest that the NDP identifies the 'key existing routes' which it references in the policy, and are concerned that this has not be undertaken.

- Policy WV2.4: Wildlife Corridors and Ecological Network

The draft policy is contrary to the NPPF. It only sets out that development should avoid harm, and that development should not harm ecological attributes. Paragraph 118 of the NPPF sets out national policy in relation to harm to ecological features, and this sets out that harm should be avoided, adequately mitigated or as a last resort compensated. The NDP policy requires amendment to meet national policy.

It is also noted that the policy appears to require a LEMP for any development proposal; which is clearly not an appropriate response.

Objective 4: The A37 – Impact

We previously raised a concern that this section of the NDP appears to be based upon a report which is not published as part of the evidence base. Appendix 5 was referenced, but this appeared to summarise a report, without providing any of the supporting evidence. The evidence base has now been published; however, as opposed to being a report, it is a letter providing a summary of a meeting which took place between the NDP group and Mr David Worskett.

¹ Paragraph 4.10, Brixworth Neighbourhood Plan Examiner's Report

We previously raised some concern that the NDP does not distinguish between 'strategic' and 'local' in accordance with the NPPF. Should the Parish Council wish to retain elements of 'strategic' transport, the NDP should only set out the concerns raised by the local community; without reference to unevidenced requirements placed on future development. This concern has been amplified by the publication of the NDP's transport policy evidence, which is clearly in response to the emerging strategic policies within the JSP.

- Policy WV4.1: Air Quality

There is a detailed Air Quality policy (PCS3) in the emerging Placemaking Plan; and as such it is not clear why the NDP needs to address this further. The NDP policy is also contrary to national policy by setting the test as any detrimental impact.

- Policy WV4.3: Traffic and Safety

The policy sets a higher threshold in respect to development proposals impacts on traffic than national planning policy. The test is set out in the NPPF; which sets the threshold at "severe" (paragraph 32). The policy as drafted indicates that development can not further inhibit the free flow of traffic or exacerbate existing parking stress. This is the incorrect test, and the policy should be amended to reflect national guidance.

Whilst recognising that the NDP Group may have concerns in respect to through traffic, the A37 is a significant, strategic part of the regional transport network. The strategic implications of this policy requirement have not been assessed or considered; and the evidence base supporting the NDP does not indicate that this requirement is realistic, achievable or necessary. The implication that any development would not be permitted which would impact upon the free flow of traffic raises a significant threat to meeting the strategic development needs of the West of England; and departs from national and local policy which, as set out above, identifies the threshold at "severe".

Conclusion

We are concerned that our previous comments have not been considered in the NDP Submission Version. We raised a number of substantive issues within our earlier representation which requested both clarification of a number of draft policies, alongside identifying where the draft NDP did not accord with the basic conditions.

The Submission Version fails to address any of the points.

The NDP as currently drafted is seeking to influence the emerging strategic development context contrary to the NPPF and PPG; and beyond the remit of neighbourhood planning. The continued reference to the retention of the 'village as a village', the use of additional protection to Green Belt through a 'Green Buffer' policy without appropriate evidence, explicit references that further development should not take place until the community has assessed the impacts of the existing development plan allocations, and a range of requirements in respect to strategic transport and infrastructure delivery which are not evidenced. In its current form, the NDP would fail to meet the basic conditions.

As previously noted, whilst it is recognised that the NDP group may not support the emerging JSP proposals in relation to Whitchurch, it is inappropriate to use neighbourhood planning as a tool to undermine the strategic planning process. This discussion and debate must take place through the appropriate development plan process; which is the JSP and underlying Core Strategy Review. In this respect, it is noted that the West of England authorities will shortly be publishing the Submission Version of the JSP for consultation; which will provide further clarification on the emerging strategic planning context.

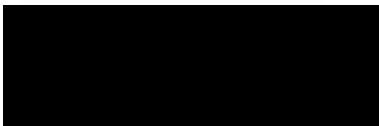
Beyond the relationship with strategic policies, we have made a number of further comments in relation to specific policies where amendment is required to ensure compliance with the basic conditions, and these are set out above.

Our earlier representation is also appended, as this sets out where we requested clarification. Whilst these may not reflect compliance with the basic conditions, as per the PPG, neighbourhood plan policies should be clear and unambiguous. The ability to implement a number of the draft policies is compromised by the lack of detail provided in support of the policies. Conversely, it may also result in an interpretation of the policies which departs from the intentions of the NDP group, and without any supporting information, the NDP group would have no ability to challenge this interpretation.

We previously offered to engage with the NDP group in respect to our comments, and we continue to confirm our willingness to engage with the NDP.

Should you wish to discuss our comments in more detail, then please do not hesitate to contact me at the details set out above.

Yours sincerely



Nick Matthews MA MTCP MRTPI
Director

Enc: Copy of Representation (March 2017)

7 March 2017
NDP Rep



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Dear Ms Dyer,

**Whitchurch Neighbourhood Plan: Pre-submission Version (January 2017)
Representation on behalf of Barwood Development Securities Ltd**

This representation is submitted by Savills on behalf of Barwood Development Securities Ltd (Barwood); who have an interest in the Horse World land to the east of the village. This land is being promoted for residential development through the emerging West of England (WoE) Joint Spatial Plan (JSP) and Core Strategy Review to meet the strategic development needs of the WoE area.

Basic Conditions

Our comments are made in the context of the future Examiner's requirement to ensure that the draft Neighbourhood Development Plan (NDP) meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions are:

- having regard to national policies and advice contained in guidance issued by the Secretary of State;
- the making of the NDP contributes to achievement of sustainable development;
- the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area;
- the making of the NDP does not breach, and is otherwise compatible with, the European Union obligations; and
- the making of the NDP is not likely to have a significant effect on a European site either alone or in combination with other plans or projects.

Our comments are intended to be constructive, and to aid the Parish Council in bringing forward a robust NDP.

Strategic Planning Context

We support the Parish Council decision to bring forward a Neighbourhood Development Plan (NDP) and recognise the community's aspirations to inform future development within the parish.

The NDP recognises the current strategic planning context; identifying that the emerging JSP will soon replace the strategic development policies of the Core Strategy (adopted 2014). We would also encourage reference to the Core Strategy Review is included at paragraph 1.3 of the NDP; as Bath and North East Somerset Council (Banes) have already commenced this process. This is particularly pertinent given that the

Core Strategy Review will provide the detailed allocation policies for the 'Strategic Development Locations' in the JSP; and is programmed to come forward alongside the emerging JSP.

It is noted that with current timelines for the emerging JSP anticipating the publication of the final 'Draft JSP' in September 2017, that this could advance significantly either before the NDP is examined/made, or closely following. In addition, Banes anticipate publishing 'Draft Proposals' for the Core Strategy Review in autumn 2017. As the NDP continues to emerge, it would therefore be pertinent to respond to the emerging strategic planning context.

It is recognised that there are limitations in respect to the scope of NDPs, with the National Planning Policy Framework (NPPF) setting a clear distinction in respect to 'local' and 'strategic' matters. NDPs must also be underpinned by the application of the presumption in favour of sustainable development, and must support the strategic needs set out in Local Plans, reflecting opportunities to plan positively to support local development; shaping and directing development in their area that is outside the strategic elements of the Local Plan (paragraph 16).

Given the location of Whitchurch's in respect to the City of Bristol, and the confirmation by the WoE Authorities that the delivery of up to 3,500 dwellings within "SE Bristol Whitchurch" represents a key element of the JSP's preferred development strategy ('JSP: Towards the Emerging Spatial Strategy Document') there is a significant risk that the NDP would become immediately out of date should it not respond positively to these emerging documents.

Development Plan

The draft NDP explains at paragraphs 1.2-1.3 the relationship between the emerging NDP and the adopted and emerging development plan documents for Banes.

Paragraph 1.2 indicates that the NDP will replace policies in the Banes Development Plan; whilst recognising that this may be an error due to paraphrasing, the relationship between the NDP and wider development plan documents should be clear.

It must then be made clear that any future development plans which may conflict with the made NDP policies, would replace NDP policies where there was any conflict in accordance with paragraph 38(5) of the Planning and Compulsory Purchase Act 2004; which confirms that the latest development plan document to be adopted, approved or published takes precedence.

'Village'

Reviewing the NDP as currently drafted, it infers that the primary aim of the NDP is to ensure that the village remains a village.

The term 'village' is used throughout the document in reference to 'identity' and 'character' as well as more generally in respect to 'retaining the village as a village'. However, it isn't immediately evident what the NDP actually means by the term 'village'. It is recommended that this is expanded upon given the subjective nature of this description.

Paragraphs 7.13-7.14 require review in light of the comments above in respect to primacy of the most up to date development plan document.

As currently drafted these paragraphs imply that the NDP is seeking to influence the emerging strategic policies of the JSP and Core Strategy Review by predetermining the role that Whitchurch may play in these strategic plans. This is contrary to the NPPF, which requires NDP to either support emerging strategic development needs, or to focus only on local development. This would be contrary to the basic conditions.

Section 5: Maes Knoll

We have no comment on this section, but would recommend that a full reference is provided for Appendix 2, as the source of the assessment is not clear.

Section 6: Landscape Setting and Character

We would query the purpose of this section of the NDP. It provides a simplified summary of an existing evidence base document, and does not underpin or support any part of the draft NDP policies.

Vision and Objectives

We note the Whitchurch Village Vision; but raise a concern that this could immediately be out of date in autumn 2017 as the detailed proposals in the JSP and Core Strategy Review are published.

Objective 1: Maintain the village identity and increase sustainability

Following the comments above, we recommend that further consideration is given to defining what is meant when stating that the underpinning aspiration of the policy is to *“keep the village as a village”*.

- Policy WV1.1: Village Design

The objectives of this policy are supported. In respect to c) and d) we would ask that confirmation is provided as to whether these requirements differ from Building Regulations, and the policies in the emerging Placemaking Plan which will shortly be adopted.

- Policy WV1.2: Provide a Mix of Housing Types

This policy would benefit from additional text to set out further details in respect to the second element of the policy to set out what the NDP means by large scale uniform type and size.

- Policy WV1.3: Allocation of Affordable Housing

We have no objection to this draft policy; recognising that the percentage of affordable housing provision is a strategic policy which may be updated in the JSP and/or Core Strategy Review.

- Policy WV1.4 – Heritage Assets and their Setting

The policy as drafted is missing the list of non-designated heritage assets.

The final element of the policy does not accord with national policy, and as such would fail to meet the basic conditions. We refer to the NPPF which at Section 12 sets out the approach to heritage assets. Identifying the requirement for proportionate protection policies depending on the significance of any asset, and the resultant tests for considering the acceptability of development proposals on heritage assets.

Figure 14 is not relevant to the policy as currently drafted, and should be excluded.

- Policy WV1.5 – Retain Employment in the Village

The policy replicates emerging policy in the Placemaking Plan and is therefore not necessary within the NDP.

- Policy WV1.6 – Broadband Provision Policy

This policy is supported, but must be caveated with ‘where feasible’ to reflect where connection may not be possible. However, a Connectivity Statement would not be required as, if it is feasible, a planning condition can be included to ensure connections are provided.

Community Facilities

We are concerned that ‘the equine centre and Horse World’ are identified as community facilities in the NDP; this should be removed. These are operational facilities of the charity on a day to day basis with only occasional public access. There is no evidence provided to support their classification as community facilities.

Community Shop

We support the community’s aspirations to deliver a community shop. Indeed, a shop and other facilities within the village of Whitchurch would support its sustainability for existing and future residents.

Objective 2: Manage and Maintain Green Buffer

- Policy WV2.1: Positive Green Buffer Management between Whitchurch Village and Bristol

The extent of the ‘Green Buffer’ is not clearly defined within the NDP. The text references Figure 13 but this shows the Green Belt boundaries. It wouldn’t be appropriate to use these boundaries; with it unnecessary for a NDP policy to replicate the protection afforded by the Green Belt. It is also not clear where the evidence base is to justify a Green Buffer, and we would request that this is published. Any changes to the Green Belt will be considered through the strategic planning context, and a NDP can not create local policies to effectively undermine this process.

In addition, we draw attention to successive Neighbourhood Plan Examiner’s Reports which have identified that blanket restrictions that seek to prevent the consideration of further sites for development in forthcoming developments plans is contrary to the NPPF:

“Whilst the Neighbourhood Plan has chosen not to allocate land for housing development, national guidance is clear that neighbourhood plans should not put blanket policies in place that would restrict housing development (eg through allocations in emerging Local Plan) unless they are supported by robust evidence.”¹

The Green Belt currently provides protection from development, and as such Policy WV2.1 is not necessary.

The draft policy is therefore seeking to influence the emerging strategic planning context by restricting the locations which may be considered. No evidence is provided to justify the blanket identification of a Green Buffer.

We suggest that the appropriateness of this policy is considered in more detail prior to the publication of the NDP.

- Policy WV2.2: Development Proposals, particularly where sited on the edge of Whitchurch Village must maintain visual connections with the countryside.

We have no specific concerns in relation to this policy, recognising that its appropriateness will be considered on an application basis. It is suggested that the NDP identifies the ‘key existing routes’ which it references in the policy.

- Policy WV2.3: The visual impact of new development on views into and from the countryside must be minimised.

It is not clear what the intention of this policy is, or how it would work in practice. Banes have established policies on landscape and visual impact, and a validation checklist which sets out when a development proposal is required to submit an assessment. We request clarification on how this policy differs from the existing arrangement.

¹ Paragraph 4.10, Brixworth Neighbourhood Plan Examiner’s Report

- Policy WV2.4: Wildlife Corridors and Ecological Network

The NDP should include a reference to the source of Figure 14.

The NPPF sets out the policy position in respect to assessing development proposals against ecological harm. This policy must be amended to ensure compliance with the basic conditions.

Objective 3: Ensure the new developments are integrated within the village

Paragraph 10.6 is contrary to the basic conditions; and seeks to undermine the presumption in favour of sustainable development, and restrict strategic development needs.

- Policy WV3.1: Proposals for new housing in Whitchurch Village must ensure that the new homes are well integrated with the existing village.

We have no comment on this policy in so far as it relates to the current higher order policy position. Should the JSP maintain the emerging strategic allocation this policy requirement may not be achievable and may in fact unachievable in the manner envisaged for smaller scale development.

Objective 4: The A37 – Impact

This section of the NDP appears to be based upon a report which is not published as part of the evidence base. Appendix 5 is referenced, but this appears to summarise the report, without providing any of the supporting evidence.

In respect to this part of the NDP, we raise some concern that the NDP does not distinguish between 'strategic' and 'local' in accordance with the NPPF. Should the Parish Council wish to retain elements of 'strategic' transport, the NDP should only set out the concerns raised by the local community; without reference to requirements placed on future development.

- Policy WV4.1: Air Quality

There is a detailed Air Quality policy (PCS3) in the emerging Placemaking Plan; and as such it is not clear why the NDP needs to address this further.

- Policy WV4.2: Traffic impacts of Development

We have no comment on this policy.

- Policy WV4.3: Traffic and Safety

The policy appears to set a higher threshold in respect to development proposals impacts on traffic. The test is set out in the NPPF; which sets the threshold at "severe" (paragraph 32). This policy should be amended to reflect the national guidance.

- Policy WV4.4: Pedestrian and Cyclist Routes

This policy is supported.

Objective 5: Seeking improvements for the community arising from future growth

We support the aspirations of this section of the NDP.

Conclusion

It is recognised that the NDP is being produced in an interim policy position where the strategic planning context is rapidly changing. However, the basic conditions alongside successive Examiner's Reports have identified that whilst the emerging NDP is not required to set out detailed policies in response to an emerging development plan, it is required to demonstrate that the emerging strategic context has been considered, and that any policies which are included within the NDP do not predetermine the future development plan process.

As currently drafted, there is a concern that the NDP is seeking to influence strategic development policies; through continued reference to the retention of the 'village as a village', additional protection afforded to the surrounding countryside through a new 'Green Buffer' without appropriate evidence, explicit references that further development should not take place until the community has assessed the impacts of the existing development plan allocations, and a range of requirements in respect to strategic transport and infrastructure delivery which are not evidenced.

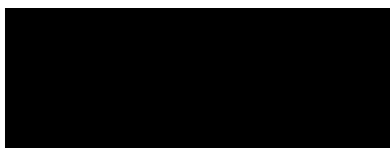
Whilst future development plans will have precedence over the NDP, and effectively result in the NDP being out of date at an early stage, potentially before its adoption, there is a concern that the local community's expectations in respect to the role of the NDP will be undermined. This fails to provide positive planning, and would further result in the disengagement of local communities from the planning process.

It is recognised that the Parish Council and local residents may not currently support the emerging JSP proposals, but this discussion and debate must take place through the appropriate development plan process; which is the JSP and underlying Core Strategy Review.

Should the Parish Council wish to proceed with the NDP prior to the discussions on the strategic planning context, then we have made appropriate comment above in respect to ensuring the development management policies within the draft NDP are compatible with the basic conditions, and national and local planning policy. However, for the reasons provided, we strongly urge the Parish Council to hold the preparation of the NDP in abeyance until the wider strategic policy context has been established.

Should you wish to discuss our comments in more detail, then please do not hesitate to contact me at the details set out above.

Yours sincerely



**Nick Matthews MA MTCP MRTPI
Director**