

Gladman Developments Ltd

North Somerset Core Strategy Remitted Policies Examination Hearing Statement

Matter 4 – Flexibility and Resilience of the Plan May 2016



1 IS THE PLAN, WITH CONSEQUENTIAL CHANGES, FLEXIBLE AND RESILIENT ENOUGH TO ENSURE THAT THE HOUSING REQUIREMENT IS MET?

1.1 Context

1.1.1 Gladman Developments (Gladman) make this submission to the Examination in Public (EiP) having previously made written representations throughout the preparation of the North Somerset Core Strategy. This hearing statement provides the context for the evidence to be adduced by Gladman at the EiP.

1.1.2 This submission is structured to follow the specific questions identified by the Inspector in the schedule of matters and issues and specifically deals with Policies CS32 and CS33.

1.2 Policy CS32: Service Villages

1.2.1 The text of the policy concerning residential development, as revised, reads as follows (emphasis added):

*“Proposals for **small scale** development **appropriate to the size and character of the settlement** which respects the character of the village and supports or enhances the village’s role as a local hub for community facilities and services, employment and affordable housing, including public transport will be supported.*

*Residential development will be permitted **within the settlement boundaries** particularly where the proposal meets an identified local housing need in respect of affordability or dwelling mix, does not generate a demand for local services on a scale that cannot be met, or supports the retention of existing services.*

*Where small scale residential or mixed use schemes which demonstrate clear local benefits are supported by the local community cannot be accommodated within settlement boundaries then these **must be brought forward as an allocation in the Sites and Policies DPD or a Neighbourhood Development Plan, including an amendment to the settlement boundary where appropriate**”.*

1.2.2 Gladman consider that the wording of Policy CS32 is currently insufficiently flexible to allow for the presumption in favour of sustainable development as outlined within the Framework.

1.2.3 The policy wording is currently highly restrictive, meaning that in order to pass the policy test for residential development in Service Villages, development must be **small-scale** (albeit the policy does not define the meaning of small-scale) and **within the settlement boundaries** (albeit the existing settlement boundaries were drawn up as part of the previous Replacement Local Plan process and are not defined so as to accommodate the current housing need as required by national policy). If development proposals lie outside of the settlement boundary, they **must** be brought forward as a housing allocation in the Sites & Policies DPD or through a neighbourhood

plan, with a corresponding amendment to the settlement boundary. They **must** also be supported by the community (although there is no definition of how community support would be measured). Development proposals should also meet other criteria in relation to enhancing local services and facilities in order to be afforded support.

1.2.4 Such a restrictive approach is not supported by national policy, which sets out a clear presumption in favour of sustainable development¹ and supports sustainable development in rural areas where it enhances or maintains the vitality of rural communities². It is also contrary to the approach taken by North Somerset Council (NSC) in the determination of recent planning applications, where a number of applications outside of designated settlement boundaries, which would not reasonably be identified as 'small scale', have been granted planning permission or have resolutions to grant. In doing so, the Council recognises the need to approve additional development outside of the settlement boundaries now, in advance of the emerging site allocations plan, to meet its housing land supply shortfall³. It also recognises that development outside of the settlement boundary is not, in itself, unsustainable. The applications which have been approved were speculative applications, and while the sites have subsequently been proposed for allocation in the emerging Site Allocations DPD with a corresponding proposed change to the settlement boundaries, this only reinforces the point that the current settlement boundaries are an ineffective barrier to sustainable development. The need for sites to be supported by the community and brought forward through the Site Allocations DPD or a neighbourhood plan, is also unrealistic, inflexible and inconsistent with national policy.

1.2.5 The policy should be re-worded so that it positively supports sustainable residential development within or adjacent to Service Villages, with the determination of whether a particular development is sustainable being on the basis of a planning balance exercise as outlined in national policy, rather than through a tick-box exercise against arbitrary restrictive criteria. This will ensure that NSC's ambition of maintaining or enhancing the vitality of Service Villages is achieved.

¹NPPF Para 15

²NPPF Para 55

³ See, for example, Land south of Cobthorn Way, Congresbury (15/P/0519/O)

1.3 Policy CS33: Infill Villages, Smaller Settlements and Countryside

1.3.1 NSC are not proposing to amend the wording of this policy. The text of the policy concerning residential development reads as follows (emphasis added):

*“Proposals for development within the rural areas outside the Service Villages will be **strictly controlled** in order to protect their character and prevent unsustainable development.*

*New residential development will be **restricted to replacement dwellings, residential subdivision, residential conversion of buildings where alternative economic use is inappropriate, or dwellings for essential rural workers.***

***Within the settlement boundaries** of the...[infill] villages, **infill development (one or two dwellings), or small scale residential redevelopment where the proposal is community led with clear community and environmental benefits** will be permitted. In the case of redevelopment proposals within settlement boundaries it must be demonstrated that if the site or premises was last used for an economic use, that continuation in economic use is unsustainable.”*

1.3.2 As with Policy CS32, Gladman contend that as currently worded, this policy is insufficiently flexible to allow for the presumption in favour of sustainable development as outlined in the Framework.

1.3.3 Similar to Policy CS32, this policy is highly restrictive and requires a number of criteria to be met in order for development to be considered acceptable. The development must be of **one or two dwellings, within the settlement boundary, and community led with clear community and environmental benefits.**

1.3.4 That Infill Villages are given settlement boundaries and occupy a discreet tier of the settlement hierarchy recognises that they are settlements in their own right and should not be covered by a catch-all policy restricting development in rural areas. Indeed, the Framework itself ⁴ makes the distinction between isolated development in the open countryside and sustainable development which will maintain and enhance the vitality of rural settlements.

1.3.5 The wording of the policy also implies that in such settlements, anything other than infill development of one or two dwellings would be unsustainable. However, whether a development is sustainable or not should be determined on the basis of a planning balance exercise. Growth of an appropriate scale at Infill Villages should be supported, in line with national policy, to enhance and maintain the vitality of those settlements and to ensure that they continue to thrive.

1.3.6 Furthermore, development should not be restricted to being within the settlement boundaries of infill villages. As with Policy CS32, such boundaries were drawn up during the previous plan period to accommodate the growth envisaged within the Replacement Local Plan; they do not make

⁴ NPPF Para 55

provision for the current full objectively assessed housing need in the district as required by national policy.

- 1.3.7 There is also no definition of the meaning of the phrase “community led with clear community and environmental benefits”. Again, in order to be consistent with national policy, sustainable development proposals should be determined on their merits on the basis of a planning balance exercise.
- 1.3.8 This policy should be re-worded so that it positively supports sustainable residential development within or adjacent to Infill Villages, with the determination of whether a particular development is sustainable being determined on the basis of a planning balance exercise as outlined in national policy, rather than through a tick-box exercise against arbitrary restrictive criteria.
-