

Appendix 2h - Broughton

Comment No.	KBC Response
<p>17. Question 5 Broughton Development Principles Do not agree altogether :</p> <p>(e) - there is an acknowledged shortage of smaller properties in the village as developers prefer to build large, expensive properties in villages. Sometimes higher density in the form of traditional terraces would be beneficial. This statement would seem to conflict with (m).</p> <p>(i) - this space has been built on already so the comment is irrelevant.</p> <p>(o) i - most space in the High St has now been developed into residential units so there is now only one vacant property which has been allowed to deteriorate into a very poor state of repair. This statement is rather unrealistic.</p> <p>(o)iii - see above</p>	<p>The shortage of smaller properties is acknowledged and criterion e) which requires low density development would not allow for higher density smaller, potentially affordable units. Criterion m) however, is wholly supportive of this type of housing. However at this stage it has been decided to remove this policy as a result of Broughton Neighbourhood Plan being adopted.</p>
<p>395. Question 5 Broughton Development Principles Natural England supports the development principles, and suggest they remain in the Site Specific Part 2 Local Plan (SSP2), after the Broughton Neighbourhood Plan has been adopted. In particular, Natural England supports Policy BRT01 (g) to include frequent areas of attractive open spaces between developments. Developing the network of local or 'district' GI corridors to ensure more robust and comprehensive coverage than the NNJCS is invaluable for the SSP2. Therefore, a consideration of how open spaces may be connected throughout Broughton is advised.</p> <p>Natural England is also in support of BRT01 (h), which ensures that hedgerows and trees are used to provide boundaries to gardens to create a soft edge to the village. Identifying additional local corridors where there can be an increase in tree and hedgerow planting is desirable, especially since the site sits on the edge of Rockingham Forest. Such local corridors enhance the strategic GI Framework in the NNJCS. Moreover, Kettering's SSP2 could specify a local policy in addition to the NNJC, detailing the type of species and habitats particularly vulnerable and declining in the area that the plan supports within its GI strategies.</p>	<p>Noted.</p>
<p>451. Chapter 12.3 Broughton</p>	<p>The site that has been promoted</p>

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<p>This note has been prepared on behalf of Home Farm Pytchley Ltd in relation to the draft Site Specific Part 2 Local Plan (SSP2) and is submitted to Kettering Borough Council for consideration.</p> <p>It is made in respect of Land to the Rear of 18 - 20 Glebe Avenue, Broughton which extends to circa 3.29 hectares and identified by Figure 1.1 below.</p> <p>Figure 1.1 Site Plan.</p> <p>It is our belief that the proposed approach to housing delivery in the rural areas including Broughton would fail to meet the specific housing needs of the area.</p> <p>The Site</p> <p>The site is use as a paddock and located to the rear of 18 - 20 Glebe Avenue. It is bound to its south and west by existing residential development, paddocks to its north and the Broughton Pocket Park and agricultural grazing land to its east. The site is well related to the existing settlement of Broughton and its infrastructure.</p> <p>Broughton is the second largest village in the rural areas and has a significant amount of infrastructure to support its residents including 4 retail units, 2 public houses, 2 hot food takeaways, 1 school and 2 places of worship. As a result, it is a highly sustainable location for further growth.</p> <p>Planning permission was refused and upheld on appeal for a large scale residential scheme (circa 65 dwellings) on the site in 2014. The grounds for refusal related primarily to the visual impact on the open countryside. Having regard to the issues considered at appeal, a lower density scheme could address the grounds for refusal.</p>	<p>has not been assessed as part of the SSP2. However as the Broughton Neighbourhood Plan, which sets local policies to shape development in the village, has now been 'made' no further allocations for housing will be considered as part of the SSP2 or the Broughton Neighbourhood Plan.</p>
<p>454. Chapter 12.3 Broughton Table 12.6 'Key Statistics' identifies the housing allocation for Broughton - 20 dwellings.</p>	<p>The Joint Core Strategy sets out the requirement for the Rural Area as 480 dwellings in the</p>

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Paragraph 12.62 notes that the Broughton Neighbourhood Plan will be responsible for allocating sites and that once adopted, allocations in the SSP2 will be withdrawn.

Policy BRT02 identifies 'The Paddock, Meadow Close' as being capable of accommodating 20 dwellings. Outline planning permission has recently been refused for the development of 20 dwellings at BRT02. In light of the Neighbourhood Plan allocations, it is likely that BRT02 will be removed from any forthcoming version of the SSP2 in accordance with paragraph 12.62.

The Broughton Neighbourhood Plan is broadly consistent with Table 12.6 and identifies two sites to accommodate 16 dwellings (Carter Avenue and Church Street) with a further 5 to be delivered through windfall development.

Having regard to our general comments above in relation to delivery through windfall sites, the proposed dwelling rates in both the Neighbourhood Plan (16 dwellings) and SSP2 Table 12 'Key Statistics' (20 dwellings) are wholly inadequate. The allocation of Land to the Rear of 18-20 Glebe Avenue, Broughton would make a significant contribution to addressing the housing requirements in the rural areas.

The Neighbourhood Plan also notes that there is a significant imbalance between the housing that has been provided in Broughton (predominately through the Redrow Homes scheme) and the actual needs of the village. During the examination of the Neighbourhood Plan, the Inspector concurred with this assessment stating that "*given that the Plan identifies that new development has not addressed the housing needs of the village, there is a clear desire to rebalance the housing stock so that a "full lifetime circle within the village" can be provided. This is regarded as key to the sustainability of the village and allows residents to remain in the village*". The allocation of the site would also enable this matter to be addressed through the development of more one and two-bedroom dwellings.

Map 12.3 defines the settlement boundary for Broughton where development may be permitted.

period 2011-2031. As recorded in March 2017, there were 200 existing commitments and recorded completions since 2011, leaving a residual requirement of 280, 140 of which is considered to be windfall, leaving a further 140 dwellings. Allocated sites in the rural area will look to fulfil this remaining requirement through the SSP2.

Broughton Neighbourhood Plan has now been 'made' and now makes a single allocation through the Neighbourhood Development Order for up to seven homes on Church Street. In addition to this, Policy BRT02 will not be included within the Pre-submission version of the SSP2.

In order for the Neighbourhood Plan to have reached this stage, it has been deemed compliant with relevant strategic policies in the JCS and therefore subject to recommendations progressed to Referendum and subsequent adoption.

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<p>This tightly defined boundary excludes many areas of developable land, including the Site and is clearly at odds with the allocation of Broughton as the largest Category A village. Broughton has the capacity to accommodate a far greater level of growth due to its existing facilities / services and should be expanded further to reflect this. Whilst it is noted that settlement boundaries are an appropriate mechanism for development plans, the SSP2 seems to have created a situation in Broughton, and indeed the other Category A villages, where the village boundary is defined to support the positive planning for growth, and yet restricts it by leaving limited sites suitable for future development.</p> <p>The omission of Land to the Rear of 18 - 20 Glebe Avenue, Broughton is a clear and obvious example of this. It is proposed that the settlement boundary is redrawn to include Land to the Rear of 18 - 20 Glebe Avenue, Broughton.</p>	<p>Therefore given the status of the Neighbourhood Plan and Neighbourhood Development Order, this will now take the place of any policies in respect of housing allocations in the draft SSP2. As a result, no further allocations will be considered as part of the SSP2 or the Neighbourhood Plan.</p> <p>This also applies to the settlement boundary for Broughton, which has been defined in the adopted Neighbourhood Plan and will not be amended through the SSP2.</p>
<p>456. Chapter 12.3 Broughton</p> <p>The SSP2 should therefore take the initiative to support further allocations in the rural communities where they are a sustainable form of development. The allocation of the site would not only address the shortcomings of the rural housing strategy, but also allow for a greater quantum of smaller dwellings in Broughton for which there is an identified need. In addition to this, its proximity to existing services and facilities, as well as those contained within Kettering, would result in highly sustainable development.</p> <p>Whilst it is acknowledged that planning permission has been refused on the site in the past, we believe a more modestly designed scheme with enhanced compensatory planting would address the previous grounds for refusal, thus allowing the site to come forward for development</p>	<p>The Joint Core Strategy sets out the requirement for the Rural Area as 480 dwellings in the period 2011-2031. As recorded in March 2017, there were 200 existing commitments and recorded completions since 2011, leaving a residual requirement of 280, 140 of which is considered to be windfall, leaving a further 140 dwellings. Allocated sites in the rural area will look to fulfil this</p>

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<p>For the reasons given above, it is suggested that the rural housing strategy and allocations in SSP2 is reviewed and Land to the Rear of 18 - 20 Glebe Avenue, Broughton is allocated for residential development. This will ensure that the Plan meets the requirements of the National Planning Policy Framework.</p> <p>In addition to the allocation of the site, it is also suggested the Borough Council also adjust the village boundary to include Land to the Rear of 18 - 20 Glebe Avenue, Broughton so that it can be brought forward for development.</p>	<p>remaining requirement through the SSP2.</p>
<p>482. Chapter 12.3 Broughton The Council should define the strategic policies of the SSLPP2 with which Neighbourhood Plans are expected to conform.</p>	<p>Broughton Neighbourhood Plan has been prepared and tested by an independent examiner that the plan in conformity with the North Northamptonshire Joint Core Strategy (JCS). The Neighbourhood Plan has been adopted, where the Part 2 Local Plan is yet to be so and therefore the Part 2 Local Plan can only be given limited weight at this stage. The JCS sets out the strategic policy for Kettering Borough and through the process set out above, the Neighbourhood Plan is considered to conform to this Plan and therefore there is no requirement to set out the policies in the Part 2 Local Plan that the Neighbourhood Plans are expected to conform.</p>

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	<p>Broughton Neighbourhood Plan has now been 'made' and now makes a single allocation through the Neighbourhood Development Order for up to seven homes on Church Street. In addition to this, Policy BRT02 will not be included within the Pre-submission version of the SSP2 and no sites will be allocated in Broughton in this Plan.</p> <p>Therefore, this will now take the place of any policies in respect of housing allocations in the draft SSP2. As a result, no further allocations will be considered as part of the SSP2 or the Neighbourhood Plan.</p> <p>With regards to Policy BRT01, this policy will be removed from the Plan given that the Broughton Neighbourhood Plan has been adopted.</p>
<p>495. Chapter 12.3 Broughton Page 125 of the SSP2 acknowledges that "<i>Broughton Parish Council has prepared a Neighbourhood Plan which is in an advantaged stage of preparation. However, to safeguard against the risk of a policy vacuum, should the neighbourhood plan not be successful, the SSP2 has continued to include allocations and other designations for Broughton. If the Neighbourhood</i></p>	<p>Site RA094 has significant constraints and site RA/096 is of a scale that is disproportionate given the historic delivery in Broughton and the proportion of</p>

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Plan is successful and is formally 'made' the Council has expressed that it will remove policies relating to Broughton in favour of those in the Neighbourhood Plan."

Support is given to the Council's approach to plan for development at Broughton in the event the Neighbourhood Plan referendum is unsuccessful and the Neighbourhood Plan is not 'made'. However **objection** is raised to the proposed allocation of land at 'The Paddock, Meadow Close' at Policy BRT02 to deliver a maximum of 20 dwellings. Detailed consideration of this site is discussed below.

As previously stated, **support** is given to the identification of Broughton as a Category A village. Paragraph 12.60 identifies that '*Broughton is a large village with a good range of services and facilities...*' and '*...is the second largest village in the Rural Area*'. It is also acknowledged that "*The A43 runs alongside the village and provides a convenient connection to both Kettering and Northampton*".

Clarification is requested about the justification for the scale of development proposed to be allocated. No explanation has been provided to justify the scale of development at each of the settlements within the rural area but particularly at Broughton given that it is a Category A village which is well connected to both Kettering and Northampton.

Questions 5 - Do you think that the development principles above, should remain in the Part 2 Local Plan, after the Broughton Neighbourhood Plan has been 'made'?

Draft Policy BRT01 proposes detailed 'development principles' for Broughton. In response to Question 5, this draft policy should be removed from the SSP2 in the event the Broughton Neighbourhood Plan is formally 'made' as the Neighbourhood Plan will form part of the Development Plan. This draft policy is considered to be very detailed and it would be more appropriate as part of the Neighbourhood Plan.

Objection is raised to Draft Policy BRT01 remaining within SSP2.

the overall rural housing requirement that Broughton has contributed. The site assessments have been undertaken using a consistent approach for all sites and have been informed by statutory consultees. The allocation of a site of 50-60 dwellings is significantly higher than that for 20 dwellings; therefore this scale of development cannot be justified as set out in the Housing Allocations Background Paper.

Broughton Neighbourhood Plan has now been 'made' and now makes a single allocation through the Neighbourhood Development Order for up to seven homes on Church Street. In addition to this, Policy BRT02 will not be included within the Pre-submission version of the SSP2 and no sites will be allocated in Broughton in this Plan.

Therefore, the Neighbourhood Plan will now take the place of any policies in respect of housing allocations in the draft SSP2. As

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Alternative Broughton Allocations

Objection is raised to the proposed allocation of Site RA/127. The 'Housing Allocations Background Paper (May, 2018) summaries the assessment of the proposed development sites at page 23. Site RA/127 does not score as positively as RA/094 'Land south east of Northampton Road, Broughton' (part) or RA/096 'Land West of Cransley Hill and Darlow Close, Broughton' as reproduced below in terms of double positive scores.

Summary	RA/127	RA/094 (Part)	RA/096
Double tick	9	11	12
Single tick	6	2	3
~	8	8	8
Single Cross	5	5	4
Double Cross	0	2	1

In addition it is noted at page 11 of the 'Housing Allocations Background Paper (May, 2018), in respect of RA/127 that "*the Agent considers could accommodate 5 dwellings*" despite this the Council proposing to allocate the site for 20 dwellings.

It is requested that Kettering Borough Council should fully consider the wider benefits associated with residential development at RA/096 'Land West of Cransley Hill and Darlow Close' including the opportunity to deliver improved access to the existing primary school, on site open space and recreation provision, market and affordable housing in proximity to Broughton High Street as previously stated in representations to promote this site.

The only double negative assessment is in response to 'cultural heritage' which relates to concerns regarding impact upon ridge and farrow feature at the site. EDP produced an 'Archaeology and Heritage Statement' dated April 2017 on behalf of Taylor Wimpey. This report

a result, no further allocations will be considered as part of the SSP2 or the Neighbourhood Plan.

The Joint Core Strategy sets out the requirement for the Rural Area as 480 dwellings in the period 2011-2031. As recorded in March 2017, there were 200 existing commitments and recorded completions since 2011, leaving a residual requirement of 280, 140 of which is considered to be windfall, leaving a further 140 dwellings. Allocated sites in the rural area will look to fulfil this remaining requirement through the SSP2.

In addition to point a) with regards to the meeting of local need, Policy 11c) states that 'Local Plans....will identify sites within or adjoining the villages to meet the rural housing requirements identified in Table 5'.

The site allocations process started in 2012, as part of the

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is enclosed for reference, it concludes the following (paragraphs 5.4 to 5.7)

“5.4 The site was recorded in 2001 as including part of an area of ridge and furrow, which extends further to the west. However, more recent observations made during the production of this statement identified that, where these remains lie within the site, they have either been entirely levelled or heavily truncated, such that they barely have an above ground presence.

5.5 In addition to the poor state of preservation, these truncated earthworks represent a very small part of five larger areas of surviving ridge and furrow identified in the study area, as recorded in the Northamptonshire HER. Indeed, the ridge and furrow immediately to the west was observed to have survived in much better condition. Considering these points, and that these types of earthworks are common in the country in general and are well understood, these remains are considered to be of no greater than ‘very low’ significance. As such, there is no reason to believe that they would form a constraint to development.

5.6 Otherwise, the site has a moderate potential to contain buried agricultural remains, dating from between the medieval to modern periods. If present these will most likely be of negligible significance, and are also unlikely to form a constraint to development.

5.7 The site is the result of 19th century parliamentary enclosure, later altered by modern agricultural practices and development, and has all but no pre-19th century historic landscape features. As such, the site is considered to have no more than a negligible historic landscape value, which is unlikely to form a constraint to development.” (Emphasis added).

As such it is requested the Council updates its assessment accordingly and removes this double negative score and change to neutral in light of the above findings.

Taylor Wimpey **strongly objects** to the statement at page 94 of the ‘Housing Allocations Background Paper (May, 2018) that “*The site is of a size that would see development of an excessive scale*” as no justification has been provided for 20 dwelling allocation.

Options Paper and the Rural Masterplanning report. Since this time, site assessments have been undertaken on sites that were originally considered as part of this process as well as additional sites which have been promoted through consultations. The most recent site assessments resulted in recommendations being taken to Planning Policy Committee, where Members decided on which sites to allocate in the SSP2.

At this stage it has been decided to remove Policy BRT01 as a result of Broughton Neighbourhood Plan being adopted.

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<p>Remedy: Allocate site RA/096 ‘Land West of Cransley Hill and Darlow Close, Broughton’ for residential allocation (50-60 dwellings).</p>	
<p>539. Chapter 12.3 Broughton</p> <p>The Boughton Estate has previously promoted the allotments site for development through the Local Plan and has worked up a scheme that involved in the region of 32 dwellings, relocated and enhanced allotments and paddock land. In support of their proposals, the Estate submitted (in addition to various positive reports on perceived constraints) an odour assessment (August 2017) to the Council which demonstrated that there would be no adverse impacts upon the proposed dwellings from the nearby wastewater treatment works. The site is not however proposed as a housing allocation and the allotments are now identified as a Local Green Space in the emerging Broughton Neighbourhood Plan, despite there being no direct consultation with the landowner under the Local Plan consultation and Kettering’s Green Infrastructure delivery Plan.</p> <p>The supporting text at paragraph 12.60 of the LPP2 Draft Plan acknowledges that Broughton is the second largest village in the Rural Area. In terms of the availability of facilities and services, the settlement assessment show that there is a considerably wider availability of facilities and services in Broughton than the vast majority of settlements in the Rural Area.</p> <p>Despite this, the Draft Plan proposes the allocation of one site for 20 dwellings, but on the basis that this will be withdrawn once the Broughton Neighbourhood Plan is adopted. The Neighbourhood Plan is close to adoption (having undergone examination and the receipt of the examiner’s report and awaiting a referendum date). The BT Exchange site has outline planning permission via a Neighbourhood Development Order. This is for 5 to 7 dwellings and it is not clear whether there is a developer attached to the site. The Estate has concerns about the level of homes proposed in the Neighbourhood Plan and the fact that this will make little contribution to the Borough’s Rural Area requirement, despite being one of the Borough’s most sustainable villages.</p> <p>Whilst the Neighbourhood Plan, when brought into force, will take precedence over existing non-strategic policies in a Local Plan (NPPF paragraph 30 refers), it is the Estate’s position that the</p>	<p>It is understood that the Neighbourhood Plan group did consult the landowners of those areas designated as Local Green Space in the Neighbourhood Plan. No further consultation is required with the landowner other than through the Neighbourhood Plan process. Since the start of the plan period Broughton has experienced significant growth. The Neighbourhood Plan has taken the role of identifying a site through a Neighbourhood Development Order which has been inspected by an examiner and therefore the level of the proposed growth is considered to be acceptable. The SSP2 will not allocate sites in addition the Neighbourhood Plan. The residual housing requirement can be delivered through allocated housing sites as well as windfall across other settlements in the Rural Area.</p> <p>The windfall allowance used was used in the preparation of the JCS in the identification of the</p>

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<p>Borough Council should be directing higher levels of housing towards Broughton to ensure that the Rural Area requirement is delivered in one of the most sustainable villages in the Borough. The Council should be setting a housing requirement for the Broughton Neighbourhood Area (as directed by NPPF paragraph 65) which reflects the overall strategy for the pattern and scale of development (as directed by NPPF paragraph 65) and in accordance with its status as a Category A settlement. The Council's strategy is to direct development to the more sustainable settlements, which is supported by the Estate. It is considered that this is not currently being achieved with respect to Broughton, and should become a priority either as part of the current LPP2 process or when the Local Plan is next reviewed. The Neighbourhood Plan would then have to be reviewed accordingly or would risk becoming out-of-date.</p>	<p>rural housing requirement. A background paper will be prepared to accompany the consultation on the Pre-submission plan which will provide the evidence used in identifying the level of windfall development in the rural area.</p>
<p>564. Chapter 12.3 Broughton</p> <p>I write in response to Kettering Borough Council's consultation on its Site Specific Part 2 Local Plan in respect of Site RA/127, The Paddock, Meadow Close in Broughton.</p> <p>Aitchison Raffety has carried out extensive dialogue with Kettering Borough Council to have Site RA/127 identified within the emerging Part 2 Local Plan. Site RA/127 is illustrated on Map 12.7 (drawn May 2018) of the draft Part 2 Local Plan (as hatched in yellow); although the Council's Proposals Map does not show housing constructed to the west despite the site now being completed.</p> <p>Promotion of Site RA/127</p> <p>The Council's preferred approach for Broughton in the Options Paper (produced as far back as March 2012) was for small-scale growth and two alternatives were identified for delivering this growth – focused development in one location or dispersed development among a number of sites.</p> <p>Within the Council's Assessment of Additional Sites (October 2013), two sites RA/098 and RA/127 were identified for focused growth; whilst sites RA/094, RA/096 and RA/101 were identified for dispersed growth. Site RA/098 has been built out, whilst RA/094 having been</p>	<p>As the Broughton Neighbourhood Plan has been 'made' this will now take the place of any policies in respect of housing allocations in the draft SSP2. As a result, no further allocations will be considered as part of the SSP2 or the Neighbourhood Plan.</p> <p>An application for the site, referenced as RA/127 has recently been dismissed at appeal following a decision to refuse the application for 20 dwellings by the Council.</p>

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reassessed, scored poorly in terms of accessibility due to its distance from the village centre. No access to site RA/096 could be achieved and was therefore discounted. Site RA/101 extends development to the west of Broughton and is not shown within the Council's proposed confines boundary within the draft Part 2 Local Plan and, as such, is evidently not supported by the Council.

On 26 November 2016 the Council held a Committee Meeting to update Council Members. This was regarding the assessment of sites for the allocation of housing land in the villages, for inclusion in the draft Site Specific Part 2 Local Plan; and for Members to endorse the 'next steps' (as outlined in Section 5 and 6 of Appendix 1 of the report). Section 5 of the Committee Meeting report supported the principle of the development of site RA/127 for residential use, recommended further work be completed, and for planners at the Council to continue to engage with the Neighbourhood Plan Group about the emerging Neighbourhood Plan.

In January 2017, we submitted a response to a draft version of the Neighbourhood Plan in respect of our client's site, proposing development of 26 houses. Our response explained that under paragraph 184 of the National Planning Policy Framework (March 2012), Neighbourhood Plans were required to be in general conformity with the strategic policies of the Local Plan for the area and that the Council had identified the site within their Strategic Housing Land Availability Assessment (SHLAA) forming a key element of the emerging 'Part 2' Local Plan.

Having submitted written responses to the Neighbourhood Plan Group about the benefits of our site, we submitted an outline application (KET/2017/0615) for the residential development of up to 20 dwellings with the demolition of the existing house; with all matters reserved. The proposal included a housing mix of 2, three bedroom, 10, four bedroom and 2, five bedroom properties for market sale. Affordable housing consists of 2, three bedroom and 4, two bedroom accommodation. This application was refused under delegated powers on 28 November 2017 for the following reasons:

1. *"The proposed development would not accord with the relevant Development Plan policies in particular 'saved' Policies 7 and RA5 of the Kettering Borough Local Plan*

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(adopted 1995 and Policies 1, 11 and 29 of the North Northamptonshire Joint Core Strategy (JCS) which seek to concentrate future developments primarily in the Borough's Growth and Market Towns, whilst strictly controlling development in the remainder of the rural areas in order to provide sustainable growth and to protect the intrinsic character of the countryside and rural area. It is not considered that there are material planning considerations that would outweigh this conflict as the development is also considered to conflict with guidance contained within the National Planning Policy Framework (NPPF) in that it involves development in a location that will not contribute to sustainable development objectives and to meeting housing need in a way that is in line with the spatial vision for the area, taking into account the Council's ability to identify a supply of specific, deliverable sites sufficient to provide 5 years' worth of housing requirements.

- 2. The proposal would be harmful to the rural character and appearance of the site, the area and the setting of the village and be perceived as a significant residential intrusion into the open countryside. The application is therefore contrary to Policy 8 (d) of the JCS and Chapter 7 of the NPPF.*
- 3. By reason of the proposal having an urbanising impact to the rural setting of the Conservation Area the proposal would fail to preserve the significance of the Conservation Area and result in the harmful loss of views of the countryside experienced from within the Conservation Area and view into the Conservation Area and thereby erode the physical and visual attachment the Conservation Area (and the village) has to surrounding countryside. The proposal would therefore be contrary to Policy 2 of the JCS and inconsistent with Chapter 12 of the NPPF.*
- 4. The application fails to demonstrate that the proposed development access and the existing highway arrangements in Grange Road as a result of its proposed intensification, is safe and fit for purpose contrary to the requirements of Policy 8 (b) of the JCS and Chapter 4 (paragraph 32) of the NPPF.*
- 5. Policy 10 of the JCS is concerned with infrastructure and developer contributions, and*

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states that 'Developers will either make direct provision or will contribute towards the provision of infrastructure required by the development'. This is consistent with the National Planning Policy Framework. In the absence of a signed legal undertaking the Council cannot be satisfied that the development proposal would make sufficient provision for the improvement or provision of: Education Infrastructure, Affordable Housing, Public Open Space; Highway Infrastructure; Library Infrastructure and Fire and Rescue provision. The application is therefore contrary to Policy 10 of the Joint Core Strategy and its Policy 30 (d) that seeks affordable housing provision (40%) in the interests of securing housing mix and tenure and therefore is inconsistent with Chapter 6 (paragraph 50) of the NPPF.

- 6. The application has failed to demonstrate that the proposal could be delivered in a way that protects the well-being of the site's boundary hedgerow and trees as well as nearby trees in the interests of retaining some of the site's existing verdant quality and securing ecological enhancement through the preservation of an existing natural habitat. As such the proposal is contrary to Policies 4 (b) (iii) and 8 (d) of the JCS and is inconsistent with Chapter 7 (paragraph 58) and Chapter 11 (paragraphs 109 and 117) of the NPPF.*
- 7. The application has failed to demonstrate that the proposal would not cause an adverse impact to the residential amenities of future occupiers as a result of noise impacts from the A43 whilst also ensuring quality of life for future occupiers. As such the proposal is contrary to Policy 8 (e) and is inconsistent with paragraph 17 (point 4) and 123 of the NPPF”.*

This proposal for 20 dwellings is now subject to an appeal (APP/L2820/W/18/3194871), by way of Hearing, which was validated by the Planning Inspectorate on 9 July 2018. The case officer has accepted reasons three to seven can be dealt with by an agreement on the Statement of Common Ground.

The Neighbourhood Plan

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Our written representations submitted on the Neighbourhood Plan, argued that there was a lack of robust and up-to-date information to inform its policy objectives and strategic objectives; given the emerging Part 2 Local Plan has not yet been examined by a Planning Inspector. This is reinforced by Planning Practice Guidance [PPG] (Paragraph 084, Reference ID: 41-084-20180222). Essentially, we feel the Neighbourhood Plan has not been fairly tested against the strategic needs of the Borough. The Neighbourhood Plan is required to meet its share of the Council's housing requirements over its plan period up to 2031.

In assessing the Neighbourhood Plan, the Independent Examiner's report, dated 28 May 2018, confirms that the Examiner was not required to assess the soundness of the Neighbourhood Plan or examine other material considerations. PPG recognises that Neighbourhood Plans can become out-of-date if they conflict with policies in a Local Plan that is adopted after the making of a Neighbourhood Plan. In such cases, the more recent plan policy takes precedence (Paragraph 84, Reference ID: 41-084-20180222).

The Neighbourhood Plan shows Site RA/127 partly within and partly outside of the proposed settlement boundary. The Independent Examiner found that whether the site should remain as a draft housing allocation in the emerging Part 2 Local Plan to be a matter for the Council. The Council confirmed that the overall requirement in the Joint Core Strategy for the rural area is 480 dwellings. Taking completions and commitments into account together with a windfall allowance, the overall requirement to be allocated through Neighbourhood Plans or the Part 2 Local Plan is 140. Whilst work was accepted by the Examiner to be "on-going", a figure of 87 dwellings was provided to Broughton. This figure did not include an allowance for windfall development and is not a cap to housing development. With updates and corrections, the Examiner found the overall figure to be 92.

The Neighbourhood Plan explains that the adopted Local Plan and Joint Core Strategy refer to the acceptability of "small-scale" development, but there is no definition of what this means.

Given the uncertainty relating to consented development being implemented, we feel our proposal for 20 dwellings is acceptable over the course of the plan period, particularly as site

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RA/127 represents a logical infill opportunity. The Neighbourhood Plan does not allocate any sites for development, and therefore all new development should be regarded as windfall. The Examiner found that given the Neighbourhood Plan explains that “strategic sites” will be “identified and brought forward only through the Neighbourhood Plan review process, it would effectively scupper the development of any larger sites within the village boundary until or if the Plan was reviewed. The Examiner found this to be clearly contrary to the NPPF’s aim of supporting strategic needs set out in Local Plans and planning positively to support local development outside the strategic elements of the Local Plan and significantly boosting the supply of housing in respect of paragraphs 16 and 47 of the NPPF (March 2012). The Examiner therefore recommended that Strategic Site Policy 5 be deleted in its entirety including its conformity element.

The Examiner also recommended Windfall Policy 6 be deleted in its entirety, including its conformity element, given its definition was found to be “muddled”. In respect of criterion d) of Windfall Policy 6, which seeks to safeguard land between the bypass and the village boundary, the Examiner found little justification and as a result recommended it be deleted given it does not take into account national policy or guidance; or the basic conditions.

On examination it was also recognised all the contents of Chapter 6 relating to Traffic, Transport and Highways constituted “community aspirations” rather than “planning policies”. The Examiner recommended a paragraph be added to read:

“The Neighbourhood Plan can only include policies that relate to the development and use of land. Wider community aspirations can be included in the Neighbourhood Plan, but must be clearly identifiable. All the contents of this Chapter relate to community aspirations that have evolved from the Parish Plan and through consultation on the Neighbourhood Plan as well as a Parish wide Traffic Survey. They therefore are community aspirations rather than planning policies.”

Subject to a series of recommended modifications, the Examiner was satisfied that the Broughton Neighbourhood Development Plan met the basic conditions and other statutory

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requirements outlined within their report, and could proceed to referendum.

Since examination of the Neighbourhood Plan, further dialogue has been held with both Kettering Borough Council and Broughton Parish Council. We were disappointed to find that it is now proposed to remove Site RA/127 from the Site Specific Plan, should the Broughton Neighbourhood Plan be adopted; the premise for this decision being that the Neighbourhood Plan looks to allocate a site for housing through a Neighbourhood Development Order, on Church Street, which has not been identified in the Site Specific Plan.

As such, these representations to the Draft Plan Publication of the Site Specific Part 2 Local Plan are twofold; firstly to support the Plan in respect of the proposed amendments to the village confines of Broughton and secondly, to object to the removal of Site RA/127 should the proposed Neighbourhood Development Plan be adopted in its current form.

In respect of the changes to the village confines, these are supported. The new confines take into consideration the development of the land to the east of Cransley Hill by Redrow Homes and now provide a logical boundary that takes into consideration this site and the overall built up nature of this part of the village. There is the potential in the future that the housing allocation within the Neighbourhood Plan will not meet all the needs of the village, or that Kettering Borough Council require further housing land should their land supply position change. The widening of the village confines allows some comfort that there is adequate land within the confines to deliver further housing, without the need to look at sites that are not well connected to the existing village or form an important approach to the village, neither of which is applicable to site RA/127.

NATIONAL PLANNING POLICY FRAMEWORK [NPPF] (REVISED JULY 2018)

Paragraph 1.9 of the draft Plan states that it has been prepared taking account of the NPPF (adopted March 2012) and Planning Practice Guidance [PPG]. A consultation on revisions to the NPPF took place from 5 March 2018 to 10 May 2018; and that the Plan will be updated where appropriate prior to the Pre-Submission Consultation. These written representations have

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provided a summary of the revised NPPF as set out below for reference.

The revised National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. The revised NPPF replaces the previous Framework which was published in March 2012.

Paragraph 7 recognises that the purpose of the planning system is to contribute to the achievement of sustainable development; whilst paragraphs 8 and 9 identify that achieving sustainable development has three overarching objectives (economic, social and environmental) which should be delivered through the preparation and implementation of plans and the application of policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies should play an active role in guiding development towards sustainable solutions, but in doing so take local circumstances into account, to reflect the character, needs and opportunities of each area.

At the heart of the Framework is a “**presumption in favour of sustainable development**” to ensure sustainable development is pursued in a positive way (paragraph 10).

For plan-making this means that:

1.a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

1. b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

1. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

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1. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole (paragraph 11).*

Neighbourhood Plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies (paragraph 13).

Chapter 3 of the Framework relates to plan-making and recognises that the planning system should be genuinely plan-led. Paragraph 16 states that plans should:

1. *a) be prepared with the objective of contributing to the achievement of sustainable development;*
2. *b) be prepared positively, in a way that is aspirational but deliverable;*
3. *c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
4. *d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
5. *e) be accessible through the use of digital tools to assist public involvement and policy presentation; and*
6. *f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*

Paragraph 17 explains that the Development Plan must include strategic policies to address each local planning authority's priorities for the development and use of land in its area.

Paragraph 18 states "Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that

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contain just non-strategic policies”.

Strategic policies are defined by those which set out an overall strategy for the pattern, scale and quality of development; making sufficient provision (in line with the presumption in favour of sustainable development) for a number of factors which includes housing (paragraph 20).

Strategic policies should look ahead over a minimum 15 year period from adoption to anticipate and respond to long term requirements and opportunities (paragraph 22).

Strategic policies should also provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (paragraph 23).

Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies (paragraph 29).

Preparing and reviewing all Local Plan policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals (paragraph 31).

Local plans are considered to be ‘sound’ if they are positively prepared, justified, effective and consistent with national policy (paragraph 35).

Chapter 4 of the Framework relates to decision making. In the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions

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about the scale, location or phasing of new development that are central to an emerging plan; and b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area (paragraph 49)

Chapter 5 of the Framework clearly sets out that the Government's objective is to significantly boost the supply of homes and it is important that a sufficient amount and variety of land can come forward where it is needed (paragraph 59). To determine the minimum number of homes needed, strategic policies should be informed by a local housing needs assessment, conducted using the standard method in national planning guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for (paragraph 60). The Framework promotes housing which accommodates needs for different groups in the community (paragraph 61).

Paragraph 65 of the Framework requires planning authorities to establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met. Strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

The Framework recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. Local planning authorities are required to promote the development of a good mix of sites, and should:

1. a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved
2. b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward

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3. c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes (paragraph 68).

The revised NPPF now requires, in paragraph 73, local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

1. a) 5% to ensure choice and competition in the market for land; or
2. b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
3. c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply (Measured against the Housing Delivery Test where this indicates that delivery was below 85% of the housing requirement).

Paragraph 75 of the revised NPPF states the local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years. We understand from figures contained within the North Northamptonshire Authorities Monitoring Report (April 2017) that Kettering Borough Council has a land supply of 6.58 years. This translated into an annual percentage under the Housing Delivery Test target, of homes required and delivered, equates to 72%. Housing Delivery Test results will be published annually in November by the Ministry of Housing, Communities and Local Government. The first

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Housing Delivery Test will be published November 2018.

In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect needs (paragraph 77).

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby (paragraph 78).

Chapter 9 of the Framework relates to policies geared toward promoting sustainable transport. Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Framework promotes the effective use of land within Chapter 11 and policies should meet the need for homes whilst safeguarding and improving the environment and ensuring safe and healthy living conditions (paragraph 117). Planning policies should also reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability (paragraph 120).

Plans should seek to allocate land with the least environmental or amenity value, where consistent with other policies within the Framework (paragraph 171).

Policies within the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019 (paragraph 214).

The Housing Delivery Test will apply from the day following the publication of the Housing Delivery Test results in November 2018.

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RESPONSE TO KETTERING BOROUGH COUNCIL'S DRAFT SITE SPECIFIC PART 2 LOCAL PLAN

The Council's Site Specific Part 2 Local Plan draft consultation has been prepared following Issues consultation which took place in 2009, the Options consultation which took place in 2012, and the housing options consultation which took place in 2013. Throughout this period Aitchison Raffety promoted site RA/127 to Kettering Borough Council who until the recent examination of the Broughton Neighbourhood Plan continued to support the proposed allocation of the site for housing development. The Council's long-standing support for site RA/127 is evident in the proposed amendments to the village confines boundary to include the site.

Paragraph 3.5 of the draft Plan explains settlement boundaries were defined and drawn using criteria contained within the Background Paper: Settlement Boundaries (Update) April 2018. These principles are outlined below:

Principle 1

The boundary will be defined tightly around the built up framework and where possible will follow defined features such as walls, hedgerows and roads.

Principle 2

Boundaries will include:

1. a) Existing commitments for built development ie unimplemented planning permissions
2. b) Buildings on the edge of settlements which relate closely to the economic or social function of the settlement eg churches, community halls
3. c) Curtilages which are contained and visually separated from the open countryside
4. d) New allocations

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Principle 3

Boundaries will exclude:

1. a) Playing fields or open space at the edge of settlements (existing or proposed)
2. b) New allocations for affordable housing
3. c) Isolated development which is physically or visually detached from the settlement (including farm buildings or agricultural buildings on the edge of the settlement which relate more to the countryside than the settlement)
4. d) Large gardens and other open areas which are visually open and relate to the open countryside rather than the settlement
5. e) Large gardens or other areas whose inclusion or possible development would harm the structure, form and character of the settlement

Principle 4

Settlement boundaries do not need to be continuous. It may be appropriate given the nature and form of a settlement to define two or more separate elements.

3.3 Clearly, as the Council had proposed to allocate site RA/127 and adjust the settlement limits accordingly, the site performs well against these principles.

3.4 The Background Paper relating to settlement boundaries states on page 10 that *“Site RA/127 has been endorsed by Members to designate as a potential housing site within the draft Local Plan for public consultation, with a caveat that if the Broughton Neighbourhood Plan is adopted, then the site would be withdrawn from the Local Plan process”*. No further justification is provided. No consideration of housing requirements over the whole NP period appears to have been assessed, given the draft Local Plan has not been tested through examination.

3.5 The Broughton Neighbourhood Plan which is due to go to referendum cannot be seen to have fully assessed the Overall Assessed Needs of the Borough, nor can it be seen to

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proactively drive and support the delivery of sustainable development; particularly as it does not provide any housing allocations or reserve housing sites. It is not possible that the Broughton Neighbourhood Planning Group had a full accurate policy base, as the emerging Part 2 Local Plan is yet to reach an advanced stage (as acknowledged by Kettering Council in paragraph 1.1 of the draft SSP2).

Should it be found that Kettering Borough Council cannot identify a 5 year housing land supply then those policies contained within the Broughton Neighbourhood Plan, together with the relevant Development Plan policies, will also be considered out-of-date and the presumption in favour of sustainable development will apply.

Case law has upheld by a decision in the High Court, Woodcock Holdings –v- the Secretary of State and Mid-Sussex District Council (**Appendix 1**). This demonstrates the implications of progressing a Neighbourhood Plan where there is no up-to-date adopted Development Plan or 5 year housing land supply in place. The judgement demonstrates:-

- That paragraphs 14 and 49 of the Framework (relating to 5 year land supply and the weight to be given to extant housing land supply policies) apply equally to both emerging and made Neighbourhood Plan policies in respect of other Development Plan documents otherwise adopted and/or emerging by the Local Planning Authority
- The Neighbourhood Plan cannot be given more weight than the wider Development Plan
- Neighbourhood Plans must respect national policy and core planning principles set out within the Framework
- Prematurity must be assessed against NPPG

In October 2015 an appeal decision at Thorpe Road, Earls Barton, Northamptonshire

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(Appendix 2) reflected the importance of the Woodcock Holdings judgement. The appeal allowed delivery of 39 dwellings at an advanced stage of the Neighbourhood Plan preparation (one day prior to the Neighbourhood Plan referendum). It is important therefore that the Council allow for a significant degree of flexibility and adaptability in Broughton, to respond rapidly to changes in the market, otherwise the Neighbourhood Plan will be found to be out-of-date before its adoption. The Secretary of State agreed with the Inspector that the scale of the development was sufficiently small enough not to be premature in terms of jeopardising future development within the Neighbourhood Plan. In conclusion the Secretary of State considered the lack of a 5 year housing land supply and the contribution the appeal proposal would make to increasing housing land supply, weighed heavily in favour of the appeal, and agreed with the Inspector that the proposal would amount to sustainable development. In carrying out a planning balance in respect of paragraph 14, the Secretary of State found that the harm identified was insufficient to significantly and demonstrably outweigh the acknowledged benefits of the sustainable development.

The Broughton Neighbourhood Plan presented a restrictive approach to the growth of the village by discounting all sites being assessed under the Council's Site Specific Proposals LDD, arguing there is a number of constraints on category 2 SHLAA sites (page 30 of the Plan). In calculating the development need for the village the Neighbourhood Plan Group utilised the Borough Council's assessment for Broughton as utilised in the preparation of the Core Strategy. It is important to note that the Council's Overall Assessed Need will have to be updated to take account of the most up-to-date Household Projections, which may point to a significant increase to the Borough's housing needs. This reinforces the inappropriateness of progressing the Broughton Neighbourhood Plan at this point in time, when the strategic priorities for the Borough are still yet to be determined through examination.

It should also be recognised that the examiner of the Broughton Neighbourhood Plan was not assessing the soundness of the Plan or examining other material considerations. PPG recognises that Neighbourhood Plans can become out-of-date if they conflict with policies in a Local Plan that is adopted after the making of a Neighbourhood Plan. In such cases, the more

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recent plan policy takes precedence (Paragraph 84, Reference ID: 41-084-20180222).

The SSP2 consultation draft sets out a series of questions to respond to. We consider Question 5 to be relevant and have responded as set out below.

Question 5: Do you think that the development principles (Policy BRT01 – Development in Broughton - below), should remain in the Part 2 Local Plan after the Broughton Neighbourhood Plan has been adopted?

Policy BRT01

Broughton Development Principles

Development in Broughton will:

1. *a) Protect or enhance the traditional, historic character of the central core of Broughton;*
2. *b) Not cause coalescence between Broughton and Kettering;*
3. *c) Be well connected and well related to the centre of the village;*
4. *d) Reflect the characteristics of the central village and the historic farmsteads depending upon the location of the development and its relationship to these character areas;*
5. *e) Be at a low density reflecting the Central Village and Historic Farmstead character areas with a more organic or dispersed pattern of development than recent modern developments;*
6. *f) Ensure new street patterns should reflect those of historic streets in the village and should be designed to encourage slow traffic movement, to create a pedestrian friendly environment and to create an enclosed and intimate environment;*
7. *g) Include frequent areas of attractive open spaces between developments, reflecting this important traditional characteristic;*
8. *h) Ensure that hedgerows and trees should be used to provide boundaries to gardens to create a soft edge to the village and where appropriate buildings should be spaced to allow views out to the open countryside to be retained. The use of high close-boarded*

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fencing or brick walls which mark the boundary with the open countryside should be avoided or at gateways to the village;

9. *i) Enhance the open space within the village including the area in front of the church;*
10. *j) Use a limited palette of traditional local materials based around ironstone, red brick, black weatherboards, slate and pantiles;*
11. *k) Front on to and abut, or be slightly set back in line with surrounding building lines, creating a good sense of enclosure;*
12. *l) Enjoy a positive relationship with surrounding development and not present inactive or blank facades to streets;*
13. *m) Prioritise conversion of redundant buildings, affordable housing and starter homes;*
14. *n) Encourage business or commercial development, including cottage industries; and*
15. *o) Facilitate the following improvements to the village:*
16. *i) Enhance the High Street environment to encourage a more viable and vibrant heart to the village as a focus for economic activities and facilities, for example a butchers, bakers or tea shop*
17. *ii) Public realm improvements to create a public realm more in keeping with the rural, traditional character of the village, for example soft landscaping and tree planting, and sensitive traffic calming measures, for example gravel dressing, carriageway narrowing and planting*

iii) Enhancement of the area of open space in front of the church to improve its setting

The Council is assuming that the Neighbourhood Plan will be adopted. The Neighbourhood Plan is due to go to referendum and the Council is not in any position of certainty to state that the Neighbourhood Plan will be adopted; nor to try and influence the local community. We feel the manner of this question to strongly prejudice our client's position unfairly. We do not consider there to be any justification to withdraw the site if the Broughton Neighbourhood Plan is adopted. The site is in a sustainable location representing an infill opportunity and is close to community facilities. The Council's proposal plan for Broughton also does not fairly illustrate the recently completed housing development to the west of RA/127. The recent development by Redrow Homes to the west of the site has materially altered the appearance and form of this part of the

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village. As a direct result, site RA/127 is surrounded by residential development to the east, west and south. Any development would constitute infill. As part of the land adjoining Meadow Grange, the proposals represent an acceptable development, meeting housing need in the settlement without any extension into the surrounding open areas.

The allocation of site RA/127 will not harm the Broughton Conservation Area, and the case officer in dealing with the recent planning application, agreed that reasons for refusal three to seven can be dealt with via a Statement of Common Ground at appeal.

Aside of the tone of question 5 within the draft SSP2, Site RA/127 clearly performs well against the proposed policy which is reflected by the Council proposing to amend the village confines to include the site; which we support.

We also strongly support Policy BRT02 regarding The Paddock, Meadow Close.

We support the potential of inclusion of Site RA/127 as shown by the Council. The potential inclusion of the site by the Council demonstrates that development can be appropriately assimilated into its setting without undue harm. Chapter 4 of the revised NPPF states in paragraph 49 – in particular context of the presumption in favour of sustainable development – that arguments that an application is premature are unlikely to justify a refusal of planning permission other than where the development proposed is so substantial (or its cumulative effect would be so significant) that to grant planning permission would undermine the plan-making process. As such the site should be seen to address all reasons for refusal.

The Council have supported the site over a long-standing period of time and to suddenly pull the site from the Local Plan is not considered to be justified or to accord with the positive approach to development as promoted within the NPPF. We support the allocation of RA/127 and the site should be left in the Local Plan.

CONCLUSIONS

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These written representations to the Draft Plan Publication of the Site Specific Part 2 Local Plan are twofold; firstly to support the Plan in respect of the proposed amendments to the village confines of Broughton and secondly, to object to the removal of Site RA/127 should the proposed Neighbourhood Development Plan be adopted in its current form.

Aitchison Raffety has carried out extensive dialogue with Kettering Borough Council to have Site RA/127 identified within the previous emerging Part 2 Local Plan. On 26 November 2016 the Council held a Committee Meeting to update Council Members. This was regarding the assessment of sites for the allocation of housing land in the villages, for inclusion in the draft Site Specific Part 2 Local Plan; and for Members to endorse the '*next steps*'. Section 5 of the recent Committee Meeting report supported the principle of the development of site RA/127 for residential use, recommending further work be completed, and for planners at the Council to continue to engage with the Neighbourhood Plan Group about the emerging Neighbourhood Plan. As such, in January 2017 we submitted a response to a draft version of the Neighbourhood Plan in respect of our client's site, proposing development of 26 houses. Our response explained that under paragraph 184 of the National Planning Policy Framework, Neighbourhood Plans are required to be in general conformity with the strategic policies of the Local Plan for the area and that the Council had identified the site within their Strategic Housing Land Availability Assessment (SHLAA) forming a key element of the emerging 'Part 2' Local Plan.

Since that time, further dialogue has been held with both Kettering Borough Council and Broughton Parish Council. We were disappointed to find that it is now proposed to remove the site from the Site Specific Plan, should the Broughton Neighbourhood Plan be adopted. The premise for this decision being that the Neighbourhood Plan looks to allocate a site for housing through a Neighbourhood Development Order, on Church Street, which has not been identified in the Site Specific Plan.

In respect of the changes to the village confines, these are supported. The new confines take into consideration the development of the land to the east of Cransley Hill by Redrow Homes and now provide a logical boundary that takes into consideration this site and the overall built up

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nature of this part of the village.

Whilst the position regarding the implications of the Neighbourhood Plan and the potential removal of Site RA/127 are noted and addressed within in this representation, it is considered that the changes to the village confines will provide both the Council and Parish further leeway in any further need to deliver houses. There is the potential in the future that the housing allocation within the Neighbourhood Plan will not meet all the needs of the village, or that Kettering Borough Council require further housing land should their land supply position change. The widening of the village confines allows some comfort that there is adequate land within the confines to deliver further housing, without the need to look at sites that are not well connected to the existing village or form an important approach to the village, neither of which is applicable to site RA/127.

We support the potential of inclusion of Site RA/127 as shown by the Council. The potential inclusion of the site by the Council demonstrates that development can be appropriately assimilated into its setting without undue harm. Chapter 4 of the revised NPPF states in paragraph 49 – in particular context of the presumption in favour of sustainable development – that arguments that an application is premature are unlikely to justify a refusal of planning permission other than where the development proposed is so substantial (or its cumulative effect would be so significant) that to grant planning permission would undermine the plan-making process. As such the site should be seen to address all reasons for refusal.

The Council have supported the site over a long-standing period of time and to suddenly pull the site from the Local Plan is not considered to be justified or to accord with the positive approach to development as promoted within the NPPF. We support the allocation of RA/127 and the site should be left in the Local Plan.