

Our Ref:

Your Ref: Ecton Neighbourhood Development Plan Submission Version

10th February 2020

By email only to planningpolicy@wellingborough.gov.uk

Dear Sir/Madam

RE: Ecton Neighbourhood Development Plan Submission Version (Regulation 16)

I write on behalf of the Trustees of the Ecton Estate to provide representations in response to the Ecton Neighbourhood Development Plan (NDP) Submission Version (Regulation 16). The preparation of the Ecton NDP sits under the adopted strategic development plan policies for the Borough of Wellingborough articulated in the North Northamptonshire Joint Core Strategy 2016 (NNJCS) and the Plan for the Borough of Wellingborough 2019 (PBW). General conformity with these strategic policies is one of the Basic Conditions which must be met for an NDP to proceed to referendum. Other Basic Conditions include the need to contribute to sustainable development and have regard to national policies and advice.

Housing Needs and Policies

The PBW sets out a hierarchy of the Borough's rural settlements. Ecton is identified as a Village which sits at the top of the rural settlement hierarchy and can accordingly accommodate small-scale infill development to meet its own need or a level of growth that has been identified in the JCS or a Neighbourhood Plan. Given that the current version of the NDP does not allocate any sites, an opportunity has been missed to proactively meet the village's housing needs as identified in the Housing Need Survey (Ecton) dated January 2018. Such needs are much likely to be met through bringing forward a proposed allocation via the NDP rather than piecemeal infill development within the existing built-up area, which is the only type of growth the NDP allows for.

That said, the housing needs survey relied upon in the preparation of the NDP is not robust. The plan-making body should produce its own evidence to justify the level and type of growth planned for. The Housing Needs Survey for Ecton is now over two years old; it is a snapshot in time and relies on the interpretation of those completing the survey. It also contains a marked lack of secondary data contrary to best practice in producing such documents. It does not adequately represent housing need in Ecton, and an objection is raised to using this dated survey as evidence to underpin the NDP.



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Section 5.2 of the submission plan contains its housing policies. Policy 2 seeks to secure development that will take account of housing needs evidence and provides smaller dwelling types. It would not be practical or proportionate to secure specific housing tenures or types through small-scale infill developments. Similarly, such schemes cannot secure affordable housing due to being under the applicable threshold. As such, whilst it is recognised that the plan will not make housing allocations, not to do so will be detrimental to the plan's objectives of delivering specific housing types and tenures to meet locally arising need.

The Trustees of the Ecton Estate control Land East of Church View (See site location plan in Appendix 1) which is suitable and deliverable for new residential development being well-located in respect of existing residential development to the west and the south as well as extensive tree cover to the east. The site is also well-located in respect of the services and facilities available in Ecton which are reachable within walking distance. This site is available for development and could play a significant part in meeting local housing needs however arising or identified. We would therefore urge the Parish Council to reconsider its approach to not making specific site allocations in light of the wider evidence about locally arising housing need within the plan area.

Policy 6 – Local Green Space

The plan proposes the designation of four areas of Local Green Space (LGS). Two of these areas lie upon land controlled by The Trustees of the Ecton Estate; namely Land to the rear of the Village Hall, High Street and the Allotment Land east of High Street. Our client **objects** to these LGS designations as they are not consistent with national planning policy.

Paragraphs 99 and 100 of the National Planning Policy Framework 2019 (NPPF) set out the tests to be met in designating LGS. Paragraph 99 states that designating land as LGS should be consistent with the local planning of sustainable development and should only be designated when a plan is prepared or updated, as well as being capable of enduring beyond the end of the plan period. Paragraph 100 states that LGS designations should only be used where the green space is:

- In reasonably close proximity to the community it serves
- Demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, or recreational value (including as a playing field), tranquility or richness of its wildlife; and
- Local in character and is not an extensive tract of land

The Basic Conditions Statement which supports the submission draft of the plan states that paragraph 5.3.12 of the supporting text to Policy 6 specifies how the proposed LGS designations conform with the criteria in paragraph 100 of the NPPF. Our clients disagree with this statement as the assessment in the supporting text is not sufficiently detailed or comprehensive. No other evidence supports these proposed designations other than the brief descriptions in the supporting text. These are largely anecdotal and do not show why the parcels are “*demonstrably special*” to the community at large.

The land east of High Street occupies the southernmost limb of the settlement and is not readily visible along High Street or from the surrounding public domain. The assessment in the supporting text states that views from the site into the wider countryside are “*pleasant*” but this does not explain why such views hold particular local significance, which is the test to be applied. The allotments are occupied on the basis of licenses which are reviewed annually. As a result, the landowner could at any time remove access or alter the use of the allotments from the purposes which they are held to be demonstrably special. There is no certainty about whether use of the site would ensue beyond the plan period and thus the proposed designation fails the test in paragraph 99 of the NPPF as well as the requirement of paragraph 100 that the greenspace be “*demonstrably special*.”

The justification for the designation of LGS at Land to the rear of the Village Hall is similarly vague and does not explain why the land is demonstrably special or why the views experienced from the land are of particular local significance. The land proposed for designation is owned by our client and whilst the adjacent village hall and land to the front of it is leased to the Trustees of Ecton Village Hall, the land to the rear of the village hall is not included within that lease. Any event is held by landlord permission and that permission can be refused or removed at any time. Akin to the situation with Land East of High Street the landowner can therefore remove access and/or alter use of the land for the purposes which they are held to be demonstrably special. Accordingly, there is no certainty that use of the site would ensure beyond the plan period and thus the proposed designation fails the test set out in paragraph 99 of the NPPF as well as paragraph 100.

Whilst it is noted that a Regulation 14 (Draft) version of the emerging Neighbourhood Plan was consulted upon between 15th April 2019 and 31st May 2019, our client was not directly contacted by the Parish Council to be informed of their intention to allocate the Village Hall, High Street and the Allotment Land east of High Street as Local Green Space. The lack of such notification and one to one discussion ahead of the Regulation 14 consultation is very disappointing, especially when one considers the charitable nature shown by our client in the past, but also a clear breach of the requirements set by the Planning Practice Guidance.

For the plan to meet the Basic Conditions the proposed Local Green Space designations at Land to the rear of the Village Hall, High Street and the Allotment Land east of High Street should be removed.

Policy 7 – The Conservation Area

Policy 7 relates to proposals within the Ecton Conservation Area. Our client **objects** to this policy as it is currently drafted since it is out of step with national planning policy on heritage planning and is also contradictory. Point 3 of the policy requires the use of traditional pitched roofs yet Point 9 states that contemporary designs should not imitate earlier architectural periods or styles. Point 2 underlines the need to use “*traditional materials*” which again seemingly contradicts Point 9.

Point 6 refers to the views of “*heritage assets*” including Ecton Hall but the policy itself is described as only relating to the conservation area. Point 8 resists “*standard designs*” where such designs fail to capture or complement the distinctive and traditional character of the Conservation Area. This is at odds with the more nuanced approach set out in the NPPF which states at paragraph 196 that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The NPPF therefore requires a balancing exercise to be undertaken; it is not as straight forward as requiring proposals to capture traditional character, although it is accepted that due regard should be had to them.

The drafting of this policy should be fundamentally reconsidered in order to give greater clarity and pay sufficient regard to national planning policy.

Policy 10 – Important Public Views and Vistas

Our client **objects** to Policy 10 on the basis that it is too broad in its application and is not supported by sufficient evidence thereby obstructing the delivery of sustainable development. Point 1 of the policy requires important views to be maintained towards Ecton village. There is no further explanation as to what these important views are. Similarly, with respect to the policy's efforts to safeguard important views of the countryside from the public rights of way and highway network in the entire plan area, there is insufficient explanation as to what these important views are or what makes them important. Point 4 states that important views of Ecton Hall and the

adjoining former parkland should be protected from the public footpath to the east of the village. Again, there is insufficient clarity about what views should be safeguarded or why they are of importance or contribute to the historic significance of Ecton Hall as a heritage asset.

In order to meet the Basic Conditions Policy 10 requires substantial revision to identify and prioritise the safeguarding key views where this can be justified in respect of the plan's evidence base. Such views should also be clearly illustrated or explained in order to facilitate effective decision-making. In its current form Policy 10 should be deleted to meet the Basic Conditions.

Conclusion

In conclusion the neighbourhood plan as currently drafted does not meet at least two Basic Conditions in that it would hinder sustainable development and would not pay sufficient regard to national planning policy, particularly in relation to the above-mentioned LGS designations.

Yours sincerely



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Enclosures: Appendix 1 – Site Location Plan

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