

Village Design Statement

Introduction

Rushcliffe Borough Council Planning Policy

Local Planning is in turmoil. In 2004 Borough Councils were required to create Local Development Framework which for Rushcliffe would have been a 'portfolio' of Local Development Documents which collectively would deliver the planning strategy for Rushcliffe.

The LDF was planned to comprise several documents to be produced over a period of time:

- Development Plan Documents, including the Core Strategy.

The Development Plan Documents were to comprise Site Specific Allocations and Development Control Policies. Neither has been produced.

The consultation period for the Core Strategy Option for Consultation document ended on Monday 12 April 2010. The Borough Council is considering the responses received through this consultation and the implications of the Regional Plan being revoked by this Government.

- Supplementary Planning Documents.

These were to comprise Development Requirements, Affordable Housing, Open Space, Sport and Recreation and Residential Design Guidance. It is the Council's intention to resume production of an Affordable Housing Supplementary Planning Document once further progress has been made on Local Development Framework Core Strategy. No work has been published on Development Requirements, Open Space and Sport and Recreation. The Residential Design Guidance was adopted in Feb 2010.

- Statement of Community Involvement.

This was published in 2007 and commits the Borough Council to consult with Parish Councils and local neighbours affected by planning applications.

- Local Development Scheme, which sets out a timetable for producing the LDF.

The planned completion date for the documents was February 2011, however as the process was behind schedule a revised timetable was prepared which had completion by November 2013. This has not been adopted.

- Annual Monitoring Report.

The last report was published in 2010 which acknowledged that the process is behind schedule.

National Planning Policy Framework

In July the Department for Communities and Local Government published a consultation exercise on a new National Planning Policy Framework. The consultation ends on 17th October 2011.

The draft document comprises 64 pages and the following paragraphs set out the desired outcome from the new planning process:

“14. At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Local planning authorities should:

- prepare Local Plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes
- approve development proposals that accord with statutory plans without delay; and
- grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date.

All of these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

15. All plans should be based upon and contain the presumption in favour of sustainable development as their starting point, with clear policies that will guide how the presumption will be applied locally.

16. Development likely to have a significant effect on sites protected under the Birds and Habitats Directives would not be sustainable under the terms of the presumption in favour of sustainable development.

17. The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:

- develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development
- plan positively to support local development, with the power to promote more development than is set out in the Local Plan; and
- identify opportunities to use neighbourhood development orders to grant planning permission for developments that are consistent with an adopted neighbourhood plan.”

Implications for Parish Councils

As stated the new arrangements will empower Parish Councils to create Neighbourhood plans. These will have statutory force and elements could override the Borough Council Local Plan.

“Neighbourhood plans

49. Neighbourhood plans give communities direct power to plan the areas in which they live.

Parishes and neighbourhood forums can use neighbourhood plans to:

- develop a shared vision for their neighbourhood
- set planning policies for the development and use of land; and
- give planning permission through Neighbourhood Development Orders and Community Right to Build Orders.

50. This provides a powerful set of tools for local people to ensure that they get the right types of development for their community. However, the ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans, therefore, must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhoods will have the power to promote more development than is set out in the strategic policies of the Local Plan.

51. Outside these strategic elements, neighbourhood plans will be able to shape and direct development in their area, subject to the presumption in favour of sustainable development. When a neighbourhood plan is made, the policies it contains take precedence over existing policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation.

52. A neighbourhood plan must be assessed by an independent examiner before it can go to a local referendum. To pass the independent examination, the neighbourhood plan must:

- have regard to the policies in this Framework
- be in general conformity with the strategic policies in the Local Plan; and
- be compatible with relevant EU obligations and human rights requirements.”

Considerations for Barton Parish Council

Rushcliffe Borough Council does not have a coherent planning policy. In the absence of a local plan development will be granted.

1. Consultation Response

The National Framework Consultation closes on 17th October 2011. The Council needs to determine its response and the mechanism for preparing that response. The following suggestions are proposed:

- The Council supports the new planning framework which gives greater voice to local communities (3, 49).
- The Council is concerned that the timescale for development of the local plan is reasonable and that the presumption for development is moderated until the plan is complete (14).
- The Council supports the desire to plan for housing based on evidence based need (111).
- The Council supports the need for affordable housing in rural communities (112)
- The council supports the need for high quality design (115).
- The Council supports the presumption that Green Belt boundaries should only be altered in exceptional circumstances (137)
- The Council supports the need to take full account of flood risks (154)
- The Council is concerned that the new framework makes no provision for consultation in the development of local plans.
- The Parish Council is concerned that in the absence of a local plan the community will have no control over development. We suggest that in the absence of a local plan the independent examiner can consider the neighbourhood plan in the context of the Framework and the relevant EU obligations and human rights requirements alone.

2. Neighbourhood Plan

The Council will need to start to consider a neighbourhood plan for the village. However the plan will have to comply with paragraph 52 of the Draft Framework (above):

It is therefore proposed that initial work is undertaken to consider development in the village within the following context:

- The local landscape and environment
- Topography and flood risk
- Historic Character
- Historic permitted development and refusals
- Settlement pattern
- Layout and form of buildings and spaces
- Views and visual appraisal
- Vehicle and pedestrian facilities
- Building materials, facades
- Potential development sites

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Allan Kerr

4th September 2011