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PLANNING

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BPNP
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Dear Sir/Madam,

BRIXTON PARISH NEIGHBOURHOOD DEVELOPMENT PLAN 2014-2034 PRE-SUBMISSION CONSULTATION

We write to provide representations to the above consultation.

We broadly support the principle of empowering local communities in developing a vision for their neighbourhood and in shaping the development and growth of their local area. Therein lies the rub, the plan is a "Development" Plan and should be properly titled as such. The purpose of a "Neighbourhood Development Plan" (NDP) is to positively and proactively prepare a plan which supports the development of new homes, shops, offices and other forms of development. The NDP should not stymie or restrict growth. Unfortunately, we fear that the Brixton Parish Neighbourhood Development Plan (BPNDP) falls into this trap.

In order for a draft Neighbourhood Development Plan to be put to referendum and be made, the Plan must meet a set of basic conditions. The basic conditions are set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act (1990) as applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

- (a) ***Having regard to national policies and advice contained in the guidance issued by the Secretary of State, it is appropriate to make the order,***
- (b) *Having regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,*
- (c) *Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,*

- (d) *The making of the order contributes to the achievement of sustainable development,*
- (e) **The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),**
- (f) *The making of the order does not breach, and is otherwise compatible with, EU obligations, and*
- (g) *Prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order (own bold).*

With particular regard to the basic conditions highlighted in bold above, it is considered that the Neighbourhood Plan as currently drafted fails to meet these basic conditions.

In terms of basic condition (a), conformity with national policies and Secretary of State Guidance, the National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. Within paragraph 17 of the Framework, twelve core land-use planning principles are set out and should underpin plan-making. Amongst these principles, the Framework states planning should:

"proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities" (paragraph 17).

Further, the Framework is clear in its advice that Local Planning Authorities (LPAs) should deliver a wide choice of high quality homes and *"boost significantly the supply of housing"* (paragraph 47). To do this, the Framework states that LPAs should:

"use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period" (paragraph 47).

The National Planning Practice Guidance is clear that neighbourhood planning should provide the "opportunity for communities to set out a positive vision for how they want their communities to develop over the next 10, 15, 20 years in ways that meet identified local need... They can put in place planning policies that will help deliver that vision or grant planning permission for development they want to see" (ref. ID 41-003-20140306).

We have concerns that the Neighbourhood Plan has not been positively prepared and would fail to support the development needs of the area across the plan period (thus falling foul of basic condition (a)).

Policy 6 of the BPNDP seeks to introduce an area of "Strategic Green Space". No evidence is provided to justify this proposed designation. Instead it appears to be based on vague anecdotal generalisations rather than tangible evidence. Whilst para 76 of the Framework does allow for neighbourhood plans to identify green areas for special protection, para 77 is clear that this is not appropriate for most green spaces. The designation should only be used:

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

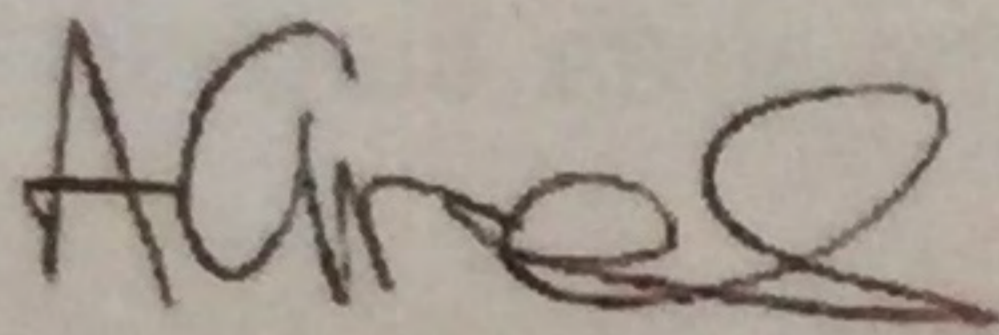
The proposed Policy 6 designation fails to meet any of these requirements. As such, it conflicts with the Framework and fails to meet basic condition (a). The designation also fails to meet basic condition (e) for reasons that will now be set out.

The BPNDP makes play of the fact that it is being progressed in tandem with the South Hams, West Devon and Plymouth Joint Local Plan (JLP). The BPNDP Policy 6 designation is referred to as "strategic" green space. As such, it is a policy that would be more appropriately dealt with at a higher tier strategic level i.e. the JLP. The JLP proposes no such designation. This undermines the parish council claim that the green space in question is of strategic importance. In light of this, the BPNDP also fails to meet basic condition (e). Policy 6 should be deleted to remedy this.

Overall, as currently proposed, the BPNDP is short-sighted and serves to restrict development as opposed to proactively guide development to meet local needs across the plan period to 2034.

Thank you for the opportunity of commenting. Please keep us informed of the ongoing progress with the BPNDP.

Kind regards,

A handwritten signature in dark ink, appearing to read 'AGraves', written in a cursive style.

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For **PCL Planning Ltd**
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