



# **Broadway Neighbourhood Plan Submission Consultation**

**Representations on behalf of:**

**The North Cotswold Hunt**

September 2021

## **Introduction**

- 1.1 John Phillips Planning Consultancy has been instructed by The North Cotswold Hunt (NCH) to consider the submission consultation version of the Broadway Neighbourhood Plan and to make representations on their behalf.
- 1.2 The NCH Kennels and associated land are situated to the south of the High Street, the historic core of the village. They are accessed from Kennel Lane and from High Street and consist of the main kennels buildings, other ancillary buildings some stables, 4 dwellinghouses currently occupied by hunt staff, a training arena for horses, fenced enclosures for hounds and the associated paddocks to the east and south. There is a large hard surfaced parking area and the NCH also own, but lease out, the site of the Bowling Green. In addition there is a collection of ancillary buildings beyond the Bowling Green, to the south.
- 1.3 The NCH are supportive of the general sentiment of the redevelopment of their site. Whilst it is not something they have promoted, they also consider that it would be unneighbourly to stand in the way of the opportunities that would be afforded to the village through a comprehensive redevelopment of their site and that to its west. Equally, the very nature of their use does dictate that no residential development of the area, or in close proximity to it, could reasonably be contemplated without their re-location.
- 1.4 It is though relevant to note that in considering the redevelopment of the NCH Kennels site, such a proposal might only be considered deliverable should it provide sufficient value to fund the purchase of alternative premises to which they might be able to re-locate. The alternative to that is to consider the re-location of the kennels to an alternative position within the land-holding to the south and west. Any such alternative provision should though also be identified through the Neighbourhood Plan process.

## **Relevant Considerations**

- 1.5 Planning Practice Guidance is provided online by the Government to assist in the interpretation of National Policy and the planning system. There is an entire section dedicated to Neighbourhood Planning, as introduced by the Localism Act, including key stages and considerations required.

1.6 There are basic conditions which the draft Plan must meet in order for it to be put to a referendum and thus it is relevant to consider this pre-submission version with reference to those basic conditions. These conditions should be considered by the qualifying body throughout the process of developing the Neighbourhood Plan. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 and these are as follows:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
- b. not relevant here
- c. not relevant here
- d. the making of the neighbourhood plan contributes to the achievement of sustainable development
- e. the making of the neighbourhood plan 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 neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- g. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

1.7 The above basic conditions are referred to in this document when commenting on the relevant parts of the pre-submission plan. We use the page numbering in the pre-submission document as a reference below.

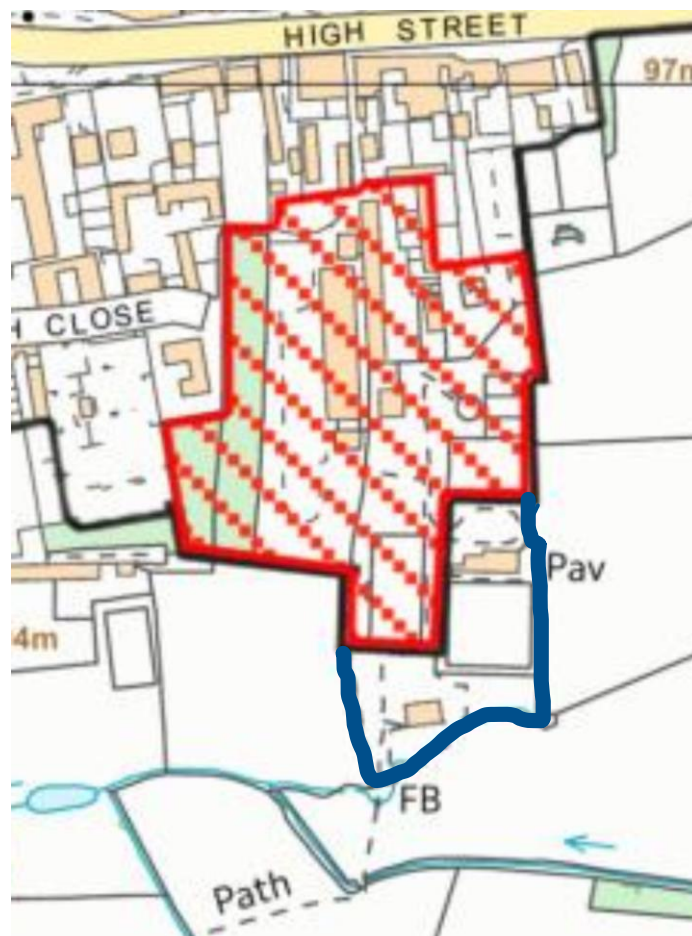
Page 19 to 28 Policy HD.1

1.8 The NCH support the identification of a development boundary which is considered to meet the basic conditions, it conforms with the approach in SWDP 2 and Annex D of the SWDP. The identification of land for housing and economic development is in general conformity with the NPPF and Broadway is identified in the Adopted SWDP as a suitable location for new development.

1.9 HD.1.2 should include at the end of the sentence “or as otherwise provided for by this Neighbourhood Plan”. This would allow the plan to identify an alternative location for the NCH Kennels away outside the development boundary and not preclude the re-provision of an equivalent level of accommodation for hunt staff as is currently provided.

1.10 The Development Boundary identified at page 21 is insufficient to allow a proper comprehensive redevelopment of the site. The southerly extent of the hatched

area should be extended to include both the Bowling Green and the hunt ancillary building to the south as shown by the blue line below and this would be more consistent with the area identified as Green Wedge under Policy NE.4. The ancillary buildings incorporate the fallen stock house, which is a licensed repository for fallen stock, servicing the local farming community. Its retention would fetter the ability of the site to be comprehensively redeveloped. The Bowling Green is on land leased to it by the NCH. It could be re-provided in an alternative discreet location within the NCH land holding.



Page 24 Figure 6 and paragraph 5.1.12

- 1.11 The pre-submission plan allocated 30 dwellings on the site and this has now been reduced to 25 dwellings. The site is 2.3 hectares and SWDP13 states that development within villages should have an average density of 30 dwellings per hectare. The density of the site as now proposed would be 10.8 dwellings per hectare, which is significantly below the local plan policy. It is recognised that the site is allocated as a mixed-use development, however the site would be capable of accommodating more than 25 dwellings alongside Class E development. The allocation should be increased back to 30 dwellings and as the previously submitted comments stated, this should be 30 net dwellings.

Page 30 Policy HD.3

- 1.12 The NCH supports policy HD.3

Page 31-33 Policy HD.4

- 1.13 The NCH supports the principle of Policy HD.4 and the allocation of the site. It is considered to be in general conformity with the strategic plans for the area and would contribute to the achievement of sustainable development.
- 1.14 HD.4.1 - The reference to 1 and 2 bedroom homes is not consistent with the housing mix suggested elsewhere in the Neighbourhood Plan and is not in general conformity with either National Policy or the Adopted SWDP. It is also not representative of the results of the Housing Needs Assessment of 2017 or the mix identified in HD.7.3. The inclusion of the limited mix does not meet conditions a, d and e as identified above. A sustainable development would provide a wider mix of dwelling types and sizes. The reference to dwelling sizes should be omitted.
- 1.15 HD.4.1 – The policy states that the dwellings should be predominantly affordable. This is not consistent with SWDP 15 or the Housing Needs Assessment of 2017 and would fail to comply with conditions a or e as identified above. The words ‘predominantly affordable’ should be removed from the policy.
- 1.16 HD.4.2 – the aspirations listed here seem to recognise that the NCH would be required to relocate in order to facilitate the redevelopment of the site, however as set out above the policy does not specifically reference this. There should be an additional subsection to include the need to re-provide any community assets identified in COM.1 as a part of any redevelopment proposal.

Figure 12 page 33

- 1.17 The identified allocation should be extended to the south to include both the bowling green and pavilion and the ancillary buildings incorporating the fallen stock house, to provide a comprehensive redevelopment of the area. This would then be more consistent with the area identified as Green Wedge under Policy NE.4.

Paragraph 5.3.27

- 1.18 The Inspector in the referenced appeal decision opines in respect of land to the north of the High Street between Averill Close and Springfield Lane. No reference whatsoever is made to this area of land to the south of the High Street and separated from the land the subject of the appeal by development along the High Street. The paragraph should therefore be omitted.

Page 73-75 Policy NE.3

- 1.19 Case Law is clear that any policies for managing development within Local Green Spaces should be consistent with those for green belts. This is set out in paragraph 101 of the NPPF.
- 1.20 Policy NE.3 is inconsistent with the NPPF in that it does not set out types of development that would be considered not to be “inappropriate” on these areas – i.e. the exceptions listed at paragraph 149 and 150 of the NPPF.
- 1.21 Policy NE.3 is inconsistent with paragraph 99 of the NPPF and SWDP 38 as it does not recognise that the loss of a green space can be mitigated by alternative equivalent or better provision of replacement space in a suitable location. This would avoid conflict with the suggested changes to HD.4 above and the extension to include the bowling green. The Bowling Green has only been on this current site since the 1960s, despite being within the village for a much longer period. This demonstrates it can move to suitable alternative new premises without impacting upon its contribution to the community.
- 1.22 Paragraph NE.3.1 should be reworded to make specific reference to relocation of Local Green Space to a suitable alternative site.

Page 81 Policy NE.4

- 1.23 The proposed allocation of the Green Wedge is not in general conformity with either National or Local Policy, as acknowledged in paragraph 5.3.53. The policy should be deleted.
- 1.24 The reference to the appeal decision in respect of land between Averill Close and Springfield Lane does not consider the land to the south of High Street in any form and thus provides no justification, if a Green Wedge were to be

allocated, to its extension to the south of High Street. The character of the land between Averill Close and Springfield Lane is significantly different to that to the south of High Street.

### Conclusion

- 1.25 The NCH support the general principle and direction of the Neighbourhood Plan and wish to support the community in its aspiration to have a Plan made. There are elements of the submission consultation version which it is considered require refinement or clarification as discussed above. There are also elements which are considered to fail to meet the basic conditions and which should be amended or removed in order to allow the Plan to proceed successfully beyond this stage.