



WHALEY BRIDGE NEIGHBOURHOOD DEVELOPMENT PLAN

Regulation 16 Submission Draft Consultation

June 2023



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1 INTRODUCTION

1.1 Context

1.1.1 These representations provide Gladman Developments Ltd.'s (Gladman's) response to the Whaley Bridge Neighbourhood Development Plan (WBNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

1.1.2 Gladman specialises in the promotion of strategic land for residential development and associated community infrastructure and have considerable experience in contributing to the Development Plan preparation process having made representations on numerous planning documents throughout the UK alongside participating in many Local Plans and Neighbourhood Plan examinations.

1.1.3 Through these representations, Gladman provides an analysis of the WBNP, and the policy choices promoted within the plan. Comments made by Gladman through these representations are provided in consideration of the WBNP's suite of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the Planning Practice Guidance (PPG).

2 LEGAL REQUIREMENTS, NATIONAL POLICY & GUIDANCE

2.1 Legal Requirements

2.1.1 Before a neighbourhood development plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the WBNP must meet 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 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.

(g) Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).”

2.2 National Planning Policy Framework

2.2.1 The National Planning Policy Framework 2021 (the Framework) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role they play in delivering sustainable development to meet development needs.

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- 2.2.2 At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making and decision-taking. This means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed housing needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood development plans.
- 2.2.3 PPG updates make clear that neighbourhood development plans should conform to national policy requirements and take account of the most up-to-date evidence. This is so that Whaley Bridge Town Council can assist High Peak Borough Council (HPBC) in delivering sustainable development and be in accordance with basic condition (d) set out in paragraph 2.1.1 above.
- 2.2.4 The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 13 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.
- 2.2.5 Paragraph 15 further makes clear that neighbourhood plans should set out a succinct and positive vision for the future of the area. A neighbourhood plan should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.
- 2.2.6 Paragraph 29 of the Framework makes clear that a neighbourhood plan must be aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

2.3 Emerging National Planning Policy and Guidance

- 2.3.1 The government has recently undertaken a consultation on revisions to the National Planning Policy Framework, alongside other potential policy amendments related to the legislative changes envisaged to be delivered through the Levelling Up and Regeneration Bill. The consultation on the revised NPPF ran until 2nd March 2023; the Government's current expressed intention was that following receipt and review of consultation responses, the revised NPPF will be published in the Spring of 2023.
- 2.3.2 Given the far-reaching implications of the amendments and direct impact they will have on the ability to deliver the housing needs of the country, 26,000 consultation responses were received and as such it is likely that they will consult on the proposed NPPF changes again, however it is worth noting that the previous consultation from the government on changes to national policy¹ attracted over 44,000 consultation responses, and the changes were ultimately never implemented.
- 2.3.3 It is unlikely for any changes to national planning policy to implemented in the short term, however, the Neighbourhood Plan Steering Group should be cognisant of the wider 'Levelling Up' agenda and consequential implications it could have on the planning system, including possible changes to the standard method which could have significant impacts on the level of growth required across the wider area.
- 2.3.4 The Town Council should be mindful of these changes and the potential impact to the WBNP and the need to undertake a review of the neighbourhood plan following the Plan's adoption. Further details on this matter are set out in section 3 of these representations.

¹ Planning for the Future (2020)

3 RELATIONSHIP TO LOCAL PLANS

3.1 Adopted Development Plan

3.1.1 To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.

3.1.2 The adopted Development Plan relevant to the preparation of the WBNP and the Development Plan which the WBNP will be tested against is the High Peak Local Plan, adopted 14th April 2016. This is the overarching planning policy document for the High Peak administrative area and forms the basis of the decision-making process in relation to all planning applications looking forward to 2031, or such a time as it, or elements of it are superseded.

3.2 Emerging Development Plan

3.2.1 HPBC are currently in the early stages of reviewing the Local Plan. Early engagement consultation was undertaken between January and March 2023 and an Options consultation is expect later in 2023. The Local Development Scheme 2022 anticipates adoption of an updated Local Plan by mid-2026².

3.2.2 Gladman is sure the Steering Group are aware of this and will be keeping a close eye on the emerging Development Plan as it progresses and will respond according to any changes required as a result. As highlighted above, to meet the basic conditions the Neighbourhood Plan must be in general conformity with the strategic policies contained in the relevant development plan and therefore it is vital that the Steering Group prepares their policies flexibly to ensure they can align to the emerging Local Plan.

² [Local Development Scheme 2022](#)

4 WHALEY BRIDGE NEIGHBOURHOOD PLAN

4.1 Introduction

4.1.1 This section is in response to the WBNP consultation document and its supporting evidence base.

4.2 Vision and Aims

4.2.1 In principle, Gladman supports the WBNP's vision which seeks to ensure sustainable and thriving local community meeting the needs of all generations and prepared for the effects of a changing climate.

4.2.2 Furthermore, Gladman support the majority of the aims of the plan, notably in relation to the meeting the diverse needs and aspirations of all the community, particular in relation to housing.

4.3 WB-G2 Community Facilities

4.3.1 Gladman supports the retention and provision of community facilities and recognises their role in supporting sustainable living. However, the majority of this policy is a duplication of policy CF 5 of the adopted High Peak Local Plan.

4.3.2 Gladman suggest parts 1; 2 & 3 of this policy are removed to avoid an unnecessary duplication of policies as laid out in paragraph 16(f) of the Framework.

4.4 WB-G3 Residential Development

4.4.1 Gladman contend that this policy as currently written is not necessary to include within the WBNP. The policy is concerned with ensuring residential development is located in appropriate locations; encouraging town centre and infill developments; encouraging the use of brownfield sites and promoting self-build and community led housing.

4.4.2 The majority of the elements are duplications from the adopted High Peak Local Plan (policies H1 & H3) and also national planning policy, for example supporting the re-use of brownfield sites³.

4.4.3 Therefore, Gladman suggest the policy be amended to remove the duplicated elements.

4.4.4 In addition, the wording of parts 4 & 5 restricts sustainable developments from coming forward where meeting these policy requirements would be unviable. In this regard, Gladman it is proposed that the policy requires further flexibility to meet the basic conditions and Gladman propose the following:

"4. All new dwellings ~~must~~ 'should' include screened storage for bins and recycling, located away from the street frontage.

5. All new dwellings ~~must~~ 'should' include secure, covered cycle storage, proportionate in capacity to the size of the property, meeting the requirements of Policy WB-T1."

4.5 WB-E1 Sustainable Design

4.5.1 Gladman support the general principles set out in the above policy, however, consider that this is an unnecessary duplication of Part L of the emerging building regulation that will be introduced in 2025 and Policy EQ 6 of the adopted High Peak Local Plan, and therefore, should be deleted in line with paragraph 16(f) of the Framework.

4.5.2 In addition, the adopted High Peak Design Guide SPD is not referenced and would be worth sign posting readers to this document.

³ [NPPF Paragraph: 64](#)

4.6 WB-E3 Natural Environment

4.6.1 Gladman would suggest the removal of parts 1; 2 & 3 of this policy as they represent a rewording of Local Plan policy EQ 2 and EQ 5 in relation to protection and enhancement of the landscape character, tree protection and biodiversity.

4.6.2 Furthermore, parts 3 & 4 of the above policy are in effect a duplication of the Environment Act 2021, specifically in relation to biodiversity net gain. The Act requires developments to deliver at least a 10% biodiversity net gain and this requirement is likely to come through the Local Plan process and would not be necessary to include within the WBNP.

4.7 WB-E4 Rural and Landscape Character

4.7.1 Gladman again support the intentions behind the above policy but suggest that parts 1; 2 & 3 of the above policy be removed to avoid an unnecessary duplication of Local Plan policy EQ 2.

4.7.2 In addition, the adopted Landscape Character SPD is not referenced within the policy or its interpretation and would be worth sign posting to the reader as an adopted guidance document.

4.8 Conclusion

4.8.1 Gladman recognises the Government's ongoing commitment to neighbourhood planning and the role that such plans have as a tool for local people to shape the development of their local community.

4.8.2 Through our consultation response, Gladman has sought to clarify the relationship of the WBNP submission version, with the requirements of national planning policy, the strategic policies for the wider area and the importance for the plan to remain flexible to do so. Gladman would like to highlight that the above consultation response is not a criticism of the work put into the WBNP.

4.8.3 Should further clarification be needed on any of the points raised within this representation, the Town Council are welcome to contact Gladman by emailing policy@gladman.co.uk.

