

Breedon on the Hill Neighbourhood Plan

Further Examiner Questions 2 and 3 – 28 October 2024

NWLDC response

Question for BothHPC and NWLDC

- 2** A Settlement Boundary is proposed for Wilson within which Policy Both17 would apply. The adopted Local Plan (NWLLP) makes no provision for such a designation in a Neighbourhood Plan. In the preparation of the new NWLLP, a review of the Limits of Development is being undertaken. However, Wilson is not included in that review. The introduction of a Settlement Boundary for Wilson would introduce a new designation in the BothHNP which has no policy basis in the adopted Local Plan. Nor does it reflect any emerging proposals in the new NWLLP. In these circumstances such a designation would be inconsistent with both the adopted and emerging Local Plan policies. I would welcome comments from the Parish and District Councils on this matter.

Response from NWLDC

Paragraph 9.20 of the Neighbourhood Plan notes that “There has sometimes been uncertainty concerning the operation of Local Plan policies in Small Villages”. It is understood that to address these concerns there was a wish to provide greater detail about where housing development might be considered acceptable in the specific context of Wilson. To this end a Settlement Boundary was defined to indicate where housing development only could take place.

Referring to any boundary as a Limit to Development would have conflicted with the terminology used in the Local Plan. The use of the term Settlement Boundary, therefore, seeks to draw a distinction with the Local Plan. Furthermore, the Limits to Development in the adopted Local Plan (and the emerging Local Plan) are concerned with a wider range of development than just housing. As such, this is a policy just about housing and in relation to only Wilson.

The District Council is mindful of the fact that a Neighbourhood Plan is an expression of a local community’s desire to shape how its settlements might develop. It is also an opportunity to add more local detail than might be seen in a Local Plan which by its nature is more strategic.

Question for BothHPC and NWLDC

- 3** Having visited the proposed housing allocation at Brook Farm Tonge, I question the treatment of the site as “previously development (sic) land” in Policy Both18. In the Glossary to the National Planning Policy Framework (NPPF), the definition of “previously developed land” explicitly excludes “land that is or was last occupied by agricultural or forestry buildings --- and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape”. Having regard to previous uses of the land and the current overgrown and dilapidated state of the site, does this definition preclude Brook Farm from the national definition of “previously developed land”?

Furthermore, is there any basis in adopted NWLLP policies for the allocation of this site which lies within an area subject to Policy S3?

Response from NWLDC

As set out in the Council's comments, the farmhouse could be considered as previously developed land. However, the remainder of the site, including the glasshouses, are greenfield based on the current definition of Previously Developed Land. Development would, therefore, be contrary to policy S2 of the adopted Local Plan.

The farmhouse and a barn are clearly visible from Moor Lane, but all other buildings, including the glasshouse on the northern part of the site are much less visible, due to a combination of vegetation and the farmhouse itself.

Policy S3 of the adopted Local Plan does identify a number of potential uses which could be supported outside of the Limits to Development and which could be applied to the Brooks Farm site. This would include the conversion of any existing building for "appropriate purposes including housing" (S3(d)). From a physical perspective, the farmhouse is habitable in its own right. Any other brick-built buildings would require conversion, whilst the greenhouses would not lend themselves to conversion.

Policy S3(g) also supports affordable housing in accordance with policy H5 (Rural Exception Sites for Affordable Housing). Part 1 of policy H5 requires that any development be able to demonstrate that there is a need for affordable housing, whilst part 2 seeks to ensure that any housing is available to local people in housing need. Part 3 of policy H5 specifically supports the provision of some market housing on exception sites which are well related a small village (such as Wilson) and where there is insufficient subsidy available subject to the amount of market housing being justified via a financial appraisal and the majority of any homes being affordable.

Policy S3(i) would also support conversion for some form of business or enterprise. Any such use would need to be compatible with the residential use of the farmhouse, in the event that it was retained in residential use.

Any proposed use would need to satisfy the requirements of (i) to (vi) of policy S3.