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From: Digital [REDACTED]
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To: [REDACTED]
Subject: Audley rural neighbourhood plan submission consultation representation

Form received from: [REDACTED]

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Updates

Information required: Yes
Preferred method of contact: By email

Representation

Relates to:

Policy ANP9 Natural Environment and Landscape

Comments:

Indurent are promoting land at Junction 16 of the M6 for employment development through the emerging Local Plan. Whilst that process is essentially separate to the Neighbourhood Plan for Audley the following comments are offered to suggest how draft Policy ANP9 might be refined to assist with its consideration at Examination. The underlying rationale for Policy ANP9 – in terms of protecting the natural environment and landscape – is appropriate. The supporting text refers to a hierarchical approach in seeking to minimise impacts, and again the rationale for that is understandable. However, the wording of the policy is inconsistent with this, and also with the approach required by national policy. Part 1 of the policy is absolute in its requirement that development “should not harm” landscape and ecology interests. There is no sense here that (for example) some harm but with compensation or mitigation, might be appropriate in certain circumstances. Equally, there is no reflection of any hierarchical approach, recognising that certain features require strong protection, whereas there might reasonably be more flexibility in relation to others. Part 2 of the policy is also absolute in its assertion that development should “maintain” landscape settings and separation, so implying they remain unchanged, with apparently no allowance for when some diminution might be appropriate. Part 4 of the policy again does not have a hierarchical approach, with the same requirement for an absence of harm placed on ancient woodland (which is defined as an irreplaceable habitat) and Local Nature Reserves (which are not). Part 6, again, is absolute in its requirement that development “should not” involve the loss of best and most versatile agricultural land. In contrast, national policy as expressed in the NPPF is positive in its tone and framing, seeking to enable sustainable development where possible. For example, paragraph 135 of the NPPF includes that planning policies should ensure that developments, “are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change”. A “sympathetic” approach is sought, not one which seeks to preserve a position. A hierarchical approach is advocated by paragraph 180 of the NPPF which includes that policies should contribute by, “protecting and enhancing valued landscapes, sites of biodiversity or

geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).” As such, the approach is not a blanket one, but rather one that is cognisant of and responsive to assets according to their value. Similarly, paragraph 181 provides that plans should, “distinguish between the hierarchy of international, national and locally designated sites.” Paragraph 180 goes on to advocate, “recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land” and “minimising impacts on and providing net gains for biodiversity”. The approach is not one of absolute avoidance of harm to countryside, agricultural land or ecology, but rather one that is managed and informed. To avoid this conflict with national policy, Policy ANP9 should be amended such that it seeks to avoid unacceptable harm that cannot appropriately be compensated or mitigated. It should make clear that the assessment of any harm and acceptability of any compensation or mitigation will have regard to the value of the asset concerned.

Any additional information: