

Dear Sir,

I write as planning agent on behalf of Cavendish Gospel Hall Trust (Mr Ben Whyles) to make representations by 23<sup>rd</sup> December 2022

Representations were submitted on the draft NP which have not been taken on board.

### **OBJECTION TO POLICY KT26**

There is a fundamental objection that policy KT26 prevents community uses outside settlement boundaries as worded. The presumption is that new community facilities must always be within planned limits.

This prevents expansion of needed facilities that could easily be located acceptably adjacent and on the edge of settlements. Policy KT26 should add – “within planned limits of development **or adjacent** of Ketton and Tinwell”

The policy does not take on board the NPPF guidance at paragraph 85.

“**85.** Planning policies and decisions should recognise that sites to meet local business **and community needs** in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Page 11 states that “The Neighbourhood Plan **must have appropriate regard to national planning policy and guidance** contained primarily within the (July 2021) National Planning Policy Framework (NPPF). It states that Neighbourhood Plans should support the delivery of strategic policies contained in Local Plans and should shape and direct development that is outside of these strategic policies. It adds that Neighbourhood Plans **should not promote less development** than that set out in the strategic policies or undermine them. The Plan has also been mindful of the Planning Practice Guidance which explains how national policy should be applied.”

It is also clear that NPPF 85 has been taken on board re local business as policy KT19 for commercial development is not limited to planned development limits. The same should apply for KT26. Also new business is not restricted in policy HT22 to only planned limits of development.

There is a clear inconsistency that whilst business is supported against general criteria and not solely within planned limits, the same approach has not been drafted for community uses. NPPF 85 includes both the NP does not.

Also, policy KT1 includes the terminology that development proposals shall be appropriately located – this provides the flexibility of NPPF 85 but policy KT26 restricts and constrains community uses further to only planned limits without any reasoned justification.

I do not understand why such an approach is being taken to constrain new community uses on the edge of settlements.

My client has a need for a new church hall and this draft policy KT26 does not support reasonable adjacent settlement sites and sets up an in-principle policy objection to such sites contrary to NPPF guidance.

Settlement boundaries are drawn tightly to avoid excessive growth and new housing out of scale with the villages, this puts great pressure on finding sites within settlement that have to then compete with residential land values. By amending policy KT26 to allow adjacent settlement sites, this allows scope for new community uses without expanding further housing.

The reason my client has engaged in the NP policy formulation is that there is a need for local church halls and sites are limited. There is a current application on the edge of Ketton awaiting determination, but there may in the future be other needs and sites and other community uses may equally be needed.

Policy KT 26 should be amended to give full and equal support for community uses as business is supported in rural areas.

In addition, objection was previously also raised to criterion v) and the terminology of "would genuinely provide facilities open to the whole community;"

This is discriminatory and inappropriate. All facets of community use come together to deliver overall inclusivity. Who decides on genuinely? The previous representation which was ignored stated –

*The ambiguity of criterion v) the use of the word 'genuinely' [How is that objectively assessed] and it should be acknowledged that various community uses do not serve the whole community. Places of worship for example generally only serve a section of the community in that faith. This wording could be unfairly used to resist many community uses rather than bring together a range of uses that collectively then provide for the whole community. Many faiths have 'protected characteristics' of religion and belief under the Local Government Act and Equality Act 2010, and to disregard certain religious services that may not be open to all is potentially discriminatory. The policy should reflect the "Faith Groups and the Planning System" Oct 2015 policy recommendations particularly - "Sharing premises with or between religious traditions maybe a suitable measure if there is local pressure on space. This has been successful in some cases and such experiences of sharing can be of benefit to other faith communities through creative practice case studies. **However, for many faith groups, sharing premises will be neither practical nor consistent with their theological beliefs.**"*

*The criterion (v) therefore ought to be deleted as it adds an unnecessary dimension to the lawful role of Use Classes. Class F.1 and F.2 uses are community facilities, whether they serve the whole community or not. A place of worship may only serve an element of the community, but it is nonetheless a needed part of the community that should be valued and supported."*

If this element is ignored again in the final policy drafting, I suggest it might be open to judicial review and significant costs to the Council to defend this position, which is not required and adds little to the policy and is questionable in its intention and why it is set out in this way.

My clients are very disappointed that after engagement amendments to policy KT26 have previously been ignored and should now be taken on board before the Plan is finalised.

My clients would seek to address any examination if allowable in the process.

**I would be very grateful of an acknowledgement of this duly made objection to policy KT26 as currently drafted.**

Kindest Regards  
ANDREW



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