**Policy NP1: Residential and associated Development to the South of Front Street**

Residential Development to the south of Front Street and to the north of the A691, will be supported in principle, subject to a number of qualifying criteria being met. The entirety of the site is depicted on supporting plan **[INSERT PLAN NAME]**, it is this policy’s intent that the entirety of the site is developed. Where agreement between landowners cannot be made, a partial utilisation of the total area available will be accepted. However, this is not to comprise of less than 50% of the total area, in order to avoid an unsustainable extension which will not consolidate the historic core of the village.

Further criteria that must be complied with are as follows:

* A cohesive development scheme, comprising of the utilisation of this land is to be presented to the Council. This scheme is to achieve 12 ‘Green lights’ when compared against the design criteria outlined within Building for Life 12.
* The cohesive scheme shall include development which directly fronts High Street – infilling gaps within the south side of the street, subject to the provision of access to the areas to the south.
* The infill development shall respond to and directly relate to the established pattern of development and building design of this side of High Street.
* The design of the dwellings proposed, with specific reference to density of dwellings, dwelling types, sizes and materials are to be agreed in coordination with the Local Planning Authority; this will be conditioned as part of a full or outline planning consent.
* A SUDs scheme will be incorporated into development proposals, outlining to the LPA how surface water flooding issues from the site and areas to the north will be mitigated.
* Given the proximity of the site to the A691, development proposals will have to demonstrate how a baffle barrier or improvement to the existing vegetation corridor will be incorporated into to a development scheme to provide noise mitigation to future residences, in accordance with EU and domestic legislation, whilst ensuring amenity is maintained to future occupiers of the site.
* The proposal is to deliver a proportion of affordable housing provision in line with policy 31 of the emerging local plan; subject to viability and site constraints.
* Access to the site will be from one or more of positions X,Y and Z as shown on the supporting plan and be designed in line with the guidance provided by the Manual for Streets. As such, the pattern of development must make provision for connections to be made between these access points.
* Supporting information provided with planning applications for developments in this area shall clearly indicate an analysis of the context and how this and the criteria in this policy inform the approach to development and are responded to in the proposals.

If affordable housing is to be delivered on the site, this should be integrated with and not distinguished from the remaining development proposed on the site.

Explanation

This site has been allocated for residential development, despite previous concerns identified within the SHLAA which identified that a suitable access could not be achieved and that it was formerly located within the Green Belt. The sites potential for residential development was proposed by the neighbourhood planning group which was supported by the community consultation into accommodating new housing within the village.

Policy 16 of the emerging Local Plan does not outline a specific stipulation for the incorporation of design tools within development proposals. The supporting text of the policy outlines that “*The Design and Access Statement that accompanies planning applications should demonstrate how development proposals contribute to the appropriate criteria set out within this policy and within established best practice guidance (i.e. Building for life, By Design, Urban Design Compendium, Manual for Streets, Secured by Design, etc*”.However, as concluded within the case of R (on the Application of Cherkley Campaign Ltd) v Mole Valley District Council and Longshot Cherkley Court Ltd [2014] EWCA Civ 567, although “*the supporting text to local planning policy was relevant to the interpretation of a policy but it is not in itself a policy, nor did it form part of a policy, and as such, it could not be said that a proposed development did not conform with a local plan simply because it failed to satisfy an additional criterion referred to only in the supporting text of a policy*.” Therefore in order to build upon this design intention, we have specifically outlined the incorporation of Building for Life 12 and its subsequent requirements for development into the policy itself to ensure adherence.

Given that Witton Gilbert has a variety of observable design styles comprising of buildings with render, brick and stone facades; a policy which states that development is to reflect the existing vernacular of the village, is considered too vague and could lead to poor development design. Therefore design features which reflect both the Building for Life 12 principles and are in agreement with the Council will ensure better development outcomes.

This policy largely reflects the sentiments of Policy 34 of the emerging Local Plan which regards type and mix of housing but is more specific in how it is to be achieved when compared against emerging plan policy.

<http://www.sharpepritchard.co.uk/articles/planning-case-update-supporting-text-to-a-local-planning-policy-is-not-a-policy>