

Westbere Village Preservation Society Regulation 19 Representation — NPPF Compliance Summary

This representation demonstrates that **Policy R6 (Bread and Cheese Field, SLAA163)** and the associated **settlement boundary changes for Westbere and Hersden** fail the National Planning Policy Framework (NPPF) tests of **soundness and legal compliance**.

1. Failure of the “Justified” Test (NPPF para. 35, 16(c))

The Local Plan is **not justified** because it is not based on proportionate, consistent, or reliable evidence:

- **Contradictory evidence base:**

Strategic Land Availability Assessments (2022–2026) consistently identify Bushy Hill Road as part of Westbere, yet the Local Plan excludes it without clear justification.

- **Unsubstantiated boundary changes:**

Settlement boundaries were derived primarily from digital mapping, with **no recorded evidence or transcript** supporting later site visit conclusions.

- **Procedural inconsistencies:**

A change to the material relevancy of the Parish boundaries embodied in the 2017/18 Community Governance Review, **without further consultation**, established a flawed planning narrative later used to inform, and subsequently justify, R6 proposals.

- **Failure to consider reasonable alternatives:**

The clear and logical alternative—designation of the Bread and Cheese Field as a logical and effective **Green Gap**—has not been properly assessed.

Conclusion: The spatial strategy underpinning Policy R6 is not evidence-led and therefore fails the “justified” test.

2. Failure of the “Effective” Test

The Plan is **not effective** because it produces outcomes that are neither deliverable nor sustainable:

- **Creates an inevitable outcome of settlement coalescence** between Westbere and Hersden, acknowledged across multiple evidence sources.

- **Removes safeguards:**

Explicit anti-coalescence protections present in earlier drafts were removed without justification.

- **Undermines settlement identity and spatial coherence:**

Development of the site would physically and visually merge settlements.

Conclusion: The Plan fails to provide a coherent or defensible long-term spatial outcome.

3. Failure of Consistency with National Policy

The Plan conflicts with core national planning principles:

- **Settlement identity protection ignored:** Development undermines the distinct rural character of Westbere.
- **Coalescence risk not mitigated** despite clear policy emphasis on separation.
- **Loss of Best and Most Versatile agricultural land (Grade 2)** without adequate justification.
- **Boundary setting not evidence-based**, contrary to national requirements.

Conclusion: Policy R6 is not consistent with national policy objectives.

4. Legal Compliance Concerns

There are **serious procedural transparency issues**:

- **No documented reasoning** for key planning decisions (e.g. boundary definitions, site visit outcomes).
- **Material changes introduced without proper consultation**, preventing or limiting informed public participation.
- **Retrospective justification** applied to decisions based on incorrect or incomplete narratives.

Conclusion: These deficiencies raise legitimate concerns regarding legal compliance.

5. Required Modifications to Achieve Soundness

To meet NPPF requirements, the Plan must:

1. **Remove Policy R6 allocation**
2. **Designate Bread and Cheese Field as a Strategic Green Gap**
3. **Amend settlement boundaries** to reflect established development (including Bushy Hill Road)
4. **Classify Headley's Field as countryside**
5. **Redraw Hersden Settlement boundary to exclude the Bread and Cheese Field**

Overall Conclusion

Policy R6 results in a Local Plan that is:

- **Not justified** (inconsistent and unreliable evidence)
- **Not effective** (creates avoidable spatial conflict and coalescence)
- **Not consistent with national policy**
- **Potentially not legally compliant**

Without modification, the Plan will cause irreversible harm to settlement identity, landscape character, and spatial strategy integrity.