

Brigstock Neighbourhood Development Plan 2011 - 2031

Submission Version

A Report to East Northamptonshire Council on the Examination of the Brigstock
Neighbourhood Development Plan

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2nd October 2018

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Executive Summary

My examination has concluded that the Brigstock Neighbourhood Plan should proceed to referendum subject to the Plan being amended in line with my recommended modifications which are set out in full in my report, which are required to ensure the plan meets the basic conditions. The more noteworthy include –

- The plan should provide for the delivery of a minimum of 60 homes.
- The amendment of the settlement boundary to include the land between 8 and 14 Grafton Road.
- The housing allocation site should provide a minimum of 25 homes but that the housing mix should be driven by Policy B4.
- That local occupancy conditions relating to affordable housing should only relate to the rural exception site and the allocation on other sites should be determined in line with the Housing Authority's Allocation Policy.
- The range of acceptable development in the countryside be expanded to bring it into line with national policy.
- Rationalizing the list of Community Services protected by the policy.
- Bringing the Infrastructure Policy into line with legal requirements for planning obligations.
- Deleting the policy requiring the submission of Construction Method Statements covering all applications apart from minor development.
- Restructuring the policy regarding Brigstock Camp.

The referendum area does not need to be extended beyond the boundary of the plan area.

Introduction

1. Neighbourhood planning is a process, introduced by the Localism Act 2011, which allows local communities to create the policies which will shape the places where they live and work. Neighbourhood plans provide the community with the opportunity to allocate land for particular purposes and to prepare the policies which will be used in the determination of planning applications in their area. Once a neighbourhood plan is made, it will form part of the statutory development plan alongside the North Northamptonshire Joint Core Strategy 2011- 2031 (the Local Plan Part 1: strategic policies), and the saved policies of the Rural North, Oundle and Thrapston Plan (the Local Plan Part 2: site specific policies), adopted in July 2011. Policies in the Brigstock Neighbourhood Plan, if “made” (adopted) by the local planning authority for the District (East Northamptonshire Council; also, referred to herein as the “District Council”), may then supersede equivalent policies from the Rural North, Oundle and Thrapston Plan. Decision makers are required to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
2. The neighbourhood plan making process has been led by Brigstock Parish Council. A Steering Group was appointed to undertake the plan’s preparation. Brigstock Parish Council is a “qualifying body” under the Neighbourhood planning legislation.
3. This report is the outcome of my examination of the Submission Version of the Brigstock Neighbourhood Plan. My report will make recommendations based on my findings on whether the Plan should go forward to a referendum. If the plan then receives the support of over 50% of those voting at the referendum, the Plan will be made by East Northamptonshire Council, the local planning authority (LPA) for the neighbourhood plan area.

The Examiner’s Role

4. I was formally appointed by East Northamptonshire Council in May 2018, with the agreement of Brigstock Parish Council, to conduct this examination. I formally commenced my examination of the Neighbourhood Plan on 25th June 2018. My role is known as an Independent Examiner.
5. In order for me to be appointed to this role, I am required to be appropriately experienced and qualified. I have over 40 years’ experience as a planning practitioner, primarily working in local government, which included 8 years as

a Head of Planning at a large unitary authority on the south coast, but latterly as an independent planning consultant. I am a Chartered Town Planner and a member of the Royal Town Planning Institute. I am independent of both East Northamptonshire Council, and Brigstock Parish Council and I can confirm that I have no interest in any land that is affected by the Brigstock Neighbourhood Plan.

6. Under the terms of the neighbourhood planning legislation I am required to make one of three possible recommendations:
 - That the plan should proceed to referendum on the basis that it meets all the legal requirements.
 - That the plan should proceed to referendum if modified
 - That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements.
7. Furthermore, if I am to conclude that the Plan should proceed to referendum I need to consider whether the area covered by the referendum should extend beyond the boundaries of area covered by the Brigstock Neighbourhood Plan area.
8. In examining the Plan, the Independent Examiner is expected to address the following questions:
 - a. Do the policies relate to the development and use of land for a Designated Neighbourhood Plan area in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004?
 - b. Does the Neighbourhood Plan meet the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 namely that it specifies the period to which it is to have effect? It must not relate to matters which are referred to as “excluded development” and also that it must not cover more than one Neighbourhood Plan area.
 - c. Has the Neighbourhood Plan been prepared for an area designated under Section 61G of the Localism Act and has been developed and submitted by a qualifying body.
9. I am able to confirm that the Plan does relate to the development and use of land, covering the area designated by East Northamptonshire Council, for the Brigstock Neighbourhood Plan on 11th May 2015.
10. I can also confirm that it does specify the period over which the plan has effect namely the period from 2011 up to 2031.

11. I can confirm that the plan, does not cover “excluded development”.
12. There are no other neighbourhood plans covering the area covered by the Plan designation.
13. Brigstock Parish Council as a parish council, is a “qualifying body” (QB) under the terms of the legislation

The Examination Process

14. The presumption is that the Neighbourhood Plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or if a person has a fair chance to put a case.
15. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions.
16. I am satisfied that I have been able to properly examine the plan without the need for a hearing.
17. I carried out an unaccompanied visit to the village of Brigstock and the surrounding countryside on 26th July 2018. I spent most of the morning driving and walking around the village. On the site visit it became apparent to me that my version of the document had duplicated a plan showing ecological sites but did not include a plan showing the employment area. I was sent the appropriate plan, whilst on my site visit by email. Following on from that visit I did have some questions and matters that need clarifying. These were set out in a document entitled Initial Comments of the Independent Examiner dated 6th August 2018. I received a combined response from the Parish Council, plus from consultants for the owners of the site in question and the District Council on 29th August 2018. A copy of my Initial Comments, and the responses received, have been placed on the Council’s web site.

The Consultation Process

18. An initial public meeting was held on 14th January 2015 at the Village Hall which was attended by 18 people and led to the forming of the steering group. In June 2015, a questionnaire was circulated with the summer edition of the Brigstock News seeking residents’ views on housing, employment and the local environment. This received 48 responses. This was followed by an open meeting and exhibition held on 20th September 2015 which was

attended by between 80 and 90 people. On 12th November 2015, there was a stakeholder meeting which was attended by 23 bodies or organisations.

19. In January 2016, a further questionnaire was circulated to both residents and businesses which looked at key planning issues confronting the village. A total of 305 questionnaires were returned.
20. A third questionnaire survey was circulated in April 2017 which generated 288 completed forms with a further open meeting held on the 23rd April 2017 which was attended by 109 residents and local businesses.
21. The proposals were brought together in a Pre-Submission version of the plan which was then the subject of a Regulation 14 Consultation. This ran for six weeks between 1st August 2017 and 22nd September 2017 and produced 59 responses. The results of the consultation are set out in a table which is attached as Appendix 3 to the Consultation Statement, which also show how the plan was amended as a result of the representations received.

Regulation 16 Consultation

22. I have had regard, in carrying out this examination, to all the comments made during the period of the second statutory (Post-Submission) consultation, which took place over a 6-week period between 6th April 2018 and 21st May 2018. This consultation was organised by East Northamptonshire Council, prior to it being passed to me for its examination. That stage is known as the Regulation 16 Consultation.
23. In total 6 individual responses were received from organisations, namely: East Northamptonshire Council, Northamptonshire County Council, Historic England, the Local Lead Flood Authority – part of Northamptonshire County Council, and planning consultants CMYK on behalf of Kier Living and Berrys on behalf of A German and F Robinson.
24. I have carefully read all the correspondence and I will refer to the representations where it is relevant to my considerations and conclusions in respect of specific policies or the plan as a whole.

The Basic Conditions

25. The Neighbourhood Planning Examination process is different to a Local Plan Examination, in that the test is not one of “soundness”. The Neighbourhood Plan is tested against what is known as the Basic Conditions, which are set

down in the neighbourhood planning legislation. It will be against these criteria that my examination must focus.

26. The six questions which constitute the basic conditions test seek to establish that the Neighbourhood Plan: -

- 1) Has the Plan had regard to the national policies and advice contained in the guidance issued by the Secretary of State and that it is appropriate to make the Plan?
- 2) Does the making of the Plan contribute to the achievement of sustainable development?
- 3) Will the making of the Plan be in general conformity with the strategic policies set out in the Development Plan for the area?
- 4) The making of the Plan does not breach or is otherwise incompatible with EU obligations or human rights legislation
- 5) Whether prescribed conditions are met and prescribed matters have been complied with?
- 6) Whether the making of the Plan will have a significant effect upon a European site or a European offshore marine site, either alone or in combination with other plans and projects?

27. During the course of this examination the Government issued a revised National Planning Policy Framework. However, in accordance with the stipulation of Paragraph 214 of the 2018 NPPF, this examination has been carried out applying the policies in the 2012 version of the Framework.

Compliance with the Development Plan

28. To meet the basic conditions test, the Neighbourhood Plan is required to be in general conformity with the strategic policies of the adopted Development Plan, which in this case is the North Northamptonshire Joint Core Strategy 2011-2031 (the "Core Strategy"), adopted in July 2016. In addition, there are the "saved" policies from the Rural North, Oundle and Thrapston Plan, adopted in July 2011.

29. The Core Strategy (Policy 11) differentiates different types of settlements and it identifies Brigstock as a village wherein the policy allows "small-scale infill development on suitable sites in the village". It acknowledges that neighbourhood plans can identify sites within or adjoining villages to help meet locally identified needs. It is not a named village as set out in Table 5 which explicitly deals with housing delivery in named settlements, and so

Brigstock will be expected to contribute to the housing requirements of 820 for the period 2011-31. That is part of the overall local plan housing requirement of 8,400 new homes. Policy 13 of the Core Strategy also recognises that neighbourhood plans can promote rural exceptions sites to meet affordable housing on sites adjoining established settlements.

30. Brigstock lies close to a sub-regional green infrastructure corridor (defined by Figure 17 of the Core Strategy) – The Harpers Brook and also contains the Rockingham Forest – which is identified by DEFRA as a Carbon Sink Forestry Project.
31. Policy 30 of the Core Strategy deals with housing mix and tenure and encourages smaller dwellings and also 40% affordable housing provision of sites of 11 or more dwellings.
32. The Rural North, Oundle and Thrapston plan defines Brigstock as a Category 'A' Network Village; i.e. one with a settlement boundary. A number of policies are still in place notwithstanding the adoption of the Core Strategy, including Policy 2 dealing with windfall development in settlements (within the settlement boundary), green infrastructure, residential parking standards and a site-specific policy covering Brigstock Camp (Policy BC1).
33. I am treating all the policies in the Core Strategy as strategic policies for the consideration of the basic conditions test.

Compliance with European and Human Rights Legislation

34. An SEA Screening Report was submitted to the District Council in a document dated October 2017. This concluded that it was unlikely that there would be significant effect arising from the Plan and a full Strategic Environmental Assessment (SEA), as required by EU Directive 2001/42/EC (enshrined into UK law by the "Environmental Assessment of Plans and Programmes Regulations 2004",) would not be required.
35. The Parish Council also prepared a Habitat Regulation Assessment Screening Statement that concluded that the Plan policies were unlikely to have any significant negative effects on the nearest European Protected Sites which are the Upper Nene Valley Gravel Pits SPA and the Nene Washes SPA.
36. The District Council, as competent authority, confirmed on 21st March 2018 that it considered that the plan met all the European obligations.

37. In April 2018, there was an important ruling from the European Court contained in the judgement *People Over Wind and Peter Sweetman v Coillte Teoranta*, which affects the way that LPAs screen neighbourhood plans. I therefore invited the District Council to consider the implications of the judgement. It consulted Natural England on their proposed response and they agreed with its conclusions and I was advised on 17th September 2108 that that they did not feel that the Sweetman ruling changed their views that an Appropriate Assessment was not required.
38. I am satisfied that the basic conditions regarding compliance with European legislation are met. I am also content that the plan has no conflict with the Human Rights Act.

The Neighbourhood Plan: An Overview

39. I wish to commend the Parish Council and the Steering Group on their approach to preparing this neighbourhood plan. In particular, the decision making in respect of its housing allocation has been transparent and objective, based on clear selection criteria. The community has been able to have a significant input into the choices made. I have received representations which promote alternative sites and which criticise the site selection, but one of the primary benefits of neighbourhood planning, is that it allows the community to take decisions as to where they consider new development should take place. The choices made, allocating a site at the fringe of the Brigstock, reflects the choices that villagers have being able to make, particularly having regard to likely traffic movements through the village centre. Not only is the neighbourhood plan allocating a housing site but it is also facilitating a rural exception site on the edge of the village for affordable housing and also allows infill development.
40. I consider the plan's approach to the level of housing development accords with the expectations set out in the Core Strategy. However, it is important that the plan does not promote the inefficient development of land, so I am recommending that policies should refer to minimum housing numbers, particularly as the aspiration is for small units to meet local housing need.
41. The plan clearly addresses matters that are important to the village and reflects Brigstock's role within the surrounding countryside. On my site visit I was able to gain an appreciation of the special architectural character of the village as well as the quality of the surrounding countryside. I have concluded that that the plan will meet the basic condition test of delivering sustainable development.

42. My recommendations have focused on the wording of the development plan policies. Some of the changes may well impact upon the wording of the supporting text. I will leave it to the Qualifying Body in consultation with the District Council to make any necessary adjustments to the supporting text so that the document reads as a coherent development plan document.

The Neighbourhood Plan Policies

Policy B1: Housing Provision

43. I am satisfied that the overall quantum of new housing being proposed is a proportionate allocation of the total number of houses to be provided in the rural areas, according to the Core Strategy, based on the percentage of the current housing stock in Brigstock in relation to the rest of rural area. This is a sound basis for determining the overall housing provision that the neighbourhood plan could seek to provide for. I do need to refer to the terminology that expresses this as “around 60 dwellings”. Based on the level of existing commitments which existed on 31st March 2016, plus the proposed delivery of 10 units on the rural exception site, as well as the 25 dwellings allocated at land north of Stanion Road, they would together reach the 60 units without allowing for any infill development that would arise under Policy B2. I propose to amend the wording of the policy to ensure that the developments make a provision for a minimum of 60 dwellings.

Recommendation

Replace “around” with “a minimum of”

Policy B2: Infill Development

44. At the Regulation 16 consultation stage, I received representations on behalf of the site owners that the land on the north side of Grafton Road should be included within the village boundary. I noted on my site visit that there was development on both sides comprising properties which were within the village boundary. I therefore indicated in my Initial Comments document that I proposed to recommend that the village boundary be amended and I sought views on where that boundary should be drawn. All parties agreed that it would be appropriate for the village boundary be extended as per my Option 1 and I will be recommending that the revised boundary should follow the hedge line that follows the access drive to Hall Farm from Grafton Road.

45. In terms of the four criteria, I consider that they are all appropriate and I do not think that it is necessary, as proposed by the Parish Council, for the policy to be explicit so as to limit the extent of the development on the extra land at Grafton Road to 2 units as I consider that the requirement for the development to be in keeping with the scale, form and character of its surroundings, should establish the capacity of the site. Subject to the policy map being amended to incorporate the land at Grafton Road, I considered the policy meets the basic conditions.

Recommendation

That the Settlement Boundary as shown on the Housing Policies Map be amended to include all the land between 8 and 14 Grafton Road with the rear boundary following the hedge line of the access drive to Hall Farm from Grafton Road.

Policy B3: Land North of Stanion Road

46. I have addressed these selections or the allocation sites within my comments in the plan overview section above. The policy provides for a maximum amount of development on the site but I consider that this would not necessarily make the best use of the developable land. I will be recommending that the allocation should refer to the site delivering at least 25 dwellings. I accept that any housing development within the village should be aimed at meeting locally generated housing needs.

47. Whilst I am satisfied that there is evidence supporting the locally expressed wish for small accommodation, I do consider that imposing a limit of 3 No four or more bedroomed units is not justified on the basis of evidence and I agree with the comments made by East Northamptonshire Council that imposing this figure is over prescriptive. I believe that mix can be properly prescribed by the need to comply with Policy B4.

48. Subject to these modifications, I consider that the policy meets the basic conditions.

Recommendations

In A. Replace " up to" with "a minimum of"

Delete requirement Bb

Policy B4: Housing Mix

49. I have no comments to make on this policy which I consider meets the basic conditions.

Policy B5: Affordable Housing

50. The first sentence states that the need for affordable housing will largely be met by the housing sites identified in Policy B1. In addition to any affordable housing provided for by the committed scheme, if any, it is unlikely that affordable housing will be delivered on any infill schemes unless they provide more than 10 units. However, there are scenarios where planning permission could be granted on other windfall sites and this policy would then apply.

51. The policy also refers to rural exception site *within* Brigstock village boundary, but any development within the boundary would not be an exception site, as there is a general presumption in favour of new housing within the settlement, and the need to include affordable housing could only be triggered on schemes over 5 units, in accordance with national policy. I will recommend that reference to rural exception sites within the settlement boundary be removed.

52. The policy therefore seems to allow other rural exception sites to be built on the edge of the village in addition to the site in Grafton Road which is allocated by virtue of Policy B1. I have no objections to this proposal that the village could have more than one rural exception site over the lifetime of the plan if local housing need exists.

53. In terms of the proposed local occupancy condition, I do not consider that it is justified in terms of affordable housing in the allocation sites, which is argued to meeting the housing needs of the wider rural area, not just Brigstock Parish, some of whom may be in greater housing need. This is a matter that is more appropriately left to the Housing Authority's Housing Allocation Policy.

54. However, in line with advice set out in paragraph 54 of the NPPF 2012 and in particular the definition set out in the Glossary, which states "rural exceptions sites seek to address the needs of the local community accommodating households who are either current residence or have an existing family or employment connection".

Recommendations

In the third sentence remove “within or”

In the final sentence delete “affordable housing” and replace with “rural exception sites”

Policy B6: Countryside

55. This policy seeks to be comprehensive in nature by identifying the range of development that would be acceptable within the countryside; i.e. beyond the built-up area of the village. There are some omissions of development that are already stated as permissible under the terms of the Core Strategy, namely dwellings for rural workers and individual dwellings of exceptional quality or innovative design. Furthermore, to pass the test of providing certainty for decision-makers, I consider that the reuse and adaption of buildings for appropriate uses is too vague. I propose to clarify that by including residential and employment uses as being acceptable. I consider the policy relating to the preservation of listed buildings should be brought closer into line with national policy set out in the NPPF.

Recommendations

At the end of A insert “including housing to meet the essential needs of a rural worker”

In B insert “and appropriate enabling development to secure the future of the listed building”

In C replace “appropriate” with “residential or employment”

In F add at the end “and Paragraph 79 of the NPPF 2018”

Policy B7: Landscape Buffer

56. I consider that this is a locally distinct policy which, bearing in mind the impact of the A6116, will provide a noise as well as a landscape barrier. It meets the basic conditions.

Policy B8: Landscape Character and Locally Important Views

57. My own recommendation is that, for the sake of clarity, the position of the important views should be as set out in the Buffer Zone and Important Views

Map. Also, to make the policy clear I need to make it clear that Viewpoint E relates to the views as seen from the public footpath which crosses the field.

Recommendations

After “vistas” insert in parenthesis “(as shown on the Policies Maps)”

In E before “Park Farm” insert “the public footpath crossing”

Policy B9: Rockingham Forest

58. This policy covers matters that will not necessary constitute development but some matters such as tree planting may be invoked as part of landscape schemes that could contribute to what is a strategic policy objective. I consider that it is compatible with the policies set out in the NPPF and the Core Strategy. It will deliver sustainable development and I consider the policy meets the basic conditions.

Policy B10: Ecology and Biodiversity

59. The NPPF 2012 places importance on planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure”. I believe that this policy seeks to achieve that and accordingly it meets the basic conditions.

Policy B11: Local Green Space

60. I am satisfied that the 4 areas meet the criteria for LGS designation as set out in Paragraph 77 of the NPPF 2012.

Policy B12: Community Services and Facilities

61. I do not consider that this policy needs to offer protection to the two allotment sites or The Meadows as there are already protected by virtue of being designated as Local Green Space. I am assuming that the inclusion of the two public houses in the village are alternative facilities, by virtue of the use of “or”. I consider that a note should be added to the policy to clarify that if one of the public house houses closes, then the policy should come into play, so is to seek to retain the sole remaining public house in the village. The premises to be protected by this policy should be identified on a Proposals Map.

Recommendations

Delete from the list Benefield Road allotments, Church Walk allotments and The Meadow.

Insert after “Green Dragon PH” in parenthesis (This policy to protect the sole remaining public house in the event of the other public house closing)

That the premises identified in the text of the policy should be shown on a Policies Map to show the extent of the designation.

Policy B13: Infrastructure

62. The policy refers to on-site infrastructure and also to the making of financial contributions towards offsite infrastructure requirements. However, there are legal requirements in respect of pooled financial contributions which are set out in the Community Infrastructure Levy Regulations 2010 (Regulation 122) which are also repeated in the NPPF, namely that the obligation: -
- is necessary to make the development acceptable in planning terms, and
 - is directly related to the development, and
 - is fairly and reasonably related in scale and kind to the development.
63. These requirements need to be incorporated into the wording of policy. I note that there are capacity issues in the local primary school. I consider that it will be necessary before seeking a contribution to justify why the increase in demand arising from the new development, requires the “provision of the services for young people” beyond the current demands imposed by the existing population of young people in the village. That test will equally be required, in terms of the seeking contributions to “improvements or remodelling of sports and recreation” or to demonstrate why the new houses are required to fund new tree planting in the Rockingham Forest. It is only if these tests are passed, that a contribution can legally be sought. The situation would be different if the District Council had introduced a Community Infrastructure Levy Scheme, where the Parish Council would be receiving 25% of all CIL receipts in the parish and it can then determine how the money could then be spent.

Recommendation

At the end of the first sentence replace " appropriate" with "it is shown that the infrastructure or financial contribution is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development".

Policy B14: Wallace's Mill

64. This is clearly an important building to the village for which a new use does need to be found. The policy meets basic conditions.

Policy B15: Local Heritage Assets

65. I have no concerns regarding the wording of the policy which reflects the advice set out in national policy; the NPPF and Planning Practice Guidance

Policy B16: Design

66. I consider that this is a strong design policy which seeks to conserve the essential characteristics of buildings in Brigstock. It meets the basic conditions.

Policy B17: Construction Method Statements

67. This policy assumes that a Construction Method Statement will be required in all locations, apart from minor development. I would not consider that it is necessary for such a statement to have to be prepared for the development taking place on a farm, for example. I consider that apart from specific circumstances, the imposition of such a condition would not meet the requirements set out in paragraph 206 of the NPPF. As a policy, I do not consider it meets the basic conditions and I will be recommending that the policy be deleted.

68. In my experience, such conditions are only imposed in particular situations and not as a result of stipulation of planning policy, which relate to the completed development rather than the development process itself. Furthermore, I consider that condition which requires a developer to have to prepare a statement "in liaison with the Parish Council," is an unreasonable obligation bearing in mind that responsibility for the discharge of any condition, if imposed, lies with the local planning authority. It is a matter for the District Council whether it consults the Parish Council on matters relating to the discharge of conditions.

Recommendation

That the policy be deleted.

Policy B18: Sudborough Road Employment Area

69. The only issue that I have regarding the policy relates to the final sentence which could imply that planning applications for Use Class B employment development, which is not related to the forestry and agricultural uses, will not be supported. Whilst I can understand the objective is to recognise the role of the village in supporting the surrounding countryside, but that can be achieved by highlighting that such users will be “particularly encouraged” whilst at the same time allowing others occupiers of these units to be supported.
70. The map showing the extent of the Sudborough Road Employment Area, (as well as the extent of the areas covered by the Policy B20) was, on my version of the document, omitted but there were duplicates of the Ecology Map. This has been acknowledged as an administrative mistake when the document was being collated, and this is within my power to correct. I do not consider any party would be disadvantaged by the omission, as the extent of the policy is clear.

Recommendations

At the end of the second sentence replace “supported” with “particularly encouraged”.

Policy B19: Rural Economy

71. I have no comments to make about this policy, which meets basic conditions.

Policy B20: Brigstock Camp

72. The policy refers to the whole site but the Employment Land Map differentiates between the greenfield parts and the brownfield area. The policy is clear that a variety of developments would be acceptable on the brownfield part of the site. That policy is subject to a number of provisos, including that the development is no more intensive in traffic terms, than the currently permitted use, as a medium secure 54 bed hospital.
73. By intensive in traffic terms, I assume refers to traffic generation. I have seen no evidence to justify why that is the maximum amount of development that can be safely allowed to access the site from this road. Advice in paragraph

32 of the NPPF 2012 is that there is a requirement that “a safe and suitable access to the site can be achieved for all people”. It goes on to say that “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of developments are severe”. To limit the amount of traffic to that benchmarked by a previous planning application which was deemed acceptable, could prevent the site being efficiently and effectively developed, thereby not making best use of brownfield sites.

74. The formatting of the policy could be interpreted in such a way that the three provisos are only related to the assembly and leisure use, but I do not imagine that was the Parish Council’s intention. I will be recommending changes to the way the policy is set out.
75. In terms of the proposals that the whole site could be used for a solar farm, the policy requires that the installation can be in place for a maximum of a 25-year time period. I have seen no justification how the plan has arrived at the requirement that the equipment should be removed after that particular time. The Planning Practice Guidance (PPG) recognises, at paragraph 013 of the Renewable Energy section, that “solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer used”. I propose to introduce similar wording to bring it into line with basic conditions.
76. Overall I found that this policy is structured in a confusing manner and I propose to split the policy into two sections – one scenario dealing where the site is developed as a whole as a solar farm or alternatively for development taking place on the previously developed part of the site and the remainder (greenfield part) of the site being given over to woodland. Alternatively, if the site were to be developed as a hotel, it may be more appropriate for the grounds (curtilage) to be set out as a parkland.

Recommendations

Reword the policy as follows:

“The use of the whole site (as defined on the Policies Map) as a large-scale solar farm will be supported subject to a requirement that when the installation is no longer used, the apparatus shall be removed in its entirety and the whole site is planted and managed as a woodland.

As an alternative to the solar farm, proposals for the development of the brownfield part of the site (as defined on the Policies Map) will be supported subject to a safe and suitable access being provided and it is demonstrated that the traffic generation will not have a severe impact on the A6116, plus the construction of a footpath and cycle link to the Corby- Stanion former ironstone railway path and/ or a safe crossing of

the A6116 and the appropriate landscaping of the greenfield part of the site which shall include measures to improve its biodiversity. The following uses will be considered acceptable forms of development

- ***Business***
- ***Hotel***
- ***Residential institution***
- ***Non-Residential Institution***
- ***Assembly and leisure”***

The Referendum Area

77. If I am to recommend that the Plan progresses to its referendum stage, I am required to confirm whether the referendum should cover a larger area than the area covered by the Neighbourhood Plan. I can confirm that the area of the Brigstock Neighbourhood Plan as designated by East Northamptonshire Council on 11th May 2015 (the Parish of Brigstock), is the appropriate area for the referendum to be held and the area for the referendum does not need to be extended.

Summary

78. I wish to congratulate Brigstock Parish Council and the appointed Steering Group on producing a very readable and well-structured document that has been based on significant community involvement. It will form the sound basis for determining planning application in the parish over the coming years. It has not ducked its responsibility in making difficult allocation decisions and has had regard to strategic policies in the Core Strategy.

79. To conclude, I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test and that it is appropriate, if successful at referendum, that the Plan, as amended, be made

80. I am therefore delighted to recommend to the East Northamptonshire Council that the Brigstock Neighbourhood Plan, as modified by my recommendations, should now proceed to referendum.

JOHN SLATER BA(Hons), DMS, MRTPI

John Slater Planning Ltd