

Gretton Neighbourhood Plan

Report of Examination

Report to Corby Borough Council

by the Independent Examiner:

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16 October 2020

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Summary

1. From my examination of the submitted Gretton Neighbourhood Plan, the supporting documents, and taking into account all the representations made, I have concluded that, subject to the modifications I set out in my report, I **recommend** that the Neighbourhood Plan should proceed to a referendum.
2. I have concluded that the plan does meet the Basic Conditions. In summary, the Basic Conditions are:
 - a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
 - b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
 - c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
 - d. the making of the neighbourhood plan contributes to the achievement of sustainable development.
 - e. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
 - f. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
 - g. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
3. I have concluded that the neighbourhood plan meets the legal requirements in that:
 - It has been prepared and submitted for examination by a qualifying body;
 - It has been prepared for an area properly designated;
 - It does not cover more than one neighbourhood plan area;
 - It does not relate to “excluded development”;
 - It specifies the period to which it has effect – to 2031; and
 - The policies relate to the development and use of land for a designated neighbourhood area.
4. I conclude the Referendum Area should be the same as the Designated Area.

1. Introduction

- 1.1 I am appointed by Corby Borough Council, with the support of Gretton Parish Council (the Qualifying Body), to undertake an independent examination of the Gretton Neighbourhood Plan, as submitted for examination.
- 1.2 I am an independent planning and development professional of 40 years standing and a member of NPIERS' Panel of Independent Examiners. I am independent of any local connections and have no conflicts of interests.

The Scope of the Examination

- 1.3 It is the role of the Independent Examiner to consider whether making the plan meets the Basic Conditions. These are:
 - a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
 - b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
 - c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
 - d. the making of the neighbourhood plan contributes to the achievement of sustainable development.
 - e. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
 - f. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
 - g. prescribed conditions are met in relation to plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
- 1.4 Regulations also require that the Neighbourhood Plan should not be likely to have a significant effect on a European Site or a European Offshore Marine Site either alone or in combination with other plans or projects.
- 1.5 In examining the Plan I am also required to establish if the plan complies with certain legal requirements; in summary they are whether it:
 - Has been prepared and submitted for examination by a qualifying body;
 - Has been prepared for an area that has been properly designated;

- Meets the requirements that they must not include excluded development;
- Relates to one Neighbourhood Area; and
- Relates to the development and use of land.

1.6 Finally, as independent Examiner, I must make one of the following recommendations in relation to the Plan proceeding to a Referendum:

- a) that it should proceed to Referendum on the basis that it meets all legal requirements; or
- b) that, once modified to meet all relevant legal requirements, it should proceed to Referendum; or
- c) that it should not proceed to Referendum on the basis that it does not meet the relevant legal requirements.

1.7 Second, if recommending that the Plan should go forward to Referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Neighbourhood Designated Area to which the Plan relates.

The Examination process

1.8 I was formally appointed to examine the Neighbourhood Plan in August 2020. The default position is that neighbourhood plan examinations are conducted by written representations. I have completed the examination from the submitted material. I conducted an unaccompanied site visit.

The Examination documents

1.9 In addition to the legal and national policy framework and guidance (principally The Town and Country Planning Acts, Localism Act, Planning and Compulsory Purchase Act, Neighbourhood Planning Act and Regulations, the National Planning Policy Framework, Written Ministerial Statements and the Planning Practice Guidance) together with the development plan, the relevant documents that were furnished to me - and were identified on the Council's website as the neighbourhood plan and its supporting documentation for examination - were:

- Gretton Neighbourhood Development Plan - Submission Version; this included 11 appendices, most of which were listed as separate documents on the website;
- Basic Conditions Statement (appendix i)
- Statement of Consultation (appendix ii)
- Housing Needs Report (appendix iii)
- Gretton Parish Census 2011 Profile (data included in appendix iv)
- Land Registry's Price Paid Data
- Important Views (appendix ix)
- Sustainable Site Assessment Framework (appendix v)
- Gretton Housing Design Guide (appendix vi)
- Environmental Inventory (appendix vii)

- Local Heritage Assets (appendix viii)
- Statutory Designations (appendix x)
- Corby Road Report (appendix xi)
- Equality Questionnaire
- SEA Screening Opinion

together with:

- Twelve responses received under Regulation 16 (referred to later).

The Qualifying Body and the Designated Area

- 1.10 Gretton Parish Council is the Qualifying Body for the designated area that is the neighbourhood plan area; the area, which comprises the civil parish, was designated in November 2016. The Gretton Neighbourhood Plan Steering Group, a sub-committee of the Parish Council, prepared the plan under the auspices of the Parish Council.

The Neighbourhood Plan Area

- 1.11 The plan area is centred on the village of Gretton, with its immediate hinterland, located immediately north of the town of Corby. The village is situated on the prehistoric Jurassic Way, with access to fresh water springs, and overlooks the River Welland Valley. It has historically been dependent on agriculture with some ancient quarrying. The railway station has been and gone; the village is still served by unclassified roads. The village has two main roads and easy access to the A14 and A47. Trains from Corby reach London in 80 minutes. There is no regular bus service.
- 1.12 The village has two pubs, an historic Anglican church, Baptist Church, two public car parks, primary school, pre-school, the village hall, recreation ground, playing field, a pocket park, allotments and community café; though the village post office and shop has recently closed. The village supports cricket, football and netball clubs, a sports and social club. There is a part-time GP surgery. The plan area contains some 50 designated heritage assets as well as a number of non-designated assets of local significance. There are also a number of priority habitats and local wildlife sites
- 1.13 Secondary schools are based in Corby, Oakham and Stamford. Employment opportunities are few; though an increasing number now work from home. A wide range of employment opportunities and services are available in nearby towns, principally Corby as well as Uppingham, Oakham Market Harborough, with Stamford and Peterborough further afield. Conversely the parish is an area that attracts visitors from nearby, for walking, cycling and horse-riding, often using the many footpaths and bridleways that serve the parish.
- 1.14 The 2011 Census recorded 1,285 residents living in 512 households, the number of homes having increased by 10% in the previous decade. There is evidence the population is ageing and that there are signs of under-occupancy of homes. There are significantly more 4-and 5-bed homes in Gretton compared to the borough as a whole; and fewer 2-bed homes.

2. Neighbourhood Plan preparation and public consultation

The Neighbourhood Development Plan

- 2.1 As a document the plan is very well presented and easy to follow – though none of the chapters/sections are numbered, nor are any paragraphs – my section 11 picks this up. There is a short Foreward to the plan followed by (what I will call) section 1- Background and context - that forms the introduction to the plan. Section 2 – Gretton – sets the local context; Section 3 – Community Engagement – explains how the plan was shaped by engaging the local community. Section 4 sets out the plan’s Vision.
- 2.2 Section 5 – Policies – is the meat of the plan. This is effectively in seven parts - though is not set out like that - covering policies concerned with: housing and built environment, natural and historic environment, community sustainability, village communications, transport and road safety, and business and employment. Finally, after the seven policy sections, there is Section 6 - Monitoring and review - and a Glossary. There are 9 appendices (listed earlier, at para 1.9).

Strategic Environmental Assessment and Appropriate Assessment

- 2.3 Under Article 3(3) and 3(4) of the Strategic Environmental Assessment (SEA) Directive 2001/42/EC an SEA is required of plans and programmes which “determine the use of small areas at a local level”. The Borough Council, as “responsible authority”, determines if the plan is likely to have significant environmental effects. They determined, in a Screening Determination of December 2019, that the plan would not require a Strategic Environmental Assessment. The Borough Council also undertook a Habitat Regulations Assessment (HRA) Screening - as part of the SEA screening opinion - of the neighbourhood plan and concluded that an HRA was not required.
- 2.4 Gladman considered that the neighbourhood plan should have been subject to a full SEA, partly as the Guidance indicates that SEA may be required where a the plan allocates sites, which this neighbourhood plan does. I agree with the Council’s determination and am content that SEA was not justified in this case.

Human Rights and European Obligations

- 2.5 I have no reason to believe that making the plan would breach or is incompatible with the European Convention on Human Rights or other EU obligations.

Plan period

- 2.6 The neighbourhood plan clearly states in a number of places – on the cover and in the penultimate sentence on page 8, for example - that it covers the period to 2031, which is co-terminus with the adopted development plan and the emerging Part 2 Local Plan.

Excluded development

- 2.7 A neighbourhood plan cannot include policies for excluded development, such as minerals and waste. I have concluded that the plan does not do so.

Non-Land Use Policies

- 2.8 A neighbourhood plan cannot include policies that are not concerned with the use or development of land. The plan includes a number of Community Actions. They are not land-use policies but local aspirations. In terms of the plan's compliance with Guidance, their purpose needs to be clarified and their presentation clearly distinguished from policy, if they are to remain in the body of the plan, rather than in an annex or separate document – see my recommendations in section 11.

Public consultation and responses to the submitted plan (Regulation 16)

- 2.9 The decision to prepare a neighbourhood plan was taken in March 2016, following which a Steering Committee was formed, which met numerous times from February 2017. The process of consultation involved a wide range of media and activities, supervised by the Steering Group. These included a website, newsletters and email contacts, advertising, open events, community radio and a Community Questionnaire. The Community Questionnaire was launched in October 2017 to which 216 households responded. In April 2018 three theme groups were formed by the Steering Committee, covering housing and built environment, environment and community sustainability.
- 2.10 The Consultation Statement (CS) sets out clearly the steps taken, including the way feedback and comments were processed, how the issues were selected and how the initial plan was drafted leading up to the Regulation 14 formal consultation – which took place between 1 October and 12 November 2019.
- 2.11 Gladman is of the opinion that the CS does not meet the legal requirements in that it is too brief and does not contain an adequate summary of the main issues and specifically those raised by them. I agree the CS is brief but the document (top of page 12) explains that the Steering Committee – and the Parish Council in ratifying their review of Reg 14 responses did comply in relation to the 17 representations and comments which were gathered, analysed and responded to in terms of drafting changes.
- 2.12 Consultation on the Regulation 16 version took place between Friday 17 July and 5pm on Friday 11 September 2020. Twelve representations were received: those from the statutory undertakers (Highways England, Environment Agency, Natural England etc) had no (or no further) comments to make; two landowners/developers submitted extensive representations, while promoting their own site submissions; and one wrote in support of the plan's site allocation; the neighbouring Council and the County Council both submitted representations. One local resident wrote in support. The Borough Council made no comments.

2.13 Gladman submitted extensive comments, including on the consultation statement, the plan's approach to growth, the SEA (or lack of one) and a wide range of the plan's individual policies. I deal with these, as with the other representations, as each topic arises.

3. The Neighbourhood Plan in its planning context

i. National policies and advice

3.1 The neighbourhood plan must have regard to national policies and advice, contained in Ministerial Statements and guidance issued by the Secretary of State, and contribute to the achievement of sustainable development. Paragraph 16 of the National Planning Policy Framework (the Framework) sets the scene:

“Plans should:

- a) be prepared with the objective of contributing to the achievement of sustainable development;*
- b) be prepared positively, in a way that is aspirational but deliverable;*
- c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
- d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
- e) be accessible through the use of digital tools to assist public involvement and policy presentation; and*
- f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).”*

3.2 The Framework then explains, at para 29, in relation to neighbourhood planning that:

“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in strategic policies for the area, or undermine those strategic policies.”

3.3 In relation to achieving appropriate densities, the Framework includes the following, at para 122:

“Planning policies and decisions should support development that makes efficient use of land, taking into account:

- c) the availability and capacity of infrastructure and services—both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;”*

- 3.4 Planning Policy Guidance includes a range of guidance relevant to this plan; for example:

“Plans should be prepared positively, in a way that is aspirational but deliverable. Strategic policies in the local plan or spatial development strategy should set out the contributions expected from development. This should include the levels and types of affordable housing required, along with other infrastructure. Neighbourhood plans may also contain policies on the contributions expected from development, but these and any other requirements placed on development should accord with relevant strategic policies and not undermine the deliverability of the neighbourhood plan, local plan or spatial development strategy. Further guidance on viability is available.” (Paragraph: 005 Reference ID: 41-005-20190509. Revision date: 09 05 2019)

- 3.5 The plan must give sufficient clarity to enable a policy to do the development management job it is intended to do; or to have due regard to Guidance. For example, the Guidance explains that:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.” (ref 41-041-20140306).

- 3.6 There has to be appropriate evidence to support particular policies, notwithstanding it may express a strong and well-intentioned aspiration or concern of the local community. The Guidance at ref 41-040-20160211 states:

“While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.

A local planning authority should share relevant evidence, including that gathered to support its own plan making, with a qualifying body

Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.

In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making”.

- 3.7 The Guidance further explains what a neighbourhood plan should address:

“A neighbourhood plan should support the delivery of strategic policies set out in the local plan or spatial development strategy and should shape and direct development that is outside of those strategic policies (as outlined in paragraph 13 of the revised National Planning Policy Framework). Within this broad context, the specific planning topics that a neighbourhood plan covers is for the local community to determine.

A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum (or where the neighbourhood plan is updated by way of making a material modification to the plan and completes the relevant process), the neighbourhood plan becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (see section 38(6) of the Planning and Compulsory Purchase Act 2004).

Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan. (Paragraph: 004 Reference ID: 41-004-20190509. Revision date: 09 05 2019).

3.8 Also, in relation to Infrastructure considerations:

“A qualifying body may wish to consider what infrastructure needs to be provided in their neighbourhood area from the earliest stages of plan-making (as set out in paragraph 102 of the National Planning Policy Framework) alongside development such as homes, shops or offices. Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way.

The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan:

- what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way*
- how any additional infrastructure requirements might be delivered*
- what impact the infrastructure requirements may have on the viability of a proposal in a draft neighbourhood plan and therefore its delivery*
- what are the likely impacts of proposed site allocation options or policies on physical infrastructure and on the capacity of existing services, which could help shape decisions on the best site choices*

Qualifying bodies should engage infrastructure providers (eg utility companies, transport infrastructure providers and local health commissioners) in this process, advised by the local planning authority. (Paragraph: 045 Reference ID: 41-045-2019050. Revision date: 09 05 2019)

And: *“What should a qualifying body do if it identifies a need for new or enhanced infrastructure?”*

A qualifying body should set out and explain in their draft neighbourhood plan the prioritised infrastructure required to address the demands of the development identified in the plan”. (Paragraph: 046 Reference ID: 41-046-20140306)

- 3.9 The Basic Conditions Statement (BCS) sets out satisfactorily how the policies in the Neighbourhood Plan comply with the Basic Conditions and legal requirements. It explains, mostly in tabular form, how the plan has regard to national and development plan policies, how it contributes to sustainable development, and meets EU obligations.

ii. Development Plan context

- 3.10 The neighbourhood plan must be in general conformity with the strategic policies of the development plan for the area. The development plan is the North Northamptonshire Joint Core Strategy (JCS), adopted in 2016. It runs from 2011 to 2031 and is the strategic Part 1 Local Plan for Corby, East Northamptonshire, Kettering and Wellingborough and outlines a big picture to be developed in more detail through the Part 2 Local Plans prepared by the District and Borough Councils and by Neighbourhood Plans prepared by Neighbourhood Planning Groups. The JCS was prepared by the Joint Planning Unit (JPU), reporting to the North Northamptonshire Joint Committee (JC), made up of representatives from the District, Borough and County Councils.
- 3.11 Neither the neighbourhood plan nor the Basic Conditions Statement (BCS) set out which policies are regarded as strategic; though the latter does check the neighbourhood plan’s policies against various policies of the JCS; these include Policy 2, 7, 8, 14, 22, 25, 26 and 33. I have also flagged up Policy 9 (sustainable buildings), 10 (Provision of infrastructure), 11 (The network of urban and rural areas), 19 (The delivery of green infrastructure), 28 (Housing requirements), 29 (Distribution of new homes), 30 (Housing mix and tenure) and the Policies Map (inc Corby Inset).
- 3.12 Figure 17, related to Policy 19, shows that the neighbourhood plan area falls within a Sub-regional corridor – the Jurassic Way. Policy 29 (Distribution of new homes) sets out the planned delivery of new homes in the borough’s rural housing areas – which includes the village of Gretton – as 120 homes over the plan period; there is no figure specifically for Gretton. The supporting text to Policy 11 explains (at para 5.15) that: *“In order to focus growth at these towns [in Table 5] and to protect the character of villages, additional housing development above the requirements identified in Table 5, other than small scale infilling in accordance with Policy 11, will be resisted unless agreed through the Part 2 Local Plan or neighbourhood plans.”*

iii. Emerging Local Plan

- 3.13 The Part 2 Local Plan 2011-2031 was submitted for examination in December

2019. Examination Hearing Sessions - via Zoom, due to the Covid-19 situation have very recently concluded. The emerging plan is primarily concerned with the growth of Corby; nevertheless it contains a number of relevant policies and proposals to the neighbourhood plan area:

- Policy 17 – Settlement Boundaries – will be used to interpret whether sites are within or outside; outside is defined as countryside. Policies Map Inset 5.6 shows the boundary for Gretton.
- Table 9 shows the housing distribution for Rural Housing at 120 to 2031; the supporting text (7.5) explains that it is the role of Part 2 and/or Neighbourhood Plans to consider the identification of non-strategic sites to deliver the housing requirements in the JCS.

3.14 Gladman believe that the impact of the *Planning for the Future* White Paper and the revised method for calculating housing need could lead to a revised housing figure for Corby and that the neighbourhood plan's policies may become out of date shortly after they come into effect. That may be the case; however, the plan itself – see Monitoring and review – is committed to reviewing the plan to coincide with, inter alia, the Local Plan cycle.

4. Overview

4.1 The neighbourhood plan has been prepared in parallel with the emerging local plan, though now finds itself proceeding slightly in advance of it. This does not affect its approach, which is to “... *sit alongside* [JCS and Part 2 Local Plan], *to add additional or more detailed policies specific to the Gretton Parish*” (bottom of p 8) and so “... *the Plan focuses on those planning issues which consultation shows matter most to the community, and to which the Plan can add the greatest value*” (see top of p 9).

4.2 The neighborhood plan explains that it “... *is based on a range of evidence sources.... [including] ... the evidence gathered in preparation of the Corby Part 2 Local Plan ...*”. The neighbourhood plan's main policies and proposals include one housing allocation, two proposed Local Green Space designations and sets out Limits to Development around the village.

4.3 Overall, the plan takes a commendable approach to positive planning, supporting and promoting sustainable development in conformity with the strategic policies of the development plan as well as achieving close alignment with an emerging local plan by promoting an appropriate level of growth in new homes.

5. Housing and Built Environment policies

5.1 There are seven policies in this section. Much of the introductory text is taken up with explaining the plan's approach to accommodating an identified local need, noting that in relation to the emerging Part 2 Local Plan that: “*The Regulation 18 consultation for the Part 2 Local Plan recognised an oversupply of housing land in the rural area and that Policy 11 of the JCS resists development above housing requirements unless agreed through the Part 2*”

Local Plan or neighbourhood plans to meet a particular local need or opportunity”.

- 5.2 Drawing on the results of the Borough-wide SHMA and a parish-wide Housing Needs Survey, the parish concluded that a total of 27 new homes were required, in the following mix: 11 open market, 4 shared ownership and 12 affordable (the latter netted down to 8, in the light of a recent consent). Thus, the housing need is 23 new homes.
- 5.3 Gladman is quite critical of the basis of the neighbourhood plan’s assessment of local housing need. They say that the Housing Needs Survey [actually, Report] is merely a snapshot of housing need at a particular point and does not provide a projection; nor does it take into account population increases. They conclude it is not an appropriate or robust assessment of the future housing needs in Gretton and that planning for an insufficient level of housing conflicts with para 78 of the Framework. They go on to say that the JCS strategic policies will be 5 years old in July 2021 and thus will become out of date; and that it is evident a greater level of housing growth will have to be distributed across the district. Thus, they say that the neighbourhood plan needs to provide a degree of flexibility to be effective over the plan period.
- 5.4 The JCS is not out-of-date; the emerging Part 2 Local Plan is at an advanced stage and acknowledges an existing oversupply of new homes. The neighbourhood plan is effectively seeking to meet an additional identified local need. On this basis I see no evidence that the approach being taken in the neighbourhood plan undermines strategic policy in any way. Indeed the neighbourhood plan increases supply and expands the village envelope beyond that shown in the emerging plan (see 5.6 below). I therefore do not accept Gladman’s criticisms.
- 5.5 However, the plan does not really explain how it is proposing to meet the housing need it has identified; it appears to be a mix of the one allocation (H1) plus windfall sites (H6).
- 5.6 The consultation responses were in favour of more 1- and 2-bed homes to cater for younger families, first timers and down-sizers. Nearly half favoured the inclusion of more low-cost, social and affordable rented or shared ownership properties.

Policy H1: Residential site allocation

- 5.7 The policy allocates a site in the south of the village, at Corby Road, for up to 13 homes, shown on Figure 2. The supporting text, on p 24, explains that the Housing Theme Group carried out a comprehensive Sustainable Site Assessment (SSA) of potential residential development sites, a process explained in appendix v. Gladman criticise the site section process; in particular they are critical of the lack of a complete comparative document showing how each site scored against each category. They are promoting a large site (Land off Southfield Road, to the east of the village, for up to 120 units); and they are critical that they cannot see how it was judged

comparatively.

- 5.8 I have reviewed the SSA and considered Gladman's comments. I have concluded that this was a rational exercise, which considered a wide range of sites, each with different development capacities, in an appropriate way relative to the local geography and the scale of the needs involved. I accept it as sufficiently robust and proportionate evidence to support the allocation. The landowner has confirmed it is deliverable.

Policy H2: Limits to Development

- 5.9 The neighbourhood plan explains that the settlement boundary has been established by the LPA. This has its origins in the Village Confines Gretton Inset of the 1997 Local Plan; with updates to account for commitments this is now shown as Inset Map 5.6 in the emerging Part 2 Local Plan. The parish has reproduced this plan, with only minor adjustments - to back gardens in the north-east and a small boundary in the north - while adding the housing allocation, as shown on Fig 3, in the south.
- 5.10 The plan explains (bottom of p 25) how the boundary was reviewed. The effect of the policy is to define the limits of acceptable development, beyond which sites will be treated as in the countryside. The policy has a caveat on sporting or recreational facilities, which can be located close or adjacent to the boundary, provided they respect the shape and form of the village.
- 5.11 Gladman considered the use of development limits to be an inappropriate tool; yet this is the strategic approach taken in the development plan and emerging plan. They believe the limits to be more restrictive than the JCS and emerging local plan; yet the limits add a housing allocation. They believe the policy is more restrictive than Policy 13 of the JCS, yet that policy is concerned with rural exceptions – by definition “exceptions”; I see no conflict.

Policy H3: Design policies

- 5.12 The policy seeks to secure high standards of design and apply the Gretton Design Guide (the latter provided at appendix vi; though described as a Housing Design Guide). In applying the Guide, applicants are to have regard to a number of criteria – listed as a) to k), to the degree that is proportionate to the development. This is an extensive list, concerned with character, materials, context, amenity, biodiversity, lighting, waste/recycling storage, sustainable construction and drainage systems. These topics echo JCS Policy 8 and 9.
- 5.13 The Gretton Design Guide was prepared by the Parish's Housing Theme Group, apparently without outside technical support; it is a laudable document in many respects but it lacks evidential support, such as a local character appraisal, necessary to provide robust outcomes. For example, it does not evidence its new parking standards; or why dwelling heights should be one or two stories. It requires all Design & Access Statements to be approved by the parish council before construction, which is unreasonable. I **recommend** that

these two statements be removed from that document.

- 5.14 I can see that the Design Guide has some value by reflecting local opinion to applicants but even as modified, I do not consider that it is appropriately or robustly evidenced to be applied as part of the policy; it can play its part within the supporting text as a reference document of community aspiration. Gladman was concerned about a one-size-fits-all approach to design; that the policy was overly prescriptive and should allow for flexibility. I agree.
- 5.15 Accordingly, I **recommend** that the following text be deleted from the second limb of the policy: "...the Gretton Design Guide and are encouraged to have regard to ..". And all references to the document should be consistent.

Policy H4: Affordable housing

- 5.16 The main focus of this policy is to secure 50% affordable housing on sites of more than 11 units; this exceeds the strategic policy target, in JCS Policy 30 d) and e), of 40%. The justification is that there is a historic deficit in the area – the parish recorded 8.6% affordable housing at the 2011 Census (Borough average 21.3%) and that the Borough Council is not achieving 40%. I do not find this argument sufficiently convincing to depart from a strategic development plan policy. It ignores the recent provision of 4 units, leaving an identified shortfall of 8 (see page 23, second para); 40% of 13 units on H1 would deliver 5 affordable units, leaving a deficit of only 3. Over the plan period, it seems to me, there is a prospect that this small shortfall could be met. In any event, the plan will be subject to review.
- 5.17 This policy can only reasonably apply to the one allocated site, so arguably should be part of H1 and it is not clear if the landowner's support for that allocation had factored in this requirement; it is not mentioned. Nor is the impact of the second limb of the next policy mentioned; nor indeed any of the other policies, housing mix for example, which could impact the viability of this site. The letter only confirms the site is available (but not specifically deliverable).
- 5.18 Gladman repeat their concern that the Housing Needs Report does not amount to a robust or clear evidence of housing need; nor do they consider the policy to be consistent with the development plan. I disagree with the former point and agree with the latter, for the reasons I've set out already.
- 5.19 Overall, I do not consider the policy meets the basic Conditions and I **recommend** that Policy H4 be deleted.

Policy H5: Accessible housing

- 5.20 The plan explains that: "*Very little of the current housing stock on the Parish is built to modern mobility standards.*" This policy is in two parts: to require all housing to meet Building Regulations standard M4(2) Category 2; and that in developments of 10 or more homes, they should meet category 3 – wheelchair standard. Again, the latter requirement is only likely to apply to H1.

5.21 Gladman point out that the inclusion of non-planning standards is contrary to WMS 2015 in relation to optional technical/construction standards, which states that they can only be progressed through a Local Plan and provided they are based on evidence of need and viability. I agree. I therefore **recommend** that Policy H5 be deleted.

Policy H6: Windfall sites

5.22 This policy supports windfalls, which have recently produced an average of 1.5 homes per year, to help promote sustainable development, provided such sites meet all of criteria a) to i). These include being within the Limits to Development, meeting housing need, reflecting local character, safeguarding pedestrian/highway safety and amenity, avoiding flood risk.

Policy H7: Housing mix

5.23 This policy seeks to improve the balance of home sizes in the parish, which has significantly more 4- and 5-bed homes than the borough average. The identified need is for an increase in smaller properties.

6. Natural and Historic Environment Policies

6.1 There are nine policies in this section, which cover a range of topics, such as Local Green Spaces, Sites of Significance, Important Open Spaces, Designated Heritage Assets, Non-Designated Heritage Assets, ridge and furrow, biodiversity (and hedges and habitat connectivity), Important Views, footpaths/cyclepaths/bridleways, and renewable energy generation infrastructure.

6.2 The supporting text contains summaries of the local landscape, geology and setting; the historic environment, natural environment and the existing designations, the environmental inventory (appendix vii) and its scoring system and main scores, and descriptions of the site-specific policies (eg Local Green Space).

Policy ENV1: Protection of Local Green Space

6.3 The environmental inventory scored only two sites with the essential requirements to meet the criteria in the Framework: St James Churchyard and Paddock Park. The evidence and mapping is set out in the body of the plan on pages 36-38. To meet the Basic Conditions and the specific criteria in the Framework I **recommend** that the words “very special” replace the word “exceptional” in the policy.

Policy ENV2: Protection of sites of natural and historical environment significance

6.4 This is drafted more as a statement than a policy. However, from the drafting of the policy itself, from the focus of the supporting text - which identifies sites of environmental significance and which are mapped as Fig 6 -it is clear that

the intention is to provide sufficient protection to these sites. I am satisfied that there is proportionate and robust evidence to support the selection of the sites identified in the environmental inventory.

- 6.5 To achieve the purposes of the policy so that it can operate a development management tool, to meet the Basic Conditions, I **recommend** that the final sentence be deleted and be replaced by the following text (which is similar to that deployed in the next policy): “Development proposals that would result in their loss, or have a significant adverse effect, will not be supported, unless the overall benefits of the development outweigh the harm”.

Policy ENV3: Important Open Space

- 6.6 The environmental inventory identified a group of sites that scored highly for their community value. These are identified as important open spaces and are listed in the body of the plan as well as being identified on Fig 7. These spaces are well evidenced.
- 6.7 The policy does, however, need two modifications to meet the Basic Conditions: I **recommend** the removal of the Parish Council as the party to be satisfied, by deletion of the words “... to the Parish Council...”; and the removal of St James Churchyard and Paddock Park from the list, as these are already covered by ENV1. For clarity, I further **recommend** that each of the (remaining) sites be listed - by number - and that those numbers be used to annotate Fig 7.

Policy ENV4: Buildings and structures of local heritage [significance¹]

- 6.8 The plan leaves the control of impacts on designated heritage assets to other policy documents, while recording that the area contains some 50 such assets. The policy instead focuses on the protection of local (non-designated) heritage assets; these, which are recorded at appendix viii, are listed in the policy. I consider these to be well evidenced.

Policy ENV5: Ridge and Furrow

- 6.9 The plan goes into some detail to explain the significance of the remaining areas of ridge and furrow, which are illustrated on Fig 10.2. The policy seeks to avoid damage to them arising from development. The County Archaeologist fully supports this policy.

Policy ENV6: Biodiversity, hedges and habitat connectivity

- 6.10 The plan seeks to bring parish-level compliance with the relevant development plan policies for the borough. The plan explains the significance of the remaining significant hedges – shown on Fig 11 - and the need for protection. They have a biodiversity value, particularly as wildlife corridors. Connectivity is seen as important locally. Wildlife corridors – shown on Fig 12 - aim to reconnect populations and habitats and more widely; three wildlife

¹ This word seems to be missing from the name of the policy – an error to be corrected

corridors are based on the regionally important Welland Valley corridor.

- 6.11 The policy seeks to safeguard these and is framed in an appropriately clear way. The policy is followed by Community Action: ENV1.

Policy ENV7: Important views

- 6.12 The plan notes that consultation responses identified “... a widely held wish to protect Gretton’s rural setting, and its relationship to the surrounding landscape, including its spectacular position overlooking the Welland Valley.” The most valued views are set out in appendix ix (with plans and composite photographs); and were picked up in the environmental inventory. These comprise five numbered view-points, involving twelve views, mostly looking outwards from the village or nearby locations. The map is reproduced as Fig 13; the policy lists them and briefly describes them.

- 6.13 The Important Views document is not a technical piece of work. Gladman comment that it is subjective and does not provide support for a decision-maker to apply the policy predictably and with confidence. In particular, the views do not demonstrate a physical attribute, elevating view’s importance beyond simply being nice views of open countryside, for example. The policy therefore, does little to indicate why these views should be protected. I agree with much of these shortcomings. However, the work is not without value and there is considerable support for the general approach, which should not be dismissed.

- 6.14 I conclude that the general approach is valid but that the Views document should be down graded. Also, that the policy should not be applied rigidly, nor should the specific Views in Fig 13 be elevated beyond the general. Therefore, to be consistent with the Basic Conditions, I **recommend** the following modifications to the policy:

- In the title of the policy and on Fig 13 to refer to Local Views;
- The text of the policy to read: *Development proposals must have regard to their impact on those local views which are considered significant – as listed below – and should be considered as part of relevant Design & Access Statements.*

Policy ENV8: Footpaths, cycle paths and bridleways

- 6.15 The plan explains that almost all the existing rights of way in the parish follow ancient, historic, ways; and, that the proximity to Corby adds to the local appreciation of the network. The intention of the policy is to protect existing routes by promoting their upkeep and recognition; and supporting the formation of new ones. This policy is complemented by Community Action 2.

Policy ENV9: Renewable energy generation infrastructure

- 6.16 The plan recognises the importance of renewable energy sources to the mitigation of predicted effects of climate change and welcomes initiatives for

both wind and solar generation. The plan summarises the support of the local community. The policy supports smaller-scale installations. On the face of it this might be a duplication of JCS Policy 26 but on close inspection ENV9 is focused on a clear range of locally-appropriate infrastructure. I conclude this meets the Basic Conditions.

7 Community sustainability policies

7.1 There are two policies in this section; one covering the protection of existing facilities, the other with new ones.

Policy CF1: Retention of community facilities, amenities and assets

7.2 The supporting text explains the value of community assets to the local community and identifies the principal facilities, describing each in turn. These range from schools, churches, pubs, the village hall, to the outdoor spaces seen earlier in the plan.

7.3 The policy seeks to support developments that support and/or enhance community facilities (though it does not express this aim sufficiently clearly); and where there is a loss to only support the development if one of three types of criteria is met. The last limb of the policy seeks to identify its application to a list, which unfortunately is missing from the published version of the plan. The policy is followed by a Community Action.

7.4 The policy is in line with JCS Policy 7 on community facilities and services and applies the general points to local specifics. But the drafting of the policy needs modification to meet the Basic Conditions. I therefore **recommend** that the policy be modified in the following respects:

- That the first sentence be replaced with: “Developments that support and enhance community facilities will be supported”;
- The final limb – “The community facilities ...etc” be deleted.

Policy CF2: New or improved community facilities

7.5 This policy encourages improvements to the quality and range of local community facilities and is in line with JCS Policy 7.

8 Village communications

8.1 The plan explains the value of broadband and mobile infrastructure to the local community. However, the quality of the mobile signal is an issue in the village and coverage can vary according to provider and location. JCS Policy 10 encourages the provision of Next Generation Access broadband to all premises.

Policy VC1: Broadband and mobile infrastructure

8.2 The policy seeks to support appropriate installations.

9. Transport and road safety

- 9.1 The plan seeks to achieve a connected village. The two main roads, can however, become congested, often crowded with parked cars, especially at school times. There are only two public car parks. There are pinch points at other locations; traffic noise can be a problem in places; though the village is easily accessible by road to nearby towns via the A14 and A47. Cycling is popular though there are no strategic plans to upgrade routes for improved connectivity to Corby or Uppingham.
- 9.2 There are two policies in this section: one dealing with traffic management; the other with electric vehicles. The text includes two Community Actions, dealing with traffic management and traffic calming. The plan touches on public transport, noting the village has no regular bus service.

Policy T1: Traffic management

- 9.3 The policy applies to all housing and commercial development, which must address a range of requirements.

Policy T2: Electric vehicles

- 9.4 The policy encourages and supports housing developments that incorporate electric charging points. It also supports communal charging points where there is universal access. The drafting contains an odd sentence, in brackets, which I sense is an error and so **recommend** it is deleted.

10. Business and employment

- 10.1 There are five policies in this section, dealing with support for existing and new businesses, home working, farm diversification and tourism.

Policy BE1: Support for existing business and employment opportunities

- 10.2 The plan explains that: "*Good employment opportunities in the parish and the strength of the community go hand in hand. Supporting the growth of employment opportunities in the parish is therefore recognised as an important theme of the plan*". This policy seeks to protect the loss of existing space, while setting out the criteria to be met if such is to be lost. This is in line with JCS Policy 22, on delivering economic prosperity.

Policy BE2: Support for new businesses and employment

- 10.3 The plan acknowledges that: "*New employment initiatives can help boost and diversify the economy....*". The policy supports new business and employment where range of criteria are met; again in line with JCS Policy 22.

Policy BE3: Home working

- 10.4 More people in the plan area are working from home. The plan notes that “... *there is a strong desire for new housing to contain a small office space to accommodate home working.*” The policy supports such proposals, subject to three criteria being met. East Northamptonshire Council point out the increased prevalence of homeworking due to Covid and the benefits of reduced commuting.

Policy BE4: Farm diversification

- 10.5 Much of the plan area is agricultural, although today does not employ a significant number of people. The land provides access to the countryside and enhances the environment; farm diversification can also provide new employment opportunities. The policy supports diversification where it meets certain criteria. This is in line with JCS Policy 25 on rural economic development and diversification.

Policy BE5: Tourism

- 10.6 With a beautiful setting the parish seeks to extend a welcome to visitors, while avoiding potential negative side-effects. The policy supports tourism facilities subject to five criteria². East Northants comment that this policy could be of benefit to a wider area.

11. Other matters

Chapter and paragraph numbering

- 11.1 The plan needs to function as an easily referenceable development plan document, to meet the Basic Conditions. As such I **recommend** that each chapter is numbered and that the paragraphs within each chapter follows a clear and consistent order (such as 1. Background and context; 1.1 first paragraph, 1.2 second etc). Sub-headings don't normally need numbering unless it's appropriate to do so. I **recommend** that the plan be structured around the policy areas, as I have done in this report, for clarity.

Community Actions

- 11.2 The plan contains a number of Community Actions. They are found within the body of the plan – for example Community Action ENV1: Biodiversity, on page 49. They appear with little explanation as to their status or purpose; nor with any distinctive presentation. They even have the same numbering system as the policies. The Forward to the plan explains in passing (see last line of 5th paragraph) that they “*support Neighbourhood Plan policies*”. This statement, together with the way the Actions appear within the plan, could lead to misunderstandings as to their status. Guidance explains that:

² the error in the criteria numbering needs to be rectified (it currently follows on from BE4)

Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan. (Paragraph: 004 Reference ID: 41-004-20190509. Revision date: 09 05 2019).

11.3 I am comfortable that they can remain within the body of the plan provided their status is made clear at the outset and that their presentation is distinct from the way policies are set out. I therefore **recommend** that the status of the Community Actions be clarified in the following way:

- That the phrase “to support the Neighborhood Plan policies” in the Foreward be deleted;
- A new sub-section is included in the introductory chapter – say after that on “The plan and what we want it to achieve”, on page 9 – with the sub-heading *Community Actions* and with text to explain they are community aspirations; that they are not policies; they involve non-land use policy matters that do not form part of the plan; but are included for information; and
- All Community Actions adopt a distinct form of numbering and graphic presentation, say in a different coloured box.

12 Referendum Area

12.1 The Planning Practice Guidance on the Independent Examination explains:

“It may be appropriate to extend the referendum area beyond the neighbourhood area, for example where the scale or nature of the proposals in the draft neighbourhood plan or Order are such that they will have a substantial, direct and demonstrable impact beyond the neighbourhood area.”

Reference: 41-059-20140306

12.2 There is only one development site allocation in this plan and in my view the location, nature and scale of what it proposes, together with the plan’s policies generally, would not *have a substantial, direct and demonstrable impact beyond the neighbourhood area*. I therefore **recommend** that the Referendum Area be the same as the designated neighbourhood area, if the plan goes forward to referendum.

13. Conclusions and recommendations

13.1 Overall, from my examination of the submitted Neighbourhood Plan, together with the supporting documents, including having regard to all the representations made, I have concluded that, subject to the modifications that I am recommending, the plan will meet the Basic Conditions and the legal requirements. I have set out my findings, in the Summary, on page 3.

13.2 In conclusion, I **recommend** that the Gretton Neighbourhood Plan should proceed to referendum. I further **recommend** that if the plan does proceed to referendum then the Referendum Area should be the same as the designated

neighbourhood area

13.3 Finally, my thanks to both the Council and the Parish Council for their support in undertaking the examination.

John Parmiter FRICS MRTPI

16 October 2020

Independent Examiner

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