



Independent Examination of the Part 2 Local Plan for Corby

Inspectors' Matters, Issues and Questions for Examination

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Introduction

Prior to the forthcoming Hearing sessions responses are invited from participants on the following Matters, Issues and Questions ('MIQs') for Examination. The MIQs are based on the Main Issues identified by the Council, the Inspector's Initial Questions and other relevant issues raised by representors.

Further information about the Examination, Hearings and format of written statements is provided in the accompanying Guidance Note, which should be read alongside the MIQs.

Matter 1 Legal compliance and Duty to Cooperate.

Issue: Has the Plan been prepared in accordance with the legal and procedural requirements and has the duty to cooperate been met?

1a) Duty to Cooperate (DtC)

1. What strategic, cross-border matters have arisen through the preparation of the Plan and what cooperation took place to resolve them?
2. Has the cooperation between neighbouring authorities been constructive and proactive?
3. What specific actions were identified as a result of dialogue with neighbouring authorities? What were the outcomes and how did they shape the preparation of the Plan?
4. How does the Plan satisfy the DtC in planning for the longer-term economic growth anticipated as a result of the Oxford-Cambridge Arc?

1b) Other legal and procedural requirements

5. In preparing the Plan has consultation been undertaken in accordance with the Council's adopted Statement of Community Involvement and the consultation requirements in the Regulations¹?
6. Were adequate opportunities made available for participants to access and make comments on the Plan, and other relevant documents, in different locations?
7. Do the scope, content and timescale for the preparation of the Plan accord with the Council's latest Local Development Scheme?
8. Has the formulation of the Plan been based on a sound process of sustainability appraisal (SA)? In particular:
 - a) How has the SA informed the preparation of the Plan at each stage and considered realistic alternatives?
 - b) Does the SA set out the reasons for selecting the reasonable alternatives, and the reasons for not taking forward the rejected options?
 - c) Does the SA adequately assess all the potential effects of the proposed uplift in housing above the objectively assessed need in the Borough?
 - d) Do any adverse impacts identified in the SA require mitigation, and how does the Plan address this?

¹ Regulation 18 and 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

9. Is the plan legally compliant with respect to Habitats Regulations².?
10. In what way does the plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?
11. Has the preparation of the DMP complied with Part 2 of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Plan) (England) Regulations 2012 in all other respects?

² Conservation of Habitats and Species Regulations 2010 (as amended)

Matter 2 Securing Infrastructure and Services (Policies 1-5)

1. The North Northamptonshire JCS Infrastructure Delivery Plan (Sept 2017) sets out a range of infrastructure necessary to support the development proposed in the JCS and P2LP. Are there any infrastructure constraints e.g. highways, health, education, water supply, wastewater or flood risk management, which might cause delays in implementation or have a negative impact on the delivery of the P2LP?

Policy 1 - Open Space, Sport and Recreation

2. Is the Plan based on a robust and up-to-date assessment of the needs for open space, sports and recreation facilities and opportunities for new provision as required by paragraph 73 of the Framework? Does the assessment identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area?
3. Is Policy 1 consistent with paragraph 97 of the Framework?
4. What is the justification for requiring all development over 10 or more dwellings or 0.3 hectares to provide open spaces and outdoor sports facilities? How does this consider the availability and suitability of existing provision in the area?
5. Are the requirements of Policy 1 appropriate for all residential developments, particularly larger scale sites such as the SUE's? Is it clear to decision makers, developers and the community how the policy will be applied in all cases?

Policy 2 - Health and Wellbeing

6. Is it clear to decision makers, developers and the community how health and wellbeing aspects of a development will be assessed to meet the requirements of this policy? What would be required at planning application stage?
7. Is the Plan consistent with paragraph 181 of the Framework? Should part d) of the Policy go further to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants?
8. Is the policy effective in addressing the health and wellbeing issues identified in the Borough?
9. In light of the Council's Declaration of a Climate Emergency, and proposed amendment to paragraph 4.18, should the scope of Policy 2 be widened?
10. How does the Plan promote public safety and consider wider security and defence requirements in line with paragraph 95 of the Framework?

Policy 3- Secondary School Opportunity Site

11. What evidence is there to support the Oundle Road North site as the preferred location for a new secondary school? What is the justification for the release of land in the countryside? Is this consistent with the spatial strategy of the JCS? What other options have been considered and why have they been rejected?
12. Is the Opportunity Site available, sustainable, suitable and deliverable?
13. Are there any potential constraints or adverse impacts which would need to be mitigated?

Policy 4 – Electronic Communications

14. Is Policy 4 consistent with paragraph 112 of the Framework? In particular how does it support the expansion of electronic communications networks including next generation mobile technology (such as 5G) and full fibre broadband connections?

Policy 5 Bad Neighbour Uses

15. Is the policy effective and consistent with the Framework? Should it be widened in its scope to address nuisance caused by 'Bad Neighbours' other than Water Recycling Centres and intensive livestock units?

Matter 3 Delivering Housing

Delivery, distribution and 5-year housing land supply (5yhls)

1. Does the Plan provide sufficient deliverable housing sites to meet the housing requirements of the borough to 2031? Does it accord with the spatial distribution set out in the JCS?
2. Is the Housing Trajectory outlined in the 5 Year Housing Land Supply Document Nov 2019 (EB-HOU1) realistic? Are the assumptions about delivery and build out rates justified by the available evidence?
3. How does Appendix 1 of the Plan, Housing Site Schedule, relate to the Housing Trajectory referred to above? Should a Trajectory indicating the anticipated delivery of the proposed allocations, the SUE's and other commitments contributing to the supply of housing over the plan period be included in the Plan?
4. The Rural Housing Needs Survey identifies a need for more housing in several villages. How is this addressed in the Plan, is the plan effective?
5. Does the Plan provide a 5-year supply of deliverable housing? Is the reliance on the SUE's to deliver a significant proportion of the 5 yhls justified based on the available evidence of past delivery?
6. The Council applies a lapse rate of 5% on small sites. Would a lapse rate be justified on larger sites?
7. Whilst acknowledging that the JCS commits to a partial review if the SUE's deliver less than 75% of projected housing completions in three consecutive years, is the P2LP sufficiently flexible to ensure the JCS housing requirement and the 5yhls is met? Should additional small and medium size sites which can be delivered more quickly be allocated in the Plan?
8. Does the Plan deliver the affordable housing requirements of the JCS?
9. Table 7 (as amended) illustrates a shortfall in the delivery of the JCS Strategic Opportunity 2011-2013. Should this be addressed in the Plan?
10. Table 8- It is noted that the site at the Former Our Lady Pope John School (Policy H3) has commenced construction. In these circumstances, is it justified to remove the site as an allocation?

Matter 4 Housing Land Allocations

Site selection methodology

1. Is the basis for assessing, selecting and rejecting potential sites objective, consistent, and justified with robust evidence?

Site specific allocations Policies H1-H7

The following questions apply to all sites:

2. What evidence is there that the site will be available, sustainable, viable and deliverable within the plan period?
3. Are the site design principles appropriate and justified?

Matter 5 Other Housing Policies

Custom and Self Build

Policy 12 Custom and Self Build

1. Has the Custom and Self Build Demand assessment Framework been based on a robust methodology? Are the assumptions made appropriate having regard to the higher than average levels of deprivation in the borough?
2. There is a significant difference between the 5 persons on the Council's Custom and Self-Build Register (December 2019) and the demand identified in the above assessment of 50 units per year. How can this be explained? Is the inclusion of this policy in the plan proportionate to the identified local need?
3. Is the requirement for 20 or more dwellings to provide a proportion of custom and self-build plots justified by the evidence?
4. How many sites in the housing supply have planning permission or are subject to a current planning application for self-build plots? How many self-build plots could potentially be provided on sites allocated in the plan? (Policies H1 – H7)
5. Is the policy clearly written and unambiguous so it is evident how a decision maker should react to development proposals (NPPF para 16)?

Policy 13 Single Plot Exception Sites for Custom and Self build

6. What is the evidence of demand for self-build plots specifically in the rural area? Is the policy effective, justified and consistent with the Framework and the JCS?

Specialist and Older Persons Accommodation

Policy 15

7. Having regard to the shortfall of care home provision in the borough, should a site be allocated in the P2LP?
8. What provision for older persons housing has/is being made in the SUE's in line with JCS Policy 30 f)?
9. Is the requirement for schemes of 50 or more dwellings or 1.4 hectares to include a proportion of housing designed to meet the needs of older households justified by the evidence? What are the viability implications?
10. Is it clear to decision makers, developers and the community how Policy 15 would be applied and what would be required from a proposed development? What delivery mechanisms would be employed?
11. What are the HAPPI principles? What status does the document have? Is it reasonable and justified to require development proposals to comply with these principles?

Residential Gardens

Policy 16

12. Is the policy effective, justified and consistent with the Framework and the JCS?

13. Is it clear what is meant by 'tandem development'?

Matter 6 Gypsies and Travellers

Policy 14

1. Is the assessment of need for gypsy and traveller accommodation justified based on robust evidence?
2. Bearing in mind the proposed policy change outlined in the Schedule of Proposed Changes February 2020, is Policy 14 consistent with national policy for the provision of gypsy and traveller accommodation (The Framework and the PPTS)?
3. The Council's proposed change to Policy 14 refers to an assessment of the capacity of existing sites to meet requirements. If there is such potential, how would this be taken forward? Is the plan effective in making provision for this?
4. What is the current supply position in the borough? Can a 5-year supply be identified?
5. Is there a need for a transit site in the borough?
6. Paragraph 7.37 of the P2LP refers to SUE's providing an opportunity to provide for the needs of different groups in the community including gypsies and travellers. Is any gypsy and traveller accommodation currently proposed on any of the SUE's? Is the Plan effective in encouraging this?
7. What is the anticipated timeframe for the preparation of the proposed Gypsy and Traveller DPD?

Matter 7 Villages and Rural Areas

Policy 17 Settlement Boundaries

1. Is the basis for defining settlement boundaries objective, consistent, and justified with robust evidence? Why are they necessary, what is their purpose?
2. Is the approach of defining settlement limits too restrictive? Is it consistent with the objective of promoting sustainable development in rural areas, being responsive to local circumstances and supporting housing that reflects local need? (Framework Paras 77 and 78).

Policy 18 Restraint Villages

3. Is this Policy effective and consistent with the Framework and the JCS?
4. What is the justification for the lack of a defined settlement boundary for these villages?

Matter 8 Delivering Economic Prosperity Policies 8-10

Policy 8 Employment Land provision

1. What evidence is there to justify the proposed oversupply of employment land? Does the Plan provide an appropriate balance between housing and employment?
2. In the above context of oversupply, what is the justification for allocating two sites as long-term land reserve?
3. Is Policy 8 effective in explaining that the long term land reserve sites are to provide for needs beyond the plan period?
4. Table 4.1 of the ELR and paragraph 4.16 recommends that 9.6 ha on 5 sites be allocated for employment uses in the P2LP (including long term land reserve). What is the justification for allocating a further site at St Luke's Road, St James Industrial Estate providing a total of 11.4 hectares on 6 sites?

Policy 9 Employment Uses In Established Industrial Estates.

5. Is Policy 9 justified and effective. Should retail uses be referred to as ancillary facilities?
6. How have site boundaries be defined? Are they appropriate?
7. How would employment uses outside established employment areas be assessed?

Policy 10 Non employment uses (non B1) in Established Industrial Estates.

8. Is Policy 10 justified and effective? Is the Policy too restrictive in requiring all criteria a-d to be met?
9. What is the justification for a prolonged marketing exercise for at least 2 years? Would this be appropriate in all cases? Why is the reference to a period of 2 years not included in the text of the policy?

Matter 9 Town Centres and Town centre Uses Policies 19-24 and TC1-4

Policy 19 Network and Hierarchy of Centres

1. Is the Retail hierarchy proposed supported and justified by robust evidence?
2. Is the proposed retail impact threshold consistent with the Framework and the JCS?
3. Has the 'Threshold for Retail Impact Testing' Background paper been prepared in line with Planning Practice Guidance (PPG)? What is the basis for the thresholds at which impact assessments will be required and are they appropriate and justified by the evidence?
4. What is the justification for setting a lower threshold for District/Local Centres? Is there local evidence that these centres are under pressure for the development of larger retail units over the proposed threshold? Does this place an unnecessary burden on small schemes?

Policy 20 Change of use of shops Outside the Defined Centres

5. Is this Policy effective and consistent with the Framework and the JCS?
6. Is it clear to decision makers, developers and the community how the policy would be applied? How is 'walking distance' defined and what is meant by a 'balance' to the number and type of units.

Policy 21 Primary Shopping Areas

7. Is this Policy effective and consistent with the Framework and JCS. Is it clear to decision makers, developers and the community how it will be applied? What is meant by 'dominance' and 'over concentration' of A1 uses? How is the term 'working space' defined?

Policy 22 Regeneration Strategy for Corby Town Centre

8. Is it clear from the Policy and supporting text how the strategy would be achieved? What delivery mechanisms would be employed, how would funding be secured?

Policy 23 Spatial Framework for Corby Town Centre

9. Is this Policy relevant to all proposals that come forward in the town centre irrespective of their scale or nature? Is it clear how the policy would be achieved through the development management process.?

Policy 24 Corby Town Centre Redevelopment Opportunities

10. The Policy allocates four sites for mixed use redevelopment which must include a contribution to the provision of comparison shopping floorspace

requirements. In light of the Council's response to my initial Question 14 (May 2020), should this be applicable to all of the town centre opportunity sites?

11. The Plan identifies two existing town centre car park areas as having potential for mixed use redevelopment (Policies TC3 and TC4). The Corby Town Centre Car Park Study found that there was insufficient capacity to meet demand on a Saturday. Is the Plan effective in addressing car parking needs in the town centre?

The following questions apply to Policies TC1 – TC4

12. What evidence is there that the site will be available, sustainable, viable and deliverable within the plan period?
13. Are the site design principles appropriate and justified? *
14. Is it clear to a decision maker, developer and the community how much comparison retail floorspace should be provided?
15. How have site densities been determined? Is the specified number of dwellings to be provided appropriate having regard to the character of the surrounding area and context of the site?

*Specifically, in relation to Policy TC1, is the omission of a design principle referring to the link between the Roman Road in Hazel Wood and the Wood appropriate and justified.

Matter 10 Natural Assets (Policies 6 and 7)

Policy 6 Green infrastructure (GI) corridors

1. Has the identification of the GI corridors followed a robust and up to date assessment?
2. Why are the GI corridors shown 'indicatively' on the Policies Map?
3. What is the justification for the policy applying to all development, irrespective of its proximity to a GI Corridor?
4. Is the policy effective in outlining how mitigation and compensation measures will be secured and in what circumstances developer contributions to improve the quality of GI will be sought?
5. Is it clear to decision makers, developers and the community how Policy 6 will apply in respect to public open space in new development located within GI corridors?

Policy 7 Local Green Space (LGS)

6. Is the basis for assessing, selecting and rejecting Local Green Space objective, consistent, and justified with robust evidence? Is it clear to decision makers, developers and the community that Policy 7 seeks to designate the Community Orchard as LGS in the Plan?
7. Is the policy consistent with paragraph 101 of the Framework in managing development within a Local Green Space?

Matter 11 Other Policies, Implementation and Monitoring

1. Does the Plan provide policy guidance on all matters necessary to manage development in the borough? In particular, what is the justification for not including heritage policies on specific heritage assets and non-designated heritage assets?
2. Paragraph 125 of the Framework states that a Plan should set out a clear design vision and expectations so that applicants have as much certainty as possible about what is likely to be acceptable. Does the P2LP adequately meet this requirement? Are local design standards required?
3. Are the Plan's monitoring provisions justified and effective?