



The Planning Inspectorate

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# Report to Corby Borough Council

**by Helen Hockenhull BA(Hons) B. PI MRTPI**

**an Inspector appointed by the Secretary of State**

**Date: 18 June 2021**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Part 2 Local Plan for Corby**

The Plan was submitted for examination on 19 December 2019

The examination hearing sessions were held between 29 September and 1 October 2020

File Ref: PINS/U2805/429/5

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## Abbreviations used in this report

ELR	Employment Land Review
The Framework	The National Planning Policy Framework
dpa	Dwellings per annum
GTAA	Gypsy and Traveller Accommodation Assessment
GI	Green Infrastructure
Ha	Hectares
HIA	Health Impact Assessment
HRA	Habitats Regulations Assessment
JCS	North Northamptonshire Joint Core Strategy
MM	Main Modification
P2LP	Part 2 Local Plan for Corby
PPG	Planning Practice Guidance
PPTS	Planning Policy for Travellers Statement
SA	Sustainability Appraisal
SPD	Supplementary Planning Document
sqm	Square metres
SUE	Sustainable Urban Extension

## Non-Technical Summary

This report concludes that the Part 2 Local Plan for Corby provides an appropriate basis for the planning of Corby, provided that a number of main modifications [MMs] are made to it. Corby Borough Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearing sessions, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over an eleven-week period. In some cases, I have amended their detailed wording. I have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Amendments to the Housing Trajectory to include updated information.
- Amendments to the requirements for development on a number of the allocated sites in order that the plan is justified and effective.
- Deletion of Policy H3, Our Lady and Pope John School, as an allocation as development is well advanced and the site should be considered as a commitment.
- Amendments to Policy 12 Custom and Self Build Housing to ensure the policy is justified and effective.
- Amendment to Policy 17 to ensure that the purpose of settlement boundaries is clearly defined.
- Clarification of the Council's approach to the provision of Gypsy and Traveller sites in Policy 14 in the interests of effectiveness and consistency with national policy.
- Changes to Policy 8 to provide clarity on the employment sites providing a long-term land reserve.
- Alterations to employment and retail policies to reflect the changes to the Town and Country Planning (Use Classes) Order.
- Amendments to Policy 24 in the interest of effectiveness, to make it clear which sites would be expected to provide comparison shopping floorspace.
- Alterations to Policy 3 Secondary School Opportunity Site to provide clarity on the demonstration of need and the design principles to guide the development.
- A range of other alterations to development management policies necessary to ensure they are justified, effective and consistent with national policy.
- The addition of an appendix to set out which policies in the existing development plan are superseded.

## Introduction

1. This report contains my assessment of the Part 2 Local Plan for Corby (P2LP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework (The Framework) 2019 (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound and legally compliant plan. The Publication Draft (Pre-Submission) Part 2 Local Plan for Corby submitted in December 2019 is the basis for my examination. It is the same document as was published for consultation between August and September 2019.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council, in their letter of 19 December 2019 submitting the Plan for examination, requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearing sessions, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MM schedule was subject to public consultation for eleven weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light, I have made some amendments to the detailed wording of the MMs where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal (SA) /HRA that has been undertaken. Where necessary I have highlighted these amendments in the report.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Appendix 5 to the Publication Draft (Pre-Submission) Part 2 Local Plan for Corby as set out in Submission document SubD7e.
6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, for the reasons explained later in the report, one published MM to

the Plan's policies, the deletion of Policy H3 Our Lady and Pope John School, requires a corresponding change to be made to the Policies Map. In addition, there are some instances where the geographic illustration of policies on the submission Policies Map needs to be more clearly shown, updated or is not justified and changes to the Policies Map are required to ensure that the relevant policies are effective. These include amendments to the settlement boundaries, the Established Industrial Estate boundaries and changes in notation to the Sub Regional and Local Green Infrastructure Corridors.

7. These further changes to the policies map were published for consultation alongside the MMs [Exam 9B and Exam 9I].
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted Policies Map to include all the changes proposed in the P2LP and the further changes published alongside the MMs.

## **Context and Scope of the Plan**

9. During the examination process, on 1 April 2021, Corby Borough Council merged with East Northamptonshire, Kettering and Wellingborough Councils and Northamptonshire County Council to become North Northamptonshire Council. Statutory provisions in Regulation 26 of the Local Government (Boundary Changes) Regulations 2018 allow a Unitary Authority to adopt, revise or prepare a plan relating to a predecessor local planning authority. Such a plan remains extant until the Unitary Authority adopts a plan covering the whole of its area.
10. The P2LP for Corby supports the adopted North Northamptonshire Joint Core Strategy (JCS). The JCS is the strategic Part 1 Local Plan for North Northamptonshire and sets out the spatial vision for development across the area in the period 2011-2031. The P2LP takes this forward in more detail with non-strategic development allocations and a number of detailed policies to manage development in line with the strategic policies of the JCS.
11. These detailed policies, only cover matters where additional policy guidance is required. I have carefully considered representations that a heritage policy should be included in the P2LP. Without such a policy, any development proposals would be judged against the requirements of the Framework and Policy 2 of the JCS. I consider this to be an appropriate approach. It is not the role of the P2LP to repeat national policy. In the absence of any specific heritage assets or matters which would need separate policy protection, I am satisfied that the Plan is positively prepared and effective in this regard.

## **Assessment of Duty to Co-operate**

12. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
13. The Council's Revised Statement of Compliance with the Duty to Cooperate (PMS-S3) demonstrates a long history of working with neighbouring authorities through the North Northamptonshire Joint Planning and Delivery

Unit. This has included work on the JCS and has been followed through to the preparation of the P2LP. A number of officer groups meet on an ongoing basis to discuss cross boundary issues and to ensure the continued coherent strategic planning of the area. This process of engagement has also included other important bodies such as statutory undertakers, Homes England and the South East Midlands Local Enterprise Partnership.

14. The Statement of Compliance outlines a number of outcomes including the preparation of joint evidence documents such as the Study of Housing and Support Needs for Older People, the North Northamptonshire Infrastructure Delivery Plan, the North Northamptonshire Gypsy and Traveller Accommodation Assessment and the Strategic Flood Risk Assessment.
15. The strategic policies for Corby are contained within the JCS which also forms part of the development plan for East Northamptonshire, Kettering and Wellingborough. Extensive work was undertaken throughout its preparation to address cross boundary issues. The P2LP contains no strategic policies, rather it sets out a series of locally derived policies and as a consequence does not raise significant cross-border planning issues.
16. Overall, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

## **Assessment of Soundness**

### **Main Issues**

17. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing sessions, I have identified 7 main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

### **Issue 1 – Whether the scale and distribution of housing development is consistent with national policy and the JCS, whether the site allocations are justified and deliverable, and whether the Plan is positively prepared, justified and effective with regards to housing.**

18. Policy 28 of the JCS sets out a requirement for 9,200 dwellings over the plan period 2011-2031. In addition, the JCS identifies a strategic opportunity for a further 5,000 dwellings at the Growth Town of Corby, to be delivered through the successful implementation of Sustainable Urban Extensions (SUEs) at Priors Hall, Weldon Park and West Corby.
19. Table 7 of the P2LP and the Housing Trajectory in Appendix 1 summarise the anticipated housing supply and delivery from strategic allocations in the JCS, non-strategic allocations in the P2LP, housing completions and commitments over the plan period. After the hearing sessions, at my request and following consultation with developers, landowners and agents, the Council provided a Supplementary Note on Housing Delivery and Supply (EXAM 4). This updated information on housing supply and delivery. Table 7 and the associated paragraphs of the Plan, together with the Housing Trajectory in Appendix 1,

should be amended and modified accordingly so that the plan is effective and up to date upon adoption (**MM11, MM12, MM13, MM30**).

20. The impact of these amendments is that during the plan period (2011-2031), the Council would expect the delivery of a total of 10,574 dwellings. This is 1,374 dwellings or 15% above the JCS requirement of 9,200 dwellings.

## **Housing Allocations**

### **Distribution and Spatial Strategy**

21. Policy 29 of the JCS sets out the distribution of new homes in Corby. It seeks to concentrate development in the Growth Town of Corby (8,290 dwellings) which forms the most sustainable location for development. Provision is also made for new housing in the committed new village at Little Stanion (790 dwellings) and also the development of 120 homes in rural areas.
22. In line with the above spatial strategy, the P2LP allocates 10 sites in the urban area of Corby. In terms of the rural areas, the evidence before me indicates that the JCS requirement of 120 dwellings over the plan period has already been met and exceeded. I am therefore satisfied that further allocations are not required in the rural areas of the borough for the P2LP to be JCS compliant.
23. The need for further housing in rural areas over the plan period has been put forward by representors. I acknowledge that around 75 further dwellings are projected to be delivered in the rural area, however none of these are beyond 2022/23. Policy 11 of the JCS allows for small scale infilling within villages and makes provision for Neighbourhood Plans to identify sites within or adjoining villages to meet locally identified needs. Furthermore, JCS Policy 13 allows for rural exception sites meeting local needs, including affordable housing. The strategic policy framework therefore makes appropriate provision for further development to meet identified rural needs over the remainder of the plan period.
24. In light of the above, I am satisfied that the proposed distribution and location of housing across the settlement hierarchy is consistent with the spatial strategy in the JCS and with the Framework's objective to promote housing in rural areas to maintain the vitality of rural communities.

### **Site Selection Process**

25. The Site Selection Methodology Background Paper (EB-HOU2a) sets out the Council's approach to assessing and selecting sites for housing using a five-stage process advocated in Planning Practice Guidance (PPG). Potential sites were identified from a variety of sources including two 'call for sites' exercises. A total of 138 sites were assessed against several sustainability criteria, producing a shortlist of 16 sites which were then assessed against a further range of criteria including noise, highways impact, flood risk, ecology etc. This provided a list of 10 potential sites for allocation.
26. The methodology used is sound, accords with the Framework and the PPG, and is supported by robust evidence with reasons for selection justified. For

these reasons, therefore, I conclude that the selection of the proposed housing allocation sites is justified and appropriate.

### **Deliverability and Developability**

27. Policy 11 seeks to allocate 10 sites listed in Table 8 of the P2LP for residential development. All the allocated sites lie within the urban area of Corby, where the JCS seeks to concentrate growth. Three of the sites TC1 Parkland Gateway, TC2 Everest Lane and TC3 Former Coop, Alexandra Road form town centre redevelopment opportunities for mixed uses including housing.
28. Included within the allocated sites, is the former Our Lady and Pope John School which at the time of the submission of the P2LP had just commenced on site. As all units on the site have now commenced construction, I consider it appropriate to view this site as a commitment rather than an allocation in order for the Plan to be effective. **MM15** is required to delete this site from Table 8. **MM16** deletes Policy H3, the detailed policy that relates to this site and the accompanying site plan. Consequential changes to the Policies Map are also necessary.
29. Appendix 2 of the Supplementary Note on Housing Delivery and Supply (EXAM 4) shows the revised expectations for the delivery of the proposed housing allocations over the plan period.
30. The revised trajectory puts back delivery on Policy H4 Land at Station Road and Policy H7 Cheltenham Road by one year to 2021/22. The Station Road site forms a 100% Build to Rent Scheme of apartments supported by Homes England. The Cheltenham Road site forms a 100% affordable housing scheme being brought forward by the Council. Both sites have planning permission and the discharge of conditions was ongoing at the time of the hearing sessions. I am satisfied, therefore, that these sites would contribute to the 5-year housing land supply and are deliverable.
31. Town centre site TC1 Parkland Gateway forms a vacant site on the Brownfield Register which has been cleared for redevelopment. The plan wide Viability Assessment indicates that the site is viable and there are no major constraints to be overcome. The development of the site is being put forward by the Council with Homes England and a private developer. At the time of the hearing sessions a planning application for residential apartments had been submitted. I am satisfied, therefore, that there is a realistic prospect that the site would be deliverable in the first 5 years of the Plan.
32. The remainder of the allocations contribute to housing supply from 2024/25 onwards. The Builders Yard at Rockingham Road (H1) forms a vacant site allocated for 31 dwellings. The site is available with a willing landowner and there is no evidence of constraints or viability issues to prevent the site coming forward.
33. Maple House, Canada Square (H2) forms a vacant site formerly occupied by a care home in the ownership of Northamptonshire County Council. The site is allocated for 14 dwellings, is in a suitable location for housing and there are no constraints or viability issues. The development of the site has been delayed due to the creation of the new unitary authority.

34. Land off Elizabeth Street (H5) comprises a number of vacant buildings including the former Magistrates Court and Police Station. There are willing landowners and the site is a suitable location for housing development. A development brief has been prepared by Homes England, who owns part of the site. Successful marketing has taken place and I was advised at the hearing sessions that a sale was pending.
35. Pluto, Gainsborough Road (H6), the site of a former pub which is now demolished, is allocated for 30 dwellings. There are no unsurmountable constraints, the landowner is putting the site forward for development and the site is in a suitable location for residential use.
36. TC2 Everest Lane, forms a redevelopment site in the town centre currently occupied by existing uses including shops, a public house, residential properties, community and leisure uses. A development brief has been prepared for the site and marketing has commenced. This is a complex site with multiple occupiers. However, there is a realistic prospect that the site would be available and could deliver homes in the lifetime of the Plan.
37. TC3 the site of the former Coop, Alexandra Road, which ceased trading in 2016 is allocated for 150 dwellings. The landowner is putting the site forward for redevelopment and at the time of the hearing sessions an outline planning application had been submitted.
38. Given the above, I am satisfied that there is a reasonable prospect that sites H1, H2, H5, H6, TC2 and TC3 would be developable within the plan period. The allocations are effective and justified.
39. Policies H1 – H7 and TC1-3 contain detailed design principles for each of the respective allocations, in terms of design, access and connectivity, mitigation measures and infrastructure requirements. These principles have been developed following detailed design assessments of each site and are appropriate and justified.
40. I have considered representations with regard to the design principles for TC1 Parkland Gateway. As submitted, it does not require the link between the Roman Road in Hazel Wood to be considered in any development. However, the redevelopment of the site would also be subject to JCS Policy 2 which seeks to protect, preserve and enhance the historic environment. I consider this would provide the necessary safeguard to ensure the development has regard to this heritage asset. An amendment to the design principles is not necessary.
41. Policy H7 Cheltenham Road requires that development must, in addition to the design principles stated, comply with conditions imposed on the approved planning permission. As it cannot be guaranteed that this permission would be implemented or that scheme amendments may be sought through a revised permission, **MM17** removes the reference to the planning application number from the policy in the interests of effectiveness.
42. **MM14** adds to the supporting text to make reference to the requirement for the allocations to provide affordable housing in line with JCS Policy 30. This is necessary for effectiveness.

## **Housing Trajectory and Five-Year Housing Land Supply**

43. Several representors have raised concern regarding the reliance on the three SUEs to deliver the required level of housing over the plan period. This approach is in accordance with the JCS spatial strategy, focussing development in the Growth Town of Corby. In relation to the Priors Hall and Weldon Park SUE's, Table 2 of the Council's Matter 3 Hearing Statement illustrates that actual housing delivery has exceeded the Council's projected delivery over the three years between 2016 and 2019. This is indicative of the Council's cautious approach when updating the Housing Trajectory ensuring projected housing delivery is realistic and based on robust evidence.
44. Table 2 also demonstrates that Priors Hall has delivered on average 220 dwellings per annum (dpa) between 2016/17 and 2018/19 with a peak of 269 dwellings. The projected delivery of around 250 dpa in the Housing Trajectory is slightly ambitious but achievable. Weldon Park Phase 1 delivered on average 82 dpa from first completion to April 2019 and there is no evidence to suggest that Phase 2 would not achieve the projected 60 dpa. I therefore consider it realistic to conclude that these two SUEs will continue to deliver as projected over the plan period.
45. Following further advice from the site promoter, the revised Trajectory amends the start date for the West Corby SUE, putting back delivery by three years to begin in 2024/25. The development was granted outline planning permission for 4,500 dwellings in December 2019, however reserved matters submissions are not anticipated to be submitted until late 2021. Bearing in mind that the average lead in time for parcels at SUE's from submission of reserved matters to first completions in Corby has been around 2.2 years, I consider the revised projected delivery for West Corby to be realistic.
46. Representors have raised concerns about delays in the delivery on other committed sites including the new village at Little Stanion and Land south of Brooke Academy (Oakley Vale Phase 8 and 9). These are both large phased developments where completions have already been delivered. There is strong developer commitment for them to continue. Whilst the sites may have slowed, the evidence indicates that progress is still being made.
47. I consider the assumptions made in the Housing Trajectory are reasonable and based on robust evidence. The P2LP would be effective in ensuring a rolling 5-year supply of deliverable housing land.
48. The Council acknowledges that against the JCS trajectory, SUE performance has been lower than planned, around 84% of the projected housing completions in the 3-year period 2016/17 to 2018/19. The JCS provides a contingency if poor delivery arises. In paragraph 9.18, the document sets out that in the event of the SUEs delivering less than 75% of projected housing completions in three consecutive years, a partial review of the JCS would be undertaken to ensure that the objectively assessed need for housing in the Housing Market Area (HMA) is met. This provides an effective mechanism to monitor housing delivery and highlights when intervention is required to boost supply.
49. In summary, with the JCS monitoring framework and trigger for a partial review in place, together with the 15% headroom in the overall housing

provision, I am satisfied that the P2LP makes adequate housing provision to meet the objectively assessed needs for housing as set out in the JCS. There is sufficient flexibility and contingency to accommodate changing circumstances including reduced or non-delivery from any of the identified sites.

### **Conclusion - Issue 1**

50. In conclusion, the scale and distribution of housing development is consistent with national policy and the JCS. There has been a robust process of site selection and the allocations put forward in the P2LP, are justified, deliverable and developable. The site design principles are appropriate and justified subject to the MMs outlined above. Accordingly, the Plan is positively prepared and effective with regards to housing.

### **Issue 2 - Whether the policies of the P2LP delivering different types of housing to meet community need and to guide housing development in residential gardens are justified, effective and consistent with national policy and the JCS?**

#### **Custom and Self-Build**

51. Policy 30 of the JCS supports proposals for custom and self-build homes. The Council's Self Build and Custom Housing Register indicates a low demand, 5 persons at December 2019. The Demand Assessment Framework (EB-HOU4) suggests the demand for this type of housing in Corby is much higher, around 50 units per year, rising to 57 plots per annum in years 5-10. There is clearly a significant difference between the two indicators.
52. The Demand Assessment provides a theoretical demand. It is based on a robust methodology and takes account of household income and price data. The number of persons on the Council's Register is likely to be lower, as persons may not know it exists, or they may not see any benefit to signing up. Historic windfall rates (2011-2019) averaging 16 units per year, tend to support this. In my view, the actual demand is likely to lie somewhere in between.
53. Policy 12 of the P2LP does not require a fixed percentage of self-build or custom plots to be provided in a scheme. This reflects the Council's objective to apply the policy flexibly, taking account of need and scheme viability. Bearing in mind the wide variation of need identified by the Council's Register and the Demand Assessment model, a flexible approach would be appropriate with delivery assessed on a case by case basis. In the interests of clarity and effectiveness, the policy should state that plots will be sought to meet local need demonstrated by the Custom and Self Build Register and the Demand Assessment Framework (**MM18**).
54. The policy seeks provision on 20-unit schemes or above. However, the evidence does not justify this threshold. The Plan-wide Viability Assessment does not test sites of this small size. In an update report on the P2LP to the Council's Local Plan Committee in January 2019 (PMS-S1b), it was indicated that in the previous three years, around 80% of completions were on sites of 50 dwellings or more. I consider that this would be an appropriate threshold at which to seek custom and self-build housing, in the context of the policy's

flexible approach to provision and having regard to scheme viability. For effectiveness, **MM18** therefore increases the threshold to 50 units.

55. The Plan does not set out the length of time a self-build or custom build plot should be marketed, rather it refers to the preparation of a Supplementary Planning Document (SPD) to provide further guidance. This does not however provide clarity to decision makers, developers or the community. Having considered representations regarding an appropriate marketing period, I conclude that in practical terms, if the period of marketing were to be too long, applying the policy to small sites, would be likely to result in a house builder having to return to the site to build out an unsold plot. This would incur cost and impact on viability.
56. I have had regard to a similar policy in the adopted P2LP for Wellingborough, and also a draft policy in the Site Specific P2LP - Publication Plan for Kettering, both areas covered by the JCS, which require a 6-month marketing period. Such a period would therefore be consistent with the approach in these adjoining authorities. It would also maintain an appropriate level of flexibility to meet Corby's needs but take account of small site completion rates and viability. **MM18** is necessary for effectiveness to amend the explanatory text to require a marketing period of 6 months and to provide further guidance on the content of the proposed SPD.

### **Specialist Housing and Older People's Accommodation**

57. Policy 15 seeks to address the growing demand for housing for older people and to meet the need for specialist housing in Corby. It provides further policy guidance to support Policy 30 of the JCS which provides the strategic approach to providing a mix of dwelling sizes and tenures to meet community needs including those of older people.
58. The policy is appropriate and justified, being flexibly worded to allow the precise proportion, type and tenure to be determined having regard to evidence of local need, the scale and location of the site and viability. **MM20** is necessary to ensure the policy is positively worded, changing 'required' to 'seek'. In the interest of effectiveness, the modification widens the scope of dependent relatives who may occupy a granny annexe and removes the reference to the HAPPI design principles from the policy wording, adding it to the explanatory text as an example of best practice.

### **Gypsies, Travellers and Travelling Showpeople**

59. In the early stages of plan preparation, the assessment of need for gypsy and traveller accommodation in Corby was supported by the North Northamptonshire Gypsy and Traveller Accommodation Assessment (GTAA) Update 2011 (EB-HOU9). This identified a level of need which could be accommodated on existing sites and therefore further local plan policy or the allocation of sites was not necessary.
60. However, an updated GTAA commissioned by the Council along with Kettering, Wellingborough and East Northamptonshire Councils was published in March 2019 (EB-HOU3). This concluded that there was a total need of 26 pitches for Corby over the period 2018-2033.

61. Planning Policy for Traveller Sites (PPTS) requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets. In Corby, this would equate to 7 pitches.
62. This change to the evidence base, was published just before the Pre-Submission consultation. Responding to it would have led to a delay in the progression of the P2LP. As a result, the Council's intention is to prepare a separate Gypsy and Traveller Site Allocations Plan identifying sites to meet the identified needs of gypsy and travellers as identified in the latest GTAA. The timetable for its preparation is set out in the Council's Local Development Scheme published in August 2020.
63. I am satisfied that the approach put forward by the Council would be a reasonable and pragmatic way to meet the needs in Corby. Although the P2LP does not allocate sites, I am satisfied that it would achieve the aims of national policy in the PPTS and comply with the JCS. **MM19** is necessary to ensure that Policy 14 and the explanatory text is effective in outlining the Council's proposed way forward and that in the meantime, any planning applications for gypsy or traveller sites would be determined in accordance with Policy 31 of the JCS.

### **Residential Gardens**

64. In line with paragraph 70 of the Framework, Policy 16 seeks to resist inappropriate development of residential gardens. It seeks to maintain local character supporting Policy 8 of the JCS. **MM21** is required to ensure the policy is positively prepared, removing the word 'only'. For effectiveness further guidance is added to the explanatory text to clarify the meaning of tandem development.

### **Conclusion – Issue 2**

65. Subject to the MM's outlined above, the housing policies of the P2LP provide an effective framework to meet community needs and guide development in residential gardens and are consistent with the JCS and national policy.

### **Issue 3 – Whether the approach to defining settlement boundaries to control and manage the distribution of development is justified, effective and consistent with national policy and the JCS.**

66. JCS Policy 11 supports the spatial strategy at the strategic level, focussing the majority of development in Growth Towns and Market Towns, whilst limiting development in rural areas and providing scope for small scale infill development and development meeting a locally arising need. In order to clarify the application of Policy 11, the JCS states that Part 2 plans may define village boundaries.
67. Whilst this is not a requirement, village boundaries provide a tool to plan positively for growth. They provide certainty and clarity for the development management process assisting consistent and transparent decision making. Without the designation of village boundaries there would be increased risk of encroachment into the countryside and the coalescence of villages, an outcome that JCS Policy 11 is trying to avoid. For these reasons, I do not

consider that the concept of defining settlement boundaries around villages is out of date, particularly as there is nothing in the Framework that prevents such an approach.

68. The Framework encourages planning policies to identify opportunities for villages to grow and thrive, especially where this would support local services. Whilst Policy 11 of the JCS limits development in rural areas, it permits development supporting a prosperous rural economy as well as small scale infill within villages. It also provides for Local Plans and Neighbourhood Plans to identify sites within or adjoining villages to meet rural housing needs. In addition, JCS Policy 13 allows rural exceptions and sets out where development may be permitted in the rural area. As I have already outlined in relation to Issue 1, the JCS seeks to deliver 120 new homes in the rural area of Corby between 2011 and 2031. Sufficient sites have already been identified and additional sites are likely to come forward in line with the JCS strategic framework. In this context, I do not consider that defining settlement limits would be too restrictive. It would, in my view, be consistent with the objectives of the Framework and the JCS to promote sustainable development in rural areas.
69. Whilst it is appropriate for Neighbourhood Plans to define settlement limits, there is a risk that such plans may not progress or fail referendum. In these circumstances, and to prevent a policy gap, the definition of boundaries through the P2LP is justified. The Plan is flexible and recognises that settlement boundaries may be superseded by Neighbourhood Plans once they are adopted.
70. Policy 17 of the P2LP sets out that village boundaries are shown on the policies map and will be used to interpret whether sites are within or adjoining the settlement boundary. Land outside the boundary would be defined as open countryside.
71. The definition of settlement boundaries assists in the application of JCS Policy 11 (The Network of Urban and Rural Areas) and Policy 13 (Rural exceptions). This is not set out sufficiently clearly in the policy wording and explanatory text. **MM22** makes the necessary additions to rectify this shortcoming for effectiveness.
72. The identification of the settlement boundaries has followed a criteria-based methodology. This included consideration of land uses and their detachment from the settlement, excluded public open space and undeveloped land on the edge of villages but included dwelling curtilages, land with planning permission and local plan allocations. I consider the methodology to be robust and justified.
73. Policy 18 recognises the sensitive character of East Carlton and Rockingham villages and sets out that development in these Restraint Villages will be strictly managed. Both settlements are designated as conservation areas. No settlement boundary is defined for these villages as further development would be limited to the reuse or conversion of suitable buildings with any locally arising needs being met through Neighbourhood Plans or the Community Right to Build. This approach accords with JCS Policy 1 and the Framework and is justified and effective.

### **Conclusion – Issue 3**

74. In light of the above considerations, the approach of the P2LP in defining settlement boundaries to control and manage the distribution of development is justified, effective and consistent with national policy and the JCS.

### **Issue 4 - Whether the approach to employment provision is justified, effective and consistent with national policy and the JCS.**

#### **Employment Land Supply**

75. The JCS sets out an ambitious job creation target of 9,700 for Corby up to 2031. This equates to a requirement of 397,839 square metres (sqm) of net additional floorspace over the plan period. The JCS identifies over 160 hectares (ha) of land for strategic employment needs in Corby. Together with outstanding permissions this equates to over 860,000 sqm of employment floorspace, approximately twice the estimated need.
76. Despite this oversupply, the Employment Land Review Update (ELR) (EB-EMP1a) recommends a further 11.4 ha be allocated in the P2LP in order to provide choice, flexibility and competition. Allocating non-strategic sites, below 5 ha in size, ensures the availability of smaller sites to enhance the local development offer and ensure that the needs of all businesses are met. This approach is justified and consistent with the Framework and JCS Policy 22.

#### **Employment Allocations**

77. The 11.4 ha of employment land allocated in Policy 8 of the Plan comprises four non-strategic employment sites, Ref E1-4, and three land parcels identified as long-term land reserve, two at Tripark and one at Saxon 26 (Ref E5 and E6), to be developed beyond the plan period.
78. The non-strategic sites are all located next to existing employment sites. I have no evidence that any existing constraints, such as potential contamination at E1 Courier Road and E3 Princewood Road, could not be overcome or that the sites are not viable or attractive to future occupiers.
79. The sites allocated as long-term land reserve are identified in the ELR as having market potential, though no current evidence of demand. The sites are located within existing employment areas and are either occupied by vacant industrial buildings or form brownfield land currently being marketed for reuse. They are all suitable for employment uses, and due to their location and planning history, would be unlikely to be appropriate for alternative uses. Their allocation in the P2LP would add to the choice of smaller non-strategic sites and ensure that they would be retained for employment purposes. Accordingly, I consider their allocation to be justified. In order to make the principle of allocating these sites clear as outlined above, **MMS** is required to ensure that Policy 8 is effective.
80. I am satisfied that the allocation of employment sites in the P2LP is based on a robust evidence base. The sites are appropriate, and their allocation is justified.

## Employment Area Boundaries

81. The boundaries of the established industrial estates have been reviewed throughout the plan process and are appropriately drawn. Representations have however been made regarding the boundary of the Phoenix Parkway Industrial Estate. It has been brought to light that the Phoenix Parkway Retail Park was included in the site boundary of the nearby industrial estate in error.
82. The landowner of the retail park has put forward the case that the boundary should remain, to recognise the employment role of the retail park and the contribution it makes to supporting the employment uses on the adjacent industrial estate, contributing to economic growth. The retention of the retail park in the boundary of the employment area would make it subject to Policy 9 of the P2LP.
83. Policy 9 is aimed at established industrial estates which are the main supply of employment land in Corby. It seeks to support employment uses and the modernisation and or enhancement of units to provide good quality premises. It also supports the provision of ancillary services and facilities, such as cafes, creches, leisure and sport uses, meeting and conference facilities.
84. I accept that there are synergies between employment and retail uses. In particular a range of ancillary uses, such as retail and food and drink outlets, add to the sustainability of employment areas, reducing the need for employees to travel. However, a retail park of the scale of Phoenix Parkway, would not form an ancillary use within an established employment area. The retention of the retail park within the employment area boundary, would be incompatible with the objectives of Policy 9 and therefore unjustified. A revision to the Policies Map is therefore required to delete the retail park from the employment area boundary making Policy 9 effective.

## Employment Policies

85. In September 2020 changes were made to the Town and Country Planning (Use Classes) Order 1997. The effect of this was to create a new overarching Use Class E (commercial, business and services) replacing B1 employment uses. **MM7** adds a paragraph to the introductory section of Local Plan Chapter 6 to explain that the employment policies in the plan should be applied in the context of the above changes for effectiveness. **MM8, MM9 and MM10** also amend the use class references where necessary in Policies 8, 9 and 10 and their explanatory text for effectiveness and consistency with national policy.
86. As described above Policy 9 seeks to support employment uses in established industrial estates. It permits a range of ancillary services and facilities where they are small scale and support the needs of such areas. The policy does not specifically mention retail uses, though it does not preclude them. I consider that the policy is sufficiently flexible in this regard and is justified and effective.
87. Policy 10 identifies criteria against which non employment uses within established industrial areas would be considered. The policy in part c) requires evidence of prolonged marketing which the supporting text suggests should be for at least 2 years. There is insufficient justification for this period especially for smaller non-strategic employment units, which could potentially

lie vacant. In order to make the policy effective and more flexible, marketing should be proportionate to the size of the unit and the subject of negotiation with the Council on a case by case basis. **MM10** amends the supporting text accordingly.

#### **Conclusion - Issue 4**

88. Based on the above considerations and subject to the above modifications, I consider that the approach to employment provision is justified, effective and consistent with national policy and the JCS.

#### **Issue 5 - Whether the approach to district and town centres is justified, effective and consistent with national policy and the JCS.**

#### **Town Centres and Town Centre Uses**

##### **Retail provision**

89. Policy 12 of the JCS seeks to maintain and regenerate Corby Town Centre as the focus of retail investment in Corby. It requires a minimum increase of 12,500 sqm of net comparison shopping floorspace by 2031.
90. The Retail Capacity Statement May 2020 (EB-RT5), calculates that just over 6,000 sqm of the requirement is provided through completed developments since 2014 and extant planning permissions, leaving around 6,500 sqm to come from other sources.
91. In order to meet the remaining requirement, Policy 24 identifies four Town Centre redevelopment opportunity sites for mixed use which should include a contribution towards the provision of comparison retail floorspace. The Parkland Gateway site, Ref TC1, is located in a secondary retail area dominated by leisure and food and drink uses. The site would be more suitable for these sorts of commercial uses and would have limited potential for comparison retail. **MM28** amends Policy 24 in the interest of effectiveness, to make it clear that comparison shopping floorspace would be expected to come from sites Ref TC2, TC3 and TC4 only. The evidence suggests that these sites taken together could potentially provide 1,245 square metres of comparison floorspace.
92. The Retail Capacity Statement outlines that there are six large vacant units in the Primary Shopping Area amounting to approximately 5,800 sqm of floorspace. These are available and suitable for comparison retail and would make up the required shortfall.
93. The approach to providing further retail floorspace in the Plan is realistic and based on robust evidence. It is consistent with the requirements of JCS Policy 12 and paragraph 85 of the Framework.

##### **Town Centre Sites, Policies TC1-TC4**

94. As stated above, Policy 24 identifies 4 sites as the main locations for new development growth within Corby Town Centre. They are identified within the Regeneration Framework and the Town Centre Masterplan as having potential

for redevelopment. Sites TC1, TC2 and TC3 are proposed for mixed uses including housing and their deliverability is discussed in Issue 1.

95. Site TC4 Oasis Retail Park is an operational retail park. It is also allocated for mixed use development but is anticipated to deliver over the medium to longer term. Its allocation is supported by the landowner and the viability of redevelopment has been tested in the Plan-wide Viability Assessment (EB-IV1). There are therefore no obstacles to the site coming forward and its allocation is appropriate and justified.

### **Policy 19 Network and Hierarchy of Centres**

96. The retail hierarchy set out in Policy 19 of the P2LP is consistent with the JCS Policy 12 and paragraph 85 of the Framework. The policy outlines that the hierarchy will be used for the application of the sequential test. However, it is poorly worded and ineffective. In order to make it clear that the sequential test would be used to assess planning applications, **MM23** is necessary.
97. A representor has suggested that Phoenix Parkway Retail Park, in an out of centre location, should be referenced in the retail hierarchy. It is also suggested that Policy 19 should be amended, where it relates to Phoenix Parkway, to require speculative applications for out of centre retail development to demonstrate that there are no town or edge of centre sites available and also no available opportunities within the boundary of the retail park.
98. I acknowledge that this would give some recognition of the role of the retail park in the hierarchy and assist to prevent unjustified and unplanned development elsewhere in the town, safeguarding the existing centre. However, the purpose of JCS Policy 12 is to protect the vitality and viability of town centres. The approach taken in Policy 19 of the P2LP is consistent with this policy. Phoenix Parkway Retail Park, however, is not a town centre. Consequently, whilst it may be possible to identify advantages to the retail park being within the hierarchy, the plan as submitted is not unsound in this regard. A modification to Policy 19 is therefore unjustified.
99. The Framework in paragraph 89 sets a 2,500 sqm threshold for the requirement for an impact assessment for out of centre retail, office and leisure developments. It also however allows for locally set thresholds. Policy 19 sets out a threshold of 400 sqm for Corby Town Centre and 130 sqm for District/Local centres.
100. The Threshold for Retail Impact Testing background paper (EB-RT3) outlines the methodology used to set these locally appropriate retail thresholds. This document is robust and consistent with the Framework. The average unit size in Corby Town Centre is around 351 sqm and, in the district and local centres, is between 100 and 200 sqm. The locally set thresholds in Policy 19 are therefore reasonable and justified.
101. The supporting text however is ineffective as it does not provide guidance that impact assessments would be proportionate to the size of the development. **MM23** makes the necessary amendment to provide clarity to a decision maker, developers and the community.

### **Policy 20 Change of Use of Shops Outside the Defined Centres.**

102. This policy seeks to protect small scale retail development serving day to day needs of local communities. It is consistent with JCS Policy 7 and paragraph 92 of the Framework. Part a) of the policy safeguards retail premises unless it can be demonstrated that adequate facilities are already within walking distance. It is unclear what is meant by this. **MM31** is therefore necessary for effectiveness to provide a definition of walking distance in the Glossary to the Plan, Appendix 3.
103. Part b) of the policy seeks to safeguard shops unless a balance can be demonstrated between the number and type of units within a settlement or neighbourhood area. This is unclear and ineffective. **MM24** amends the policy wording for effectiveness.
104. Following changes to the Use Classes Order in September 2020, the modification removes the reference to use class 'A1' as this has been replaced by Use Class E. It also provides an amendment to the supporting text in the interests of effectiveness to clarify that the policy should be applied in the context of these changes.

### **Policy 21- Primary Shopping Areas**

105. This policy seeks to maintain the vitality and viability of primary shopping areas in Corby. It is consistent with the aim of paragraph 85 of the Framework and Policy 12 of the JCS which support the need to define primary shopping areas and protect their vitality. To ensure that the policy more closely aligns with JCS Policy 12, the reference to 'dominance' is deleted in **MM25** and replaced with 'predominance'.
106. The policy lacks clarity in that it is unclear what would be defined as an over concentration of a particular non retail use. For effectiveness, **MM25** addresses this deficiency by adding further guidance to the explanatory text. It is also unclear what is meant by the term 'working space'. For the same reason, the modification deletes this term in the policy and replaces it with 'office uses'.
107. As a result of changes to the Use Classes Order, the modification removes reference to Use Class A1, replacing it with 'retail' and modifies the supporting text accordingly in the interest of effectiveness and consistency with national policy.

### **Policy 22 Regeneration Strategy for Corby Town Centre.**

108. JCS Policy 12 supports the maintenance and regeneration of Corby Town Centre as the focus of higher order facilities and retail investment serving a growing community. Considerable progress has been made to date towards the objectives of the Regeneration Framework and the Corby Town Centre Masterplan. Policy 22 of the P2LP seeks to continue this work and sets out a series of objectives to deliver the regeneration strategy. **MM26** ensures the policy is effectively worded so that it is clear how a development proposal in the town centre would be assessed against these criteria. The modification also adds a reference to residential uses to make the policy effective and consistent with JCS Policy 1, encouraging a sustainable centre.

109. Additionally, in the interests of effectiveness, **MM26** amends the policy to encourage improvements to cycle signage and cycling routes alongside pedestrian signage and walking routes within the town centre.

### **Policy 23 Spatial Framework for Corby Town Centre**

110. The Spatial Framework highlights particular design issues and aspirations to encourage developments to take advantage of the opportunities available to improve connectivity in and around Corby Town Centre. The criteria in the policy are wide ranging and it is unclear what the expectation would be for smaller schemes. **MM27** is necessary for effectiveness to set out that a proportionate approach would be taken.

### **Conclusion – Issue 5**

111. In light of the above, and subject to the above modifications, I consider that the approach to district and town centres is justified, effective and consistent with national policy and the JCS.

### **Issue 6 – Whether the approach to meeting the physical, social and green infrastructure needs required to deliver sustainable development is justified, effective and consistent with national policy and the JCS.**

### **Open Space, Sport and Recreation**

112. The Council has prepared three interrelated documents, the Playing Pitch Strategy and Action Plan, the Open Spaces Study and the Indoor and Built Facilities Strategy, to evaluate the quality, quantity and accessibility of existing provision. Whilst these documents were prepared in 2017, I consider that they provide a robust and sufficiently up to date evidence base, in accordance with paragraph 96 of the Framework.
113. Policy 1 of the P2LP seeks to protect open spaces, allotments and sport and recreational facilities, building on JCS Policy 7 (Community Services and Facilities). It also seeks to ensure the provision of new or improved open space to meet the needs of new development. As drafted the policy is inconsistent with paragraph 97 of the Framework as it does not ensure that open space to replace areas lost due to development should be of an equivalent quantity as well as quality. **MM1** is required to address this deficiency and ensure consistency with national policy. In order to ensure that the policy is positively prepared, the modification also deletes the word 'only' in the first paragraph.
114. In the interest of effectiveness, **MM1** is also necessary to provide clarity that new or improved provision would be required where a development proposal above 10 or more dwellings would give rise to or exacerbate an existing shortfall in provision. Furthermore, to align the size threshold with the definition of major development in the Framework, the modification replaces reference to 0.3 ha with 0.5 ha in both the policy and the explanatory text.

### **Health and Wellbeing**

115. The JCS sets out a range of policies promoting health and wellbeing. Policy 2 of the P2LP provides further guidance on how this would be achieved,

requiring development proposals to promote, support and enhance health and wellbeing in a number of ways. However, the policy is ineffective in explaining how these matters would be assessed and taken into account.

**MM2** rectifies this by adding the requirement for major development schemes to prepare a Health Impact Assessment (HIA) and/or an Air Quality Assessment. The modification also includes amendments to the supporting text to provide clarity on when such assessments would be required, depending on the scale of the development proposed. Following consultation on the MM's, in the interest of effectiveness, **MM2** should state that a HIA would be proportionate to the purpose and type of development proposed as well as its scale and location. I have amended the MM in the Schedule at Appendix 1.

116. Part a) of the policy should refer to promoting cycle friendly and part g) should make it clear that proposals should support both the provision and enhancement of community services and facilities environments in the interests of promoting health and wellbeing. Furthermore, the supporting text should give support to electric vehicles, which assist to reduce carbon emissions and improve air quality. **MM2** revises the policy and the supporting text for effectiveness. As consulted upon, **MM2** did not refer to other types of low emission vehicles that could have positive health and wellbeing outcomes. This is added to the Schedule of MM's in Appendix 1 for effectiveness.

### **Secondary School Provision.**

117. The evidence prepared by LocatED June 2019 (EB-ED1) demonstrates that there is a shortfall in secondary school places in Corby. There is currently no capacity in Corby and the number of students attending secondary school is set to increase by over 36% by 2026. The anticipated deficit peaks in 2022/23.
118. A new secondary school is planned at the West Corby SUE which will accommodate the future growth to this side of Corby. However, there is a pressing need for a new secondary school to cover the central and eastern parts of Corby.
119. The Council undertook a detailed analysis of potential sites which were assessed against a number of sustainability criteria based on the SA. This robust assessment identified three possible sites. Two were discounted, firstly due to their insufficient size and secondly because they were unavailable. Policy 3 seeks to deliver the preferred opportunity site, which is located within the countryside to the north of Oundle Road and identified on the Policies Map.
120. The spatial strategy of the JCS seeks to focus development in the urban areas however it recognises that there may be exceptional circumstances where development is acceptable in a rural area, particularly if justified to meet locally identified needs. I am satisfied that based on the evidence of need for secondary school places and the lack of alternatives, that the release of this site in the countryside is justified, consistent with national policy and the JCS.
121. The site is in an accessible location to the edge of the Weldon Park SUE. The Department for Education, who are the body responsible for delivering the new school, have confirmed the scheme has the necessary funding in place,

and that technical work has commenced in relation to highway matters, drainage and ecology with mitigation works being identified to address potential adverse impacts. It is anticipated that the school would be completed and operational by September 2022.

122. Policy 3 lacks clarity and effectiveness, as it is unclear what is meant by demonstrable need and what matters would need agreement between the applicant and the Council. **MM3** amends the policy wording so that the development is subject to a demonstration of specific outstanding need and no unacceptable impacts.
123. The supporting text sets out a series of design principles to guide the development of a new secondary school. These do not include reference to sustainable means of travel such as public transport, walking and cycling. **MM3** is necessary to add these in the interests of effectiveness and consistency with national policy.

### **Electronic Communications**

124. Policy 10 of the JCS supports the provision of next generation broadband technology. Policy 4 of the P2LP provides further guidance on the expectations for siting, appearance and good design. In order to ensure the policy is positively prepared, **MM4** deletes the word 'only' in part 1 of the Policy.

### **Green Infrastructure**

125. Policy 6 of the P2LP seeks to protect and enhance green infrastructure (GI) corridors. However, as submitted, the policy only applies to existing GI corridors identified on the Policies Map. This causes a difficulty in that some of the corridors illustrated have yet to be provided. The policy therefore lacks effectiveness. In order to address this shortcoming and to ensure consistency of wording throughout the plan, **MM5** is required. For effectiveness, this modification also amends the supporting text to provide clarity on how the policy will be applied in circumstances where corridors overlap other existing land uses.
126. The policy outlines five ways in which corridors would be protected and enhanced. It does not however seek to ensure that new tree and hedgerow planting connects to, or is provided within, the GI corridors. **MM5** amends the policy so that it is effective and consistent with national policy, taking opportunities to encourage biodiversity improvements in and around developments.
127. Part e) of Policy 6 seeks to use developer contributions to facilitate improvements to the quality of GI. This is not worded effectively as it is unclear in what circumstances contributions would be sought and how they would be used. **MM5** provides additions to the policy and the supporting text to set out that contributions would be sought when they are necessary and reasonably required to support development and mitigate its impacts in accordance with the North Northamptonshire GI Delivery Plan and the Planning Obligations SPD.

## **Local Green Space**

128. The Framework in paragraph 99 states that local communities through local and neighbourhood plans, should be able to identify green areas of particular importance for special protection. It goes on to say that by designating land as Local Green Space, local communities will be able to rule out new development other than in very special circumstances. Paragraph 100 sets out criteria for the designation of areas of Local Green Space.
129. Policy 7 of the P2LP seeks to designate the Community Orchard at Middleton as Local Green Space. I am satisfied that this site meets the criteria for Local Green Space designation set out in the Framework and is therefore justified.
130. Paragraph 101 of the Framework states that in managing development within Local Green Space, policies should be consistent with those for Green Belts. Policy 7 is inconsistent with the Framework in that whilst it states that development will only be approved in very special circumstances it does not outline that these circumstances will not exist unless the potential harm is clearly outweighed by other considerations. **MM6** rectifies this deficiency and ensures consistency with national policy.

## **Conclusion - Issue 6**

131. Subject to the MMs outlined above, I am satisfied that the approach to meeting the physical, social and green infrastructure needs required to deliver sustainable development is justified, effective and consistent with national policy and the JCS.

## **Issue 7 – Would effective arrangements be in place for the monitoring of the P2LP.**

132. The monitoring provision of the P2LP are set out in Table 11. It should be read alongside Table 9 of the JCS which outlines a framework of indicators that reflect the strategic policy approach.
133. In the interest of effectiveness, to take account of the deletion of Policy H3 and to provide an appropriate detailed monitoring framework with targets for all non-strategic policies, **MM29** is necessary.

## **Conclusion – Issue 7**

134. In conclusion, subject to the above MM, I am satisfied that effective arrangements for the monitoring of the P2LP are in place.

## **Public Sector Equality Duty**

135. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including the provision of specialist and older persons housing and gypsy and traveller accommodation. I do not consider that my findings will impact negatively on anyone with a relevant protected characteristic in respect of the matters addressed in Section 149 of the Act.

## Assessment of Other Aspects of Legal Compliance

136. My examination of the legal compliance of the P2LP is summarised below.
137. The Plan has been prepared in accordance with the Council's Local Development Scheme.
138. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
139. The Council carried out a SA of the Plan, prepared a report of the findings of the appraisal, and published the report along with the plan and other submission documents under regulation 19. The appraisal was updated to assess the MMs and is adequate.
140. The Habitats Regulations Appropriate Assessment Report [July 2019 Document Ref Sub D3] concludes that no likely significant effects will arise from the P2LP, alone or in combination with other plans and projects. An Appropriate Assessment is therefore not necessary.
141. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.
142. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. In combination with the policies of the JCS, these include policies setting out the approach to renewable and low carbon energy, water resources and sustainable drainage, health and wellbeing and green infrastructure.
143. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations. **MM32** provides a new Appendix 1 setting out a schedule of policies superseded by the P2LP as required by the Regulations.

## Overall Conclusion and Recommendation

144. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.
145. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that the duty to cooperate has been met and that with the recommended MMs set out in the Appendix, the Part 2 Local Plan for Corby satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*Helen Hockenhull*

**Inspector**

This report is accompanied by an Appendix containing the Main Modifications.