



East  
Northamptonshire  
Council

Cedar Drive THRAPSTON Northamptonshire NN14 4LZ  
Telephone 01832 742010  
Email: [planningpolicy@east-northamptonshire.gov.uk](mailto:planningpolicy@east-northamptonshire.gov.uk)  
[www.east-northamptonshire.gov.uk](http://www.east-northamptonshire.gov.uk)

---

**By email:**

**Viv Prodger (Clerk to Rushden Town Council); Ed Norris (DLP)**  
[clerk@rushdentowncouncil.gov.uk](mailto:clerk@rushdentowncouncil.gov.uk); [ed.norris@dlpconsultants.co.uk](mailto:ed.norris@dlpconsultants.co.uk)

---

<b>Please ask for</b> Michael Burton	<b>Tel</b> 01832 742221	<b>Our Ref.</b> MB/RuNP-Reg15	<b>Your Ref.</b>	<b>Date:</b> 27 October 2017
-----------------------------------------	----------------------------	----------------------------------	------------------	---------------------------------

Dear Viv and Ed

**Draft Neighbourhood Development Plan for Rushden (Rushden Neighbourhood Plan), submitted 26 October 2017: Legal Check under Schedule 4B of the Town and Country Planning Act 1990**

I write to you on behalf of East Northamptonshire Council (ENC) to confirm our receipt of the submission version of your draft neighbourhood development plan (the Rushden Neighbourhood Plan, for the period 2011-2031), along with accompanying supporting documentation. Firstly, I would like to wholeheartedly congratulate your neighbourhood planning group on successfully reaching the submission stage in the neighbourhood planning process.

As you may be aware, under Paragraphs 5 and 6 of Schedule 4B of the Town and Country Planning Act (TCPA) 1990 there is now a requirement for ENC, as the local planning authority, to undertake a check of the compliance of the plan along with its process to date. The relevant legal tests are set out in the 1990 TCPA and relevant sections of the Planning and Compulsory Purchase Act (PCPA) 2004. It is then an obligation of the local planning authority to issue a written statement clarifying the compliance (or otherwise) of the plan. Accordingly, this letter comprises the formal view of ENC and recommends whether it should be submitted for independent examination.

At this stage it is not a duty of the local planning authority to consider the plan proposal against the 'basic conditions' tests set out under Paragraph 8(2) of the TCPA 1990 (this is the role of the independent examiner). However, for the purposes of added surety and as a result of the Council's close working with Rushden Town Council throughout the plan making process, I can confirm that ENC is comfortable that the draft Neighbourhood Plan is in general conformity with relevant national and local strategic policy as well as relevant EU obligations.

I note that your submissions include the Basic Conditions Statement, which provides your detailed consideration of the plan submission against the requirements of the TCPA 1990 and the PCPA 2004. In a similar manner, I am pleased to confirm the following on behalf of ENC:

- The plan **DOES** accord with all relevant provisions of the PCPA 2004 in that it: specifies a plan period; does not include any provision for excluded development; and does not relate to more than one neighbourhood area;
- The plan **DOES NOT** comprise a 'repeat proposal' as defined under Paragraph 5 of the TCPA 1990;
- The plan **HAS** been prepared by a qualifying body (Rushden Town Council) who are authorised to deliver a neighbourhood plan;
- The submission **DOES** comprise the relevant documentation required under Paragraph 1 of Schedule 4B of the TCPA 1990 and as prescribed by Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ('the Regulations');

- The statutory consultation undertaken to date **DOES** comply with the requirements and regulations set out under Paragraph 4 of the TCPA 1990 and as prescribed by Regulation 14 of the Regulations; and
- The plan **DOES** comply with all other provisions under section 61E(2), 61J and 61L of the TCPA 1990.

**The Rushden Neighbourhood Plan will now be publicised under Regulation 16 of the Regulations with a view to then making the plan available for independent examination.**

ENC is now required to publicise the Neighbourhood Plan along with details of how to make representations to it on its website for a minimum of 6 weeks. Consultation will take place from **Friday, 3 November – Monday, 18 December 2017** inclusive (6 weeks).

Alongside this the Council can assist in publicising and consulting on the plan to ensure the regulations and the Council's Statement of Community Involvement are properly met. Furthermore, in due course there will be a need to discuss with the Town Council the appointment of an examiner along with the arrangements for the examination itself.

Finally, on behalf of ENC this letter represents the Council's formal view that the draft Rushden Neighbourhood Plan, as submitted, complies with all of the relevant statutory requirements. Please do not hesitate to contact me if you have any further queries regarding the neighbourhood planning process from hereon.

Yours sincerely

Michael Burton  
Principal Planning Policy Officer