

Rural North, Oundle and Thrapston Plan (submitted 11 January 2008)

**“Regulation 29” consultation:
11 January – 22 February 2008 –
Response to representations received
from the Government Office for the East
Midlands (GOEM), 22 February 2008**

25 April 2008



East Northamptonshire Council

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1. Introduction

- 1.1 The Rural North, Oundle and Thrapston Plan (RNOTP) and its accompanying Sustainability Appraisal Report were submitted to the Secretary of State on 11 January 2008. Submission of these documents was accompanied by a 6-week statutory consultation period under the Town and Country Planning (Local Development) (England) Regulations 2004, Regulation 29.
- 1.2 Residents and organisations were invited to submit representations on the RNOTP and accompanying Sustainability Appraisal Report between 11 January and 22 February 2008.
- 1.3 In its representation, received on 22 February 2008, the Government Office for the East Midlands (GOEM) made a number of comments about the RNOTP document, together with individual policies. These raised some concerns about the scope of the Plan, together with the content of certain policies. This report sets out the Council's initial response to the issues raised by GOEM in their representation.

2. General matters regarding Rural North, Oundle and Thrapston Plan document

- 2.1 GOEM raised five potential areas of concern about the RNOTP document as a whole. Officers have considered these and the Council's initial responses are set out below.

Scope of the Plan

- 2.2 GOEM is concerned that certain policies are strategic in nature and some seem to be generic development control policies. In answer, attention is drawn to the Development Plan Document Profile contained in the approved Local Development Scheme (attached). This was agreed with both GOEM and the Planning Inspectorate prior to being finalised and approved in March 2007. The LDS approved originally in 2005 also contained this DPD profile. The Role and Subject section of the profile clearly indicates that the Plan will contain an element of local spatial strategy and vision for this distinctive part of North Northamptonshire.
- 2.3 The Joint Core Spatial Strategy is a higher level Plan than a core strategy covering an individual district. It concentrates very much on delivery of major growth in the urban core. The opportunity was taken to produce Area Plans within this wider strategic context, in order that local spatial relationships could be recognised and a locally distinctive DPD produced. East Northamptonshire has clearly distinct areas; with a sparser rural north based around market towns, and a more urbanised south, with closer linkages to Wellingborough, Northampton and Bedford. National policy and accompanying guidance, including Planning Inspectorate advice, does not preclude the Area Plan approach; indeed the need for locally distinctive Plans is stressed, with the corollary being that there is no standard template offered for the precise scope and format of DPDs.
- 2.4 The document is primarily a site specific proposals document, but it contains some strategic policies, which are intended to supplement and support the North Northamptonshire Joint Core Spatial Strategy (CSS).
- 2.5 One example of this is Policy 1: Settlement Roles. CSS Policy 1 defines Oundle and Thrapston as rural service centres, with King's Cliffe as a local service centre. However, the development strategy for the other 49 villages within the Plan area is not defined. CSS Policy 1 states the need for development to be focused upon villages performing a limited service centre role. RNOTP Policy 1 defines Nassington and Warmington as "smaller service centres", thereby applying CSS Policy 1 in the context of the Plan.

Need for a housing implementation strategy

- 2.6 GOEM has noted that the Plan does not include an implementation strategy for housing delivery. In response, it is considered that the housing trajectory contained in the CSS (Delivering Housing section including Figure 11 and Table 3), establishes the rate of housing delivery.

- 2.7 It is anticipated that the proposed RNOTP allocations will be granted planning permission during 2008-10, with the King's Cliffe site (145-50 dwellings) likely to be granted planning permission during 2008 and those at Oundle and Thrapston in 2009-10. This means that the allocated sites in the Plan should yield additional housing from 2010-11. The continuing high level of developer interest and ongoing pre-application discussions indicate that sites will come forward in line with this trajectory.

Delivery mechanisms – implementation and monitoring

- 2.8 GOEM has stated that the Plan is lacking in evidence of commitment from organisations that will deliver the policies. It should be noted that discussions with key implementation bodies (utilities companies, highway authority etc) are ongoing regarding particular Plan proposals, particularly regarding development proposals for Oundle.
- 2.9 It should also be noted that the Council is not planning unilaterally; it is a key player in the joint strategic planning of infrastructure and a key partner in the delivery body, North Northants Development Company.

Repetition of national and regional policies

- 2.10 Certain RNOTP policies are noted by GOEM as being a repetition of national policy and/ or joint CSS policies. In cases where this has been noted, it is accepted that such policies may contain some text which could be perceived in this way. However, in all cases where this may apply, the policy also contains more locally specific elements that add distinctiveness to the broader context.

Status of the North Northamptonshire Core Spatial Strategy (CSS)

- 2.11 The final general comments from GOEM regarding the RNOTP document as a whole set out the situation and current status of the CSS. These state that if issues arise regarding the soundness of the latter or changes to the policy framework, the implications for both the timetable and content of this Plan will need to be considered.
- 2.12 The Plan has been prepared under the assumption that the CSS is fundamentally sound, and that it will be adopted within the timescale set out in the most recent Local Development Scheme (March 2007).
- 2.13 GOEM's concerns about the RNOTP submission document are noted. However, GOEM's conclusion is that the various changes sought do not go to the "heart of the Plan in terms of failing the specified test of soundness". The next section sets out the response of Council to GOEM's representations regarding individual policies in the Plan.

3. GOEM representations regarding individual RNOTP policies and proposals

- 3.1 GOEM raised concerns about individual policies in the Plan, together with concerns about certain sections of the supporting text. Some omissions are also noted. The Council's responses to representations regarding individual Plan policies are set out below.

Policy 2 – Windfall Development in Settlements

- 3.2 GOEM has stated that the local definition of “windfall” development, as set out in paragraph 4.10-4.11 could include greenfield land. Similarly, it is stated that the final paragraph of Policy 2 is unnecessary.
- 3.3 In response, it is argued that, locally, unidentified small sites continue to come forward within settlement frameworks that do not meet the ‘previously developed land’ definition. Examples include small pockets of ‘vacant land not previously developed’ and small allotment sites that have become marginalised and disused. Since these are unplanned development sites, the Council by definition considers them to be ‘windfall’.
- 3.4 Policy 2 of the Plan carries forward the interim Local Plan policy “Managing the Release of Housing Land in East Northamptonshire”. This was adopted by the Council in November 2003 (amended March 2004), with a specific aim to: ‘Counter the current trend towards “town cramming” that has been promoted by the operation of infilling policies’ (Interim Policy, paragraph 3).
- 3.5 The policy addresses local concerns about the cumulative impact of infilling and backland forms of development over the last fifteen years. In many cases, this has altered the character of lower density areas and introduced numerous new access points in previously quiet residential roads. It has tended to place additional strains on the existing infrastructure and services without adding commensurate benefits to the community in which it is located.

Policy 3 – Phasing in Oundle, Policy 4 – Phasing in Thrapston and Policy THR5 – Thrapston South

- 3.6 GOEM argues that it is unclear how policies 3 and 4 relate to policies OUN1, THR1 and THR5, in the Oundle and Thrapston sections of the RNOTP document respectively (Sections 8.0 and 9.0). It is suggested that Policy 3 should be merged with Policy OUN1 and Policy 4 with THR5.
- 3.7 **In the interest of clarity, the merging of policies 3 and 4 with OUN1 and THR5 is accepted by the Council. Suitable wording will be drafted to incorporate the suggested changes into policies OUN1 and THR5.**
- 3.8 In addition, it is stated that Policy THR5 should provide more detail on the phasing of the proposed new neighbourhood at Thrapston South. However, the Council considers that the requirements for the preparation of a masterplan for the new Thrapston South development set out in policies 4 and THR5 do provide a sufficient framework to allow the preparation of a comprehensive development scheme.

Policy 10 – Housing Density

- 3.9 GOEM states that Policy 10 repeats national planning policy and adds nothing to the criteria set out in Policy 14: General Sustainable Development Principles of the joint CSS.
- 3.10 This policy has been designed to focus on urban design, with particular reference to the character of the surrounding/ adjacent area. To strengthen this Policy, Council officers consider that it would be helpful to undertake further work regarding character areas, thereby providing a more detailed evidence base.
- 3.11 The Policy, along with Policy 2, is intended to address excessively high density proposals, which are inappropriate in terms of local character. However, the need to provide clearer cross references to RNOTP Policy 2 and CSS Policy 14 is accepted.
- 3.12 **Revision to Policy 10, introductory paragraph: “In accordance with the design criteria set out in Policy 2 of the Plan and Policy 14 of the North Northamptonshire Core Spatial Strategy, all new development proposals for housing should be developed at a net density consistent with:”**

Policy 11 – Housing Mix (with paragraph 5.3)

- 3.13 GOEM suggests changes to Policy 11 and its supporting text (paragraph 5.3), in the interests of clarity. Officers accept these suggestions and propose amendments to the text to address these concerns.
- 3.14 **Replace paragraph 5.3 with the following side note relating to Policy 11: “Smaller’ dwellings are defined by the Council as those of 1-2 bedroom, ‘medium sized’ dwellings are defined as 3 bedroom and ‘larger’ dwellings as 4 or more bedrooms.”**

Policy 12 – Important Open Land within Towns and Villages

- 3.15 GOEM has raised questions about the need to carry the “saved” Local Plan policy EN20 forward into the RNOTP. Concerns are raised that no assessment has been carried out as to the Important Open Land sites identified.
- 3.16 Officers have considered these concerns. The Council has been consistent throughout the Plan process in its desire to see adopted Local Plan policy EN20 carried forward into the RNOTP (Preferred Options document, paragraph 23.4). The saved Local Plan policy was based on a full survey and assessment undertaken in 1991. This policy has operated well and has been consistently upheld through decision making, including on appeal. The Local Plan designations were reviewed as part of the “Village Framework” consultation work (Village Planning Boundaries, January 2008), following which a number of additional areas of Important Open Land have been proposed in the Plan.
- 3.17 Overall, it is emphasised that at all stages throughout the Plan preparation process the Council has proposed the retention of Important Open Land designations in the new RNOTP.

Policy 16 – Wind Farms

- 3.18 GOEM has raised particular concerns about Policy 16, arguing that it is contrary to national policy, without local justification.
- 3.19 The Council's position has been borne out by the recent (August 2007) appeal decision on the Hemington wind farm proposals. The proposed site has no special landscape designations, but the Inspector concluded that the impacts "of the proposals on the character and appearance of the rural surroundings and on the users of nearby public rights of way are not offset by the need for renewable energy" (APP/G2815/A/06/2019989 paragraph 68).
- 3.20 Given that the Plan area is predominantly rural and considering the conclusions of the Hemington appeal, it is likely that few or no sites within the Plan area will be suitable to accommodate the development of significant new wind farms.

Policy 17 – Parish Plans and Village Design Statements

- 3.21 The concerns raised by GOEM with respect to Parish Plans (PPs)/ Village Design Statements (VDSs) surround the approach that should be taken to these. GOEM argues that PPs and VDSs should be used as part of the evidence base to form the policies of the Plan rather than take the form of policy itself.
- 3.22 Policy 17 has been drafted to provide an additional incentive to Parish Councils to prepare PPs/ VDSs, by enhancing their status in terms of the decision making process for planning applications. A number of representations have been received in support of this approach from key stakeholders, notably English Heritage, the Campaign to Protect Rural England (CPRE) and three Parish Councils. Given the importance of active community involvement as a key principle of sustainable development (PPS1), the Council considers that it is important to ensure that Parish Councils and communities are actively involved in developing planning at a local level.

Policy 18 – Considerate Construction

- 3.23 GOEM has argued that Policy 18 is unnecessary, and has questioned whether it is appropriate for a "spatial" plan. The policy has been prepared to minimise the acute, short term problems of environmental pollution and nuisance that inevitably occur during the construction phase for any new development.
- 3.24 The Council has a number of environmental enforcement policies already in force. Of particular relevance to new construction projects are the General, Noise and Waste Enforcement Policies (November 2006). These set out the Council's approach towards implementing the broad range of extant environmental protection legislation.
- 3.25 Policy 18 is designed to take a positive approach towards minimising environmental problems during construction phases, by recognising and supporting contractors and site managers who are committed to the industry Code of Considerate Practice.

Paragraph 6.15 – Gypsy and Traveller Needs

- 3.26 The need to justify the omission of site allocations for gypsy and traveller sites has been emphasised by GOEM in their response to the RNOTP. The Council has argued throughout the Plan preparation process up to its submission in January 2008, that there has been no evidence base to justify the allocation of individual new gypsy or traveller sites.
- 3.27 In March 2008, the “Gypsy and Traveller Accommodation Assessment in Northamptonshire” was published. This forms an important step in the allocation of new gypsy, traveller or travelling show-peoples’ sites within the District. Broadly, the key finding of this regarding East Northamptonshire is that future provision should be close to existing private sites in the District.
- 3.28 The existing sites are located in the other two Plan areas (sites are at Ringstead in the Raunds Plan Area and at Irthlingborough in the Three Towns Plan Area). Further analysis will be required before the Council is in a position to propose specific areas for allocation through the emerging two Area Plans.

Policy 33 – Lorry Parking

- 3.29 GOEM has stated that Policy 33 does not provide sufficient locational guidance for the development of new lorry parking. The policy was developed following discussions between East Northamptonshire Council and the highway authority (Northamptonshire County Council).
- 3.30 In drafting the policy, advice was sought from the highway authority. Paragraph 7.39 identifies that a particular problem has been identified around Thrapston, near to the A14 and A605. However, the Council was keen to ensure that Policy 33 was sufficiently flexible and not over prescriptive in identifying individual sites for the provision of lorry parking. While a particular problem has been identified around the Thrapston Business Park, the policy should not preclude the consideration of other possible sites in the RNOTP area.
- 3.31 The policy has been drafted to allow for lorry parking to be provided in other locations along the strategic road network such as the A6116 (Thrapston – Corby). Problems could also exist along the strategic road network to the north of the Plan area, particularly the A43 and A47.

Policies OUN1 and THR1 – Infrastructure

- 3.32 GOEM argues that the Plan approach set out in policies OUN1 and THR1 is overly restrictive, effectively preventing all development before infrastructure is fully secured. Amendments are proposed, to enable development to proceed in a planned and co-ordinated manner, supported by the necessary infrastructure.
- 3.33 Since the consultation process for the RNOTP Preferred Options document (January – March 2006), the Council has worked to prepare a Plan which addresses the important concerns of communities. A consensus was achieved between the Council and residents’ groups, particularly “Oundle Under Threat”, in that the Plan explicitly links the rate of development to improvements to local infrastructure.

- 3.34 The Plan approach to the development of infrastructure reflects wider issues identified in the CSS, whose vision states that the: “Growth in homes and jobs will have been matched by investment in infrastructure, services and facilities”. One area of particular concern which policies OUN1 and THR1 aim to address is the distribution of residential development within North Northamptonshire over recent years, with the highest levels delivered in the relative rural district of East Northamptonshire where dependency on car use is highest. There has been a lack of adequate infrastructure to support new housing and to integrate it with existing communities (CSS paragraph 2.18).
- 3.35 The Council maintains its determination to ensure that the RNOTP is able to deliver these improvements and move away from the previous problems with unsustainable, unbalanced levels of housing growth in the Plan area. As a key participant in joint strategic planning and infrastructure delivery, the Council is committed through Policy 7 of the CSS to ensure that infrastructure is properly planned and is delivered at the right time.

Policy BC1 – Brigstock Camp

- 3.36 GOEM has argued that Policy BC1 is unnecessary, given that planning permission has already been granted for a medium secure hospital facility. Care Principles Ltd, promoting this development, also argued that the policy in its current form is overly restrictive, given the Council’s preferred usage for a quality office development on the site.
- 3.37 The decision to include a policy for Brigstock Camp reflects the Council’s position with regard to the current consent for a medium secure hospital. Appropriate rural and countryside uses, as set out in national policy (PPS7) would be acceptable, as is acknowledged by GOEM. However, the Council has concerns that if no policy for the redevelopment of the Brigstock Camp site is set out in the Plan, then implicitly it accepts and supports the development of a secure hospital facility on the site, which is not the case.
- 3.38 The Council’s preference for an office development on the site reflects the need for additional high quality offices to the north of the District. This is identified, both in the CSS and East Northamptonshire Employment Land Review (December 2006).

Proposals Map

- 3.39 GOEM has identified four editorial corrections to the Proposals Map, mainly in terms of clarifying individual symbols on the Proposals Map itself and the legend.
- 3.40 **The Council notes and accepts these editorial changes to the Proposals Map. The final version will incorporate any editorial changes or updates wherever necessary.**

4. Conclusions

- 4.1 Sections 2 and 3 (above) sets out Council officers' responses to the various issues that GOEM has raised about the RNOTP submission document, together with responses to representations about individual Plan policies.

Changes to the Rural North, Oundle and Thrapston Plan accepted by officers

- 4.2 Certain possible changes have been put forward by GOEM in the interests of clarity. Such changes are accepted by officers. These changes are:
- Merging of Policy 3 with OUN1;
 - Merging of Policy 4 with THR5;
 - Additional text in Policy 10, to link this more closely to RNOTP Policy 2 and CSS Policy 14;
 - Additional text related to Policy 11, to clarify definition of dwelling sizes;
 - Editing changes to Proposals Map.

Other issues

- 4.3 This report sets out Council officers' response to GOEM's representations. GOEM has raised concerns about the scope of the Plan, particularly the inclusion of certain strategic policies and the lack of a specific housing implementation strategy. In other cases, GOEM argues that certain policies are unnecessary or not do not have sufficient supporting evidence.
- 4.4 The background and justification for particular policies is set out above. Additionally, officers are currently preparing a schedule of evidence documents for each policy, to enable these to be systematically referenced.