

East Northamptonshire Local Plan Part 2
(2011-2031) Examination

Matter 2 – Spatial Strategy

Matter Statement by North Northamptonshire
Council

March 2022



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1. Introduction

1.1. This statement sets out the Council's response to Matter 2: Spatial Strategy, questions 1 - 18, in respect of the following issue(s):

- Is the Plan positively prepared and justified, effective and consistent with national policy and the JCS in relation to the scale and distribution of development, the site selection process, settlement categories and boundaries and its approach to rural exceptions and replacement dwellings?

1.2. The statement also addresses any representations which the Council considers are of particular significance or concern, where this is the case the relevant respondent number and comment id are provided.

1.3. All documents referred to in this statement are either hyperlinked, or refer to specific references contained in the Index of Submission Documents which can be accessed as follows:

1.4. https://www.east-northamptonshire.gov.uk/downloads/file/12227/index_of_evidence_base_and_supporting_documents

2. Matter 2 – Question 1: Is the reference to the presumption in favour of sustainable development at paragraph 3.8 of the Plan consistent with the Framework? Is repetition of the Framework justified?

2.1. Para 3.8 is consistent with the National Planning Policy Framework in respect the approach of planning policy to the presumption in favour of sustainable development. Para 3.8 is intended to provide a succinct, "strategic" approach which sets out a broad context to the Part 2 Local Plan and its policies. The concept of sustainable development is the heart of the NPPF, and it is felt that explicit recognition of this "golden thread" which runs through all of the policies is appropriate in the statement set out in the Part 2 Plan.

2.2. Whilst it is recognised that the Local Plan sits alongside the Framework, which sets out the presumption in favour of sustainable development, it is also acknowledged that achieving sustainable development was a key priority of East Northants Corporate Plan 2014-19, which provided the framework for preparing the Part 2 Plan (as set out in para 3.2) and that the Plan itself does not repeat sections of the Framework, but rather makes reference to the overriding principle. The text is a statement of strategy, intended to be read in the context of the wider plan objectives.

3. Matter 2 – Question 2: Is the duplication of JCS Policy 1 in the Plan necessary or justified? Additionally, is the text in paragraph 3.10 of the Plan policy rather than explanatory text?

3.1. The Council notes that no statutory bodies have objected to this section of text within the Plan. However, if the Inspector considers it appropriate the Council could support a Proposed Modification to the text, which continues (through para 3.9), to make reference to Policy 1 of the Strategic Plan rather than to repeat the detailed wording of the strategic policy.

3.2. Para 3.10 is intended to provide direction and interpretation for the Part 2 Plan in the context of Policy 1 of the Strategic Plan, rather than provide policy guidance in its own right. Para 3.10 is therefore not viewed as a policy, but as explanation to the interpretation of the strategic approach set out in the Part 1 Plan. In short, this helps to reiterate the broader strategic context for the Part 2 Plan.

4. Matter 2 – Question 3: What context does the JCS provide in terms of the scale of development required in East Northamptonshire? What are the specific requirements for housing, employment and town centres? Is the scale of development in the Plan consistent with this?

4.1. The JCS is the Strategic Part 1 Plan for the East Northants administrative area. It outlines the “big picture” to be developed in more detail through the Part 2 Local Plans prepared by District and Borough Councils, and by neighbourhood plans that comprise the North Northants area.

4.2. The JCS sets out a vision and desired outcomes for North Northants, this includes a spatial strategy for growth and an identified scale of development for the East Northants area, based on a substantial evidence base, which informs the Strategic Plan and its policy requirements.

4.3. The JCS seeks to address place shaping across a range of spatial scales, providing the strategic context for delivering sustainable growth in North Northants, which is expected to be further developed through the Part 2 Local Plans and neighbourhood plans.

4.4. The JCS provides specific development requirements for the East Northants area, for example, identifying housing requirements (Policy 28) and jobs (Policy 23), which provide for a level of development that meets future need and takes into consideration the environmental capacity of the area to accommodate new development, including the need for mitigation and supporting infrastructure provision.

4.5. A spatial strategy (simplified settlement hierarchy) is set out in Section B of the JCS, which sets context to the development requirements for *inter alia* the East Northants area (i.e., through the designation of Growth Towns, Market Towns, Villages and Open Countryside). The actual scale of development, is then set out through policy, as indicated in para 4.4 above.

4.6. More specifically the Strategic Plan housing requirements are set out in Table 5 for the Growth Town of Rushden, together with the Market Towns of Higham Ferrers, Irthlingborough, Raunds, Thrapston and Oundle and the remaining rural area.

- 4.7. For employment, Policy 23, as indicated above, provides an employment target creation of 7,200 jobs. Again, delivery is expected to be closely aligned with the hierarchy of settlements set out in the spatial strategy and evidence indicates that the number of jobs created across the area, taking into account employment allocations set out in the Strategic Plan, will exceed the target set out in that Plan. Details regarding jobs targets are set out in Background Paper 5 (Ref F-07).
- 4.8. Specific strategic development sites are also set out as allocations in Section C of the JCS, for East Northants these list Rushden East, Nene Valley Farm, Rushden (also known as Rushden Gateway), as key allocations, together with Irthlingborough West, which is indicated in the Key Diagram (page 34) as a commitment. Finally, Policy 14 considers the opportunity to create a new Garden Village at the former Deenefield airfield site, though it should be recognised that this area of opportunity would be over and above the growth requirements set out in the otherwise urban-focused spatial strategy of the Plan.
- 4.9. The Part 2 Local Plan provides allocations for the Plan area to meet the requirements set out in the JCS. It is consistent with the Strategic Plan in recognising the scale of allocations and recognises the need to make good any shortfall in achieving future growth within the area. The requirements are recognised as minima and therefore a robust approach to delivery has been provided in the Part 2 Plan to ensure that development provided during the plan period up to 2031, exceeds those minimum requirements, particularly in the case of future housing.

5. Matter 2 – Question 4: What context does the JCS provide in terms of the distribution of development in East Northamptonshire? Is the proposed distribution of development in Policy EN1 in accordance with the JCS and sustainable development principles?

- 5.1. The JCS sets out a spatial strategy for the network of urban and rural areas. Table 1 defines the context for the spatial role of settlements and the open countryside as indicated in para 4.5 above.
- 5.2. Policy EN1 makes clear reference to these spatial roles, which will be recognised in accommodating future development proposals, building upon the spatial strategy defined by JCS Policy 11. Consequently, Rushden, which has been designated as a Growth Town in the JCS, has been recognised as a key location for delivering future growth, concentrated through the SUE at Rushden East and on land to the east of the A6/Bedford Road).
- 5.3. Elsewhere growth is proposed in the Market towns of Irthlingborough, Raunds and Thrapston. Importantly, the Part 2 Plan policies also reflect the need for development to ensure a focus upon urban re-imagination to support job creation, regeneration and to serve/enhance the local service base. This along with other supporting policies, for example, relating to green

infrastructure, will help to ensure that the future growth proposed is delivered sustainably.

- 5.4. In respect of Oundle, there is an identified shortfall in meeting the housing requirements set out in the JCS. Again, future growth has been proposed through the Part 2 Plan to help enhance the town's role as a main service area for the rural north.
- 5.5. Policy EN1 continues to provide further policy guidance for supporting and strengthening local services within the larger settlements of the District. This approach also provides direction for neighbourhood plan activity as well as other wide-ranging future development proposals which may be anticipated during the timescale of the Plan.
- 5.6. The ability of East Northants' settlements to support new development proposals and the impact of this is recognised in Policy EN1, which sets out a range of settlements categories below the "higher tier" settlements at a local level. This is linked closely to their ability to provide sustainable development opportunities to meet a more localised need. Table 4 of the Plan provides further guidance in respect of the functional roles of the rural settlements.
- 5.7. The application of Policy EN1 to meet more localised need is further explained through Background Paper 1 Settlement Hierarchy (Ref C-08) and Technical Paper (Ref C-09). The Part 2 Plan - through early engagement with the various Town and Parish Councils of the area - recognised both opportunities and constraints for accommodating future development away from the more urban areas, so for example, it has identified 4 restraint villages in Policy EN1, where most new-build development would not be viewed as sustainable in principle.
- 5.8. In conclusion it is considered that Policy EN1 provides clear guidance to allow the delivery of sustainable growth across East Northants in line with the strategic expectations set out in the JCS. It enhances the spatial direction already set by the JCS (Policy 11).

6. Matter 2 – Question 5: Does the Plan include sufficient flexibility and contingencies to take account of any changes in circumstances, including any review of the JCS?

- 6.1. As indicated in para 4.1 of the Part 2 Plan it sets out a bespoke local spatial strategy for the plan area that complements the approach set out in the JCS.
- 6.2. The focus of Policy EN1 is considered to be hierarchy based rather than wedded to specific development requirement targets (which are recognised as minimum requirements) for the delivery of future growth. In that respect flexibility can be applied to future delivery requirements providing that growth is evidenced to constitute sustainable development.
- 6.3. An example of the proactive nature of the Part 2 Plan to take account of changing circumstances is set out in paras 8.15 – 8.19 and Table 18. This

provides an indicative guide for additional growth that can be provided through neighbourhood plans (where any new allocations would be in addition to the JCS rural housing requirement, which has already been met).

The review of the Strategic Plan has recently commenced, the implications of the review will need to be reflected by any future review of the Part 2 Plan policies across North Northamptonshire now that the new Unitary Council has come into being. However, there is no evidence to date to indicate that current policy across North Northamptonshire is fundamentally failing to deliver the vision and policy requirements of the Strategic Plan. It is emphasised that the approach provides sufficient flexibility to allow for policy to accommodate any potential implications arising from this review, if required.

7. Matter 2 – Question 6: Was the methodology used to assess and select the proposed site allocations appropriate? Were reasonable alternatives considered and tested? Are the reasons for selecting the preferred sites and rejecting others clear and where is this set out?

7.1. The detail informing the Council's approach to meeting the strategic housing requirements for the District is set out in Background Paper 9 (Ref G-03), which was further updated in July 2021. Given the position in Background Paper 9 and its update, the Council proposed site allocations in the Part 2 Local Plan to ensure minimum housing requirements were met up to the end of the plan period 2031.

7.2. The Part 2 Plan policies and site allocations were assessed through the Sustainability Appraisal report (Ref A-02). The proposed site allocations were accompanied by an extensive evidence base in addition to the Sustainability Appraisal. In respect of the proposed allocation at Rushden (Policy EN28) the context set out in the original Background Paper 9 refers to a report to the Council's Planning Policy Committee (PPC) on 17 December 2019, which included an appendix setting out a paper on the additional housing site assessments. This paper (Ref G-09) set out the Council's detailed methodology for site appraisal and selection.

7.3. The site selection process is considered to be both transparent (being considered by a public committee and subjected to public consultation) and appropriate in that building on the approach for setting out housing provision in the JCS the Plan assessed all reasonable site alternatives in seeking to meet the District's strategic housing requirements.

7.4. The methodology is set out in section 2 of the Paper *Additional Housing Site Assessments* which accompanied the Committee report and initiated a long and short list of potential locations with an initial screening assessment together with a second stage assessment providing a more detailed site assessment matrix using a "traffic light" system to indicate how well locations/sites performed against a series of criteria.

- 7.5. The assessment is deemed to be appropriate given the level of information considered in identifying proposed and favoured locations. Further, given the extent of the locations considered it is evidenced that reasonable alternatives were fully taken into consideration and appropriately assessed.
- 7.6. Section 2 of the Committee report summarises the findings of the assessment and the reasoning behind the selection of the preferred allocation.
- 7.7. It is further documented that the public consultation ultimately raised previously unknown difficulties in the deliverability of the preferred location and further work was undertaken in respect of reporting an alternative location on land to the east of the A6/Bedford Road, Rushden (Policy EN 28) A report considered by the Planning Policy Committee on 21 September 2020 provides further detail (Ref B-22).
- 7.8. Again, a detailed assessment was undertaken to evidence the potential for an alternative site allocation, details of which are set out in a PPC report on 21 September 2020 (Ref G-10) which is accompanied by an appendix (*An Assessment of alternative site options – Rushden Growth Town*) and builds on the earlier work referred to above providing by providing a further detailed methodology for site assessment. As before, this proposal was subjected to public consultation.
- 7.9. In respect of site allocations proposed at Oundle a paper setting out the methodology for site assessment, addressing similar issues to those outlined above in respect of Rushden, was undertaken in November 2018 to inform the Part 2 Plan (Ref G-05). This work was further informed by an interim sustainability appraisal to address strategic options for Oundle (undertaken by consultants AECOM (RefG-06)) which assessed the impact of development in the town.
- 7.10. An independent review of the Council's site assessment methodology for Oundle was undertaken by consultants DLP to support the evidence base (Ref G-07). This work reviewed the methodology undertaken by the Council in its site selection. Whilst the report's recommendations were largely in line with the Council's findings in relation to the merits of individual site deliveries in Oundle, the assessments were primarily based on the *physical impacts and potential constraints* of development. The Council also took into consideration in its additional reporting an assessment of the weight to be given to extant policy in reaching a conclusion. This was set out in the Council report to PPC on 29 July 2019 (Ref EXAM -23)) in responding to representation to the proposed Oundle housing allocations.
- 7.11. In conclusion it is considered that the Council undertook an appropriate level of assessment to inform its proposed allocations, , testing a wide range of site options through a robust methodology. The proposed allocations were taking forward to reflect their overall potential in respect of deliverability, the impact of extant policy guidance and site assessment.

8. Matter 2 – Question 7: In terms of the rural areas, is the categorisation of the villages into large free-standing villages, small freestanding villages, urban outliers and rural outliers/restraint villages justified and consistent with the JCS? Is the methodology used to determine the categories robust?

8.1. The rural areas contain a range of settlements that vary greatly in character, and the JCS recognises the need to be responsive to the local circumstances in para 5.12. This para further explains that Part 2 Local Plans may identify a more detailed rural settlement hierarchy, based on local evidence.

8.2. Background Paper 1 (Rural Settlement Hierarchy Ref C-08) provides a summary of the purpose behind proposing a more localised settlement hierarchy due to the differing form and character of the many villages that comprise the East Northants area, which it is maintained requires a more flexible approach, than a “*one size fits all*”. This is also designed to provide an additional strategic framework for the development of neighbourhood plans.

8.3. The detail of the work undertaken to evidence the Council’s approach for setting out a local rural settlement hierarchy is provided in a Technical Paper (Ref C-09). The assessment work is considered to be comprehensive and robust, covering a range of activity including qualitative and quantitative assessments of services and constraints as well as considering alternative approaches.

8.4. Based on the work undertaken it is considered that the conclusions indicate that the local hierarchy is sound in that it has been positively prepared, is justified and is effective. It is also consistent with the direction of higher-level policy. In particular, it is in accordance with JCS Policy 11 (The network of urban and rural areas).

9. Matter 2 – Question 8: Is the principle of using settlement boundaries to direct and control the location of new development sound? How does it work in relation to rural exception sites?

9.1. The purpose of defining settlement boundaries is to enable new development to be provided in a sustainable manner. In this respect it is consistent with the NPPF (para 16) which states that: “*Plans should - be prepared with the objective of contributing to the achievement of sustainable development...*”. Settlement (development) boundaries may be either linear or written and the Council’s preference is for the latter approach. .

9.2. Defining settlement boundaries to promote a sustainable approach to development is further endorsed through para 11 of the NPPF, which requires plan-making to promote a sustainable pattern of development which seeks to meet the development needs of an area by aligning growth and infrastructure, improving the environment and mitigating climate change. The principle of Policies EN2,3 and 4 have been drafted with this guidance in mind.

9.3. Further, the approach taken in respect of defining settlement boundaries allows flexibility. The Council considers that whilst the opportunity to define more detailed settlement boundary lines can be provided through neighbourhood plans, the Part 2 Plan policies provide a logical opportunity to assess new development against a series of criteria, which attempt to set out how they should relate to a settlement, rather than applying a strict definition of a boundary line. This allows for changes in local circumstances over the plan period to be considered in assessing future planning applications.

9.4. Options for considering how the Council should prepare the defining of settlement boundaries and the advantages/disadvantages of each approach is set out in Background Paper 2 (Ref C-11). It is maintained that the analysis provided in this Background Paper provides a proportionate level of evidence base, as required by the NPPF in preparing plan policy, and that the principle of using settlement boundaries to direct rather than control new development is therefore sound.

9.5. The Part 2 Plan policies in respect of settlement boundaries provide a clear policy approach for assessing future planning applications. However, rural exception sites are also supported through Policy 13 of the JCS, as an exception to the spatial strategy, designed to meet local needs. In terms of development management, it will be a matter of judgement based on the criteria set out in Policies EN2-4 as to whether individual proposals fall within the current built up area. Where that assessment indicates the site is not within the current built up area, new build development would not normally be supported, unless the proposals can be shown to comply with the Rural Exceptions Policy EN5.

9.6. Policy EN5 of the Part 2 Plan provides further guidance to explain how JCS Policy 13 applies at the local level. In effect the policies promoting rural exception housing provide additional opportunity and guidance for communities who wish to meet locally evidenced need in the form of a rural exception site. Rural communities should therefore prepare appropriate evidence for bringing forward such proposals in line with the policy guidance referred to above.

10. Matter 2 – Question 9: What is the justification for the criteria for settlement boundaries referred to in Policy EN2 for the urban areas? In practical terms, do the criteria relate to how settlement boundaries will be defined, or are they criteria relating to when infill development will be permitted? Should the policy be clear that it applies only where settlement boundaries are not established in a NP? Is the intention that all the criteria apply?

10.1. The criteria provide an approach for assessing development proposals as no specific “physically demarked” boundary is to be applied in respect of Policy EN2. The intention is that the policy provides guidance beyond that of just infilling and is informed by Background Paper 2 (Ref C-11). It is maintained that the policy seeks to provide clear guidance, through the listed criteria, as

to how the scale and principle of new development proposals will be assessed. The justification is to ensure a sustainable approach to development in the urban areas that takes into account the strategic guidance in JCS Policy 11/ para 5.17.

- 10.2. The policy recognises that whilst some neighbourhood plans contain settlement boundaries its intention is to provide guidance where there are no established settlement boundaries. This is further explained in para 4.35.
- 10.3. It is the intention that all relevant criteria will apply, therefore a proposal would be considered to be in conflict with the policy direction if it was not able to meet a particular criterion.
- 10.4. However, it is accepted that Policy EN2 could provide greater clarity in respect of its application. Therefore, a proposed modification to the policy wording to add clarity to where development should be permitted and how it would be assessed as to whether land was determined as within the settlement boundary could be advocated.

The proposed modification could be made to clarify through the criterion firstly whether a development proposal is seen as forming part of a settlement (and is therefore a boundary issue) . and secondly whether development should be permitted through “acceptability. criteria.

- 10.5. A further proposed modification to the opening sentence of Policy EN2 could also be considered to make clear the Council’s intent that infill development will generally be supported within the urban areas, as set out in Policy EN1(1). So unless a made neighbourhood plan defines the settlement boundary the intention would be that the extent of the built up area would be defined by the criteria set out in Policy EN2. It is further recognised that such development should be “of an appropriate scale” rather than just small scale.

11. Matter 2 – Question 10: What is the justification for the criteria for settlement boundaries referred to in Policy EN3 for freestanding villages? Does the first sentence relating to infill development repeat Policy EN1 and is it necessary in a policy relating to defining settlement boundaries? Is it the intention of the Policy to set out criteria relating to when infill development will be permitted?

- 11.1. Similar to the response in respect of Question 9 above, the criteria provide an approach for assessing development proposals as no specific “physically demarked” boundary is to be applied in respect of Policy EN3. The criteria of Policy EN3 provide guidance as to how the extent of a settlement is defined by making reference to what constitutes the principle of *built development* (that is, the extent of the built-up area) in respect of free-standing villages.
- 11.2. Policy EN1 (2) sets out the criteria for whether development proposals are acceptable, Policy EN3 (and EN4) then provide further detail as to whether a proposal is considered as within or outside the built-up area. Again, a proposed modification could be provided to clarify that the policy would only

apply where there is no made neighbourhood plan that delineates a settlement boundary.

11.3. The scale of development directed to Policy EN3 is relevant in that it sets out the context for growth to be applied in relation to the criteria contained in the policy. It is accepted that this engages some repetition with Policy EN1, although this is deemed necessary in the interests of context setting. However, it is acknowledged that a modification could be proposed to the policy to ensure that the policy remains effective, without repeating guidance set out elsewhere in the plan.

11.4. The intention is to provide guidance as to where small-scale infill development is acceptable. The application of how infill development is applied will need to consider the list of criteria set out in the policy, which indicate whether a piece of land will be considered as within the settlement.

12. Matter 2 – Question 11: Are there any instances where the boundaries of freestanding villages may already be established in a NP and should this be recognised?

12.1. There are examples of made neighbourhood plans where settlement boundaries are identified for free standing villages, for example, Brigstock. However, as the statutory development plan includes all extant policies, including made neighbourhood plans, what is set out in specific plans does not require repeating in the Part 2 Local Plan, and indeed specifically identified settlement boundaries will take precedence over the more general approach set out in the Part 2 Plan. Further, Policy EN1(2) contains a footnote 50 which provides reference to freestanding villages. However, the Council's response to Matter 2 Q10 above recognises a proposed modification to the policy wording to assist clarity.

12.2. The Part 2 Plan sets out an approach for assessing future development proposal in relation to settlement boundaries, and it may be that future reviews of neighbourhood plans choose to adopt this approach. Therefore, it would be more appropriate/ flexible not to identify, in the Part 2 Plan, any defined settlement boundary appearing in a made neighbourhood Plan, which may well change significantly over the plan period.

13. Matter 2 – Question 12: What is the justification for the criteria for settlement boundaries referred to in Policy EN4 for ribbon developments? In practical terms, do the criteria relate to how settlement boundaries will be defined, or are they criteria relating to when development will be permitted? Does criterion d duplicate JCS Policy 8 regarding place shaping principles?

13.1. The criteria for Policy EN4 again provide an approach for assessing development proposals in the absence of a defined settlement boundary line. Ribbon developments are particular areas of built development near to the periphery of market towns, but which are clearly physically separate from

the main built up area, and where a bespoke approach was considered necessary. This recognises that such built up areas differ from established freestanding villages.

13.2. The opening para of Policy EN4 along with para 4.43 of the explanatory text explain how ribbon development settlements are defined (i.e. the extent of the 'ribbon development' is delineated on a plan). The criteria in this policy then provide how new development proposals will be assessed.

13.3. Policy EN4 is directed to development within the ribbon development areas only. The extent of these areas is determined by their linear designation on the policies map. As such this policy is directed towards whether development within those areas will be permitted.

13.4. A key assessment in respect of development proposals will be the need to have regard to the local character and distinctiveness of a particular settlement. It is accepted that JCS Policy 8 provides strategic guidance on this matter, and that some degree of overlap occurs, although no more than is necessary for context setting. It is therefore considered that the Council could propose a modification to the wording of Policy EN4 to reflect how this guidance might be taken forward at the local level. This could be either through an alteration to the policy wording, or through the introduction of additional explanatory text.

14. Matter 2 – Question 13: How is infill development defined in the Plan? Does this align with the JCS definition? What is 'small scale infill' referred to in Policy EN3 and how is this defined? Is infill restricted to residential development as set out in Policy EN3 or does it concern all development?

14.1. The JCS sets out a broad definition for small-scale infill development through para 5.17 and Policy 11 criterion 2b, whereby, inter alia, development proposals would not materially harm the character of a specific settlement or exceed the capacity of local infrastructure and services. The Part 2 Plan does not seek to depart from this guidance and Policy EN3 would need to be read in conjunction with the requirements of Policy 11 in assessing whether a development proposal could be considered as an acceptable small-scale infill. Infill development is also defined in the Part 2 Plan glossary as smaller scale, minor development, typically of up to 5 dwellings for rural areas, or 10 dwellings for urban areas, which takes place within the existing built up area, or within a defined settlement boundary delineated in a neighbourhood plan.

14.2. Whilst the majority of development proposals submitted for infill relate to residential proposals it is recognised that infill development in respect of JCS Policy 11 criterion 2b has a broader definition in respect of future development proposals. Given that the JCS provides the definition for the Part 2 Plan, as explained in para 14.1 above, it is acknowledged that Policy EN3 could be subject to a proposed modification, to more clearly reflect this definition by deleting the word *residential* in the opening para.

15. Matter 2 – Question 14: Is it clear how Policy EN5 deals with development on the periphery of settlements? Where is on the periphery of settlements defined? Is the policy intended to apply to all sites beyond the established settlement boundaries (ie those that are also in the open countryside) or just those on the periphery of settlements?

15.1. The policy is intended to apply to rural diversification proposals, the re-use or conversion of rural buildings, and rural exception housing proposals. The policy does provide further explanation in the opening para that other forms of rural development will be assessed in line with other relevant policies in the plan, for example Policy EN6, relating to replacement dwellings in the countryside.

15.2. For rural diversification proposals and the re-use or conversion of rural buildings, there is no requirement that such proposals should be near or adjacent to settlements. In respect of rural housing exception sites, it is intended to require that such proposals should be on land adjoining existing settlements. It is accepted that as presently drafted this policy is not sufficiently clear on that distinction.

15.3. Settlements are generally defined by their built-up area. The JCS defines infilling and village boundaries at para 5.17. The JCS refers to development being within the main built up area and on land which is bounded by existing built curtilages on at least two sides. Policy EN5 does not seek to depart from the strategic definition. Rural exception sites should only be permitted where they are on land that sits immediately adjacent to the edge of the built settlement. The Council would propose a modification of this Policy to make that clear, removing reference to ‘the periphery’ and adding a criterion that rural exception sites would have to be on land adjoining the built up area of a settlement (whether delineated on a plan or by reference to the criteria in Policy EN2-4) .

16. Matter 2 – Question 15: Is the approach to rural exceptions in Policy EN5 in line with the Framework and the JCS? Does it add anything to Policy 13 of the JCS which deals with rural exceptions more generally?

16.1. The NPPF sets out its support for housing proposals that reflect local needs, including supporting opportunities to bring forward rural exception sites (para 78).

16.2. The JCS provides further guidance through an overarching Policy 13 Rural Exceptions, which attempts to provide a policy to address all settlements across North Northants. The intention of the policy is to meet local need. ; In respect of the criteria, a strict reading of criterion b suggests a requirement that any settlement to which a rural exception site proposal is adjacent must *itself* be well located and offer day-day services and employment for the local community. However, much of East Northants is rural in nature and the scale of many of its settlements means that a number of its settlements may

not meet that criterion, despite the potential for such settlements to accommodate additional housing to meet a local need. Therefore, Policy EN5 outlines a broader approach to qualifying settlements which adds local value to the strategic policy in accordance with the requirements of the NPPF. In short, criterion b of the JCS Policy 13 is relaxed: the settlement to which such a site is adjacent does not need to offer services (etc) so long as such services are available nearby.

16.3. As policy guidance supports the delivery of rural exception sites where need has been evidenced it is considered that further recognition of the rural nature of the District is to be supported through policy. Therefore, clarity is required to explain that rural exception sites would be supported where such development would either encourage the promotion of services or assist in supporting services, for example in nearby settlements that often serve a role as local service hubs to surrounding villages.

17. Matter 2 – Question 16: Is the wording of Policy EN5 sufficiently clear for the purposes of decision making? Does it repeat the requirements of other policies in the JCS and the Plan?

17.1. The purpose of Policy EN5 is to set out the Council's approach to rural development, which it sets out in the opening para and makes reference to the relevant development plan policies. The Council's response to Matter 2 Q14 provides further explanation as set out above.

17.2. To provide further clarity to Policy EN5 a proposed modification could be set out to explain, for rural exception housing proposals, that the criteria set out in the current policy would apply, with a further criterion added as follows: *that the proposals are on land adjacent to the established settlement boundary*. This would replace any reference to 'periphery'.

17.3. Nonetheless, this policy is required to provide additional guidance in respect of how proposals for rural exception sites will be considered across the rural settlements of the East Northants area. It therefore is viewed as adding detail to other policies rather than just repeating.

18. Matter 2 – Question 17: Is Policy EN6 justified in its approach to replacement dwellings in the countryside and does it accord with the JCS and the Framework?

18.1. Whilst it is acknowledged that the NPPF provides (in para 80) guidance in respect of new development in the countryside, Policy EN6 relates more specifically to replacement dwellings. Policy EN6 provides more detailed local guidance as how applications will be assessed where they seek to promote replacement dwellings in the open countryside.

18.2. It is considered that this Policy does accord with the JCS. Further, the Plan policy does not depart from the spatial strategy set out under bullet point 4 of para 5.5. nor is it in conflict with the spatial role of the open countryside as set out in Table 1 *Spatial Roles* of that plan. The issue of replacement

dwelling in open countryside locations is not explicitly dealt with anywhere else other than the Part 2 Plan.

19. Matter 2 – Question 18: How would an applicant demonstrate that an existing dwelling is too small for modern living standards? What evidence would be required and what standards would be applied? Does criterion f repeat the provisions of JCS Policy 8 place shaping principles?

- 19.1. It is maintained that whilst standards in new build housing are governed by building regulations, there would be some merit in referencing such standards as a starting point in evidencing whether an existing dwelling is “too small for modern standards”. In addition, statutory guidance published on 27 March 2015 by Central Government (Technical Housing Standards – nationally described space standard) sets out internal space guidance within new dwellings and is stated as being suitable for application across all tenures.
- 19.2. The Council considers a footnote could be added to criterion e) to explain that the size of the living standards could be assessed having regard to the latest applicable national space standards.
- 19.3. Criterion f) of Policy EN6 is designed to apply specifically to the policy of replacement dwellings in the open countryside, rather than the more generic approach to development set out in JCS Policy 8. However, the two policies do differ in that Policy 8 does not make reference to the design of materials and the impact that may have on the local character of the environment. Therefore, Policy EN6 is considered to complement JCS Policy 8, by providing additional detail in the case of replacement dwellings.