



Planning Policy Committee – 21 January 2019

“Making” (adoption) of the Brigstock Neighbourhood Development Plan 2011-2031

Purpose of report

Approval is sought for the Committee to “make” (adopt) the Brigstock Neighbourhood Development Plan 2011-2031, which was passed at referendum on 6 December 2018.

Attachment(s)

Appendix 1: Adopted policies from 2011 Rural North, Oundle and Thrapston Plan which are to be replaced by policies in the Brigstock Neighbourhood Development Plan 2011-2031

1.0 Background

- 1.1 On 24 February 2015, Brigstock Parish Council applied for the Parish area of Brigstock to be designated a Neighbourhood Area. This application, approved under Regulation 7 of the Neighbourhood Planning (General) Regulation 2012 (as amended) enabled the Parish Council to lead preparation of a Neighbourhood Development Plan (or “Neighbourhood Plan”) for the Parish of Brigstock.
- 1.2 Over the past three years the Parish Council has worked with the community to prepare a Neighbourhood Plan. Key milestones and further details regarding the Plan are set out in the Council’s Neighbourhood Planning web page:
 - <http://www.east-northamptonshire.gov.uk/neighbourhoodplanning>)
- 1.3 The plan making process for the Brigstock Neighbourhood Development Plan culminated in the passage of this Plan at referendum. The referendum was held on Thursday, 6 December 2018.
- 1.4 This report considers:
 - Main features of the Brigstock Neighbourhood Development Plan;
 - Current adopted Local Plan policies that will be superseded by the Brigstock Neighbourhood Development Plan within the Plan area.

2.0 Main features of the Brigstock Neighbourhood Development Plan

- 2.1 The Brigstock Neighbourhood Development Plan contains a variety of spatial planning and development management policies relating to the Parish, for the period 2011-2031, corresponding with the current Local Plan period. These apply strategic policies from the North Northamptonshire Joint Core Strategy (JCS) 2011-2031 (the Local Plan Part 1), in the local context.
- 2.2 The Neighbourhood Plan (paragraph 1.24) sets out a distinctive local vision for Brigstock in 2031:
 - Stronger relationship with Rockingham Forest;
 - Local jobs safeguarded;
 - Brigstock’s unique character and heritage is conserved;
 - Important views, valued landscapes and green spaces are protected;
 - The character and beauty of Brigstock’s countryside and its natural environment are safeguarded;
 - Local housing needs are met; and
 - Local services, facilities and infrastructure meet local needs.

- 2.3 The Neighbourhood Plan sets 19 separate policies; a combination of site specific and development management policies. It is supported by a Village Design Statement, which updated a previous (2002) version.
- 2.4 The Plan makes provision for the development of 60 dwellings at Brigstock to 2031 through a combination of an allocated site, infill development within the defined settlement boundary and a rural exception housing site. It also makes employment land allocations, for the Sudborough Road employment area and Brigstock Camp. Other site specific policies include landscape buffers, green infrastructure (e.g. Rockingham Forest and Harper's Brook), Local Green Spaces and the protection of community services and facilities.
- 2.5 The Plan also sets out a number of development management policies regarding housing mix and tenure, managing development in the open countryside, local infrastructure, heritage assets and supporting the rural economy. Overall, the Brigstock Neighbourhood Development Plan sets out locally distinctive policies for the Parish that complement and enhance existing Local Plan policies.

3.0 Results from the Neighbourhood Plan referendum

- 3.1 Brigstock Neighbourhood Development Plan referendum, 6 December 2018:
- 378 "Yes" votes, to "make" (adopt) the Brigstock Neighbourhood Development Plan, out of 425 issued – 88.9% in favour;
 - Turnout 38.8%.

4.0 Current adopted Local Plan policies that will be superseded by the Brigstock Neighbourhood Development Plan within the Plan area (the Parish of Brigstock)

- 4.1 The JCS sets out the strategic Local Plan policies that the Brigstock Neighbourhood Development Plan must be in general conformity with. A number of non-strategic policies from the 2011 Rural North, Oundle and Thrapston Plan (RNOTP), the current Local Plan Part 2, also remain in force. The Council must consider which (if any) of these non-strategic Local Plan policies will be replaced by equivalent policies from the Brigstock Neighbourhood Development Plan for the Parish area.

- 4.2 All policies from the JCS must be regarded as "strategic". In addition, 11 policies from the 2011 RNOTP currently remain in force for the Parish of Brigstock:

- Policy 2 – Windfall Development in Settlements;
- Policy 4 – Green Infrastructure;
- Policy 5 – Transport Network;
- Policy 6 – Residential Parking Standards;
- Policy 9 – Buildings of Local Architectural or Historic Interest;
- Policy 10 – Protection of Local Sites of Conservation Interest and Designation of Local Nature Reserves;
- Policy 12 – Considerate Construction;
- Policy 15 – Open Space, Sport and Recreational Facilities;
- Policy 23 – Rural Buildings – General Approach;
- Policy 24 – Replacement Dwellings in the Open Countryside; and
- Policy BC1 – Brigstock Camp.

- 4.3 A differentiation between "strategic" and "non-strategic" Local Plan policies was agreed by the Planning Policy Committee on 16 November 2015 (Minute 234), in advance of the adoption of the JCS. At the time this concluded that RNOTP policies 15, 23 and 24 should be regarded as "strategic"; while the other remaining RNOTP policies, 2, 4, 5, 6, 9, 10, 12 and BC1 are non-strategic.

- 4.4 Nevertheless it is considered appropriate to reconsider the status of all 11 remaining policies from the 2011 RNOTP, in view of the subsequent adoption of the JCS (Local Plan Part 1), launch of a new District-wide Local Plan Part 2 and the passage of the Neighbourhood Plan at referendum. Given that the RNOTP pre-dates the National Planning Policy Framework (2012; updated July 2018), it is necessary to establish which (if any) Neighbourhood Plan policy provides an equivalent replacement.
- 4.5 Officers assessed which (if any) of the remaining policies from the RNOTP has an equivalent Neighbourhood Plan policy (**Appendix 1**); such that the latter could represent a Parish-wide update. Of the 10 RNOTP that remain in force, the assessment has found that:
- Neighbourhood Plan policies B1(B) and B2, which include criteria relating to development within the defined settlement boundary, provide an NPPF-compliant replacement for RNOTP Policy 2 regarding windfall development within settlement boundaries;
 - Neighbourhood Plan policies B6(C) and B18, setting criteria for the re-use of rural buildings, represent an appropriate “like for like” replacement for RNOTP Policy 23 (Rural Buildings – General Approach);
 - Neighbourhood Plan policies B9 and B10, which relate to green infrastructure delivery, provide appropriate “like for like” replacements for RNOTP Policy 4 (Green Infrastructure);
 - Neighbourhood Plan Policy B10, which defines local ecological and biodiversity sites, represents an appropriate “like for like” replacement for RNOTP Policy 10 (Protection of Local Sites of Conservation Interest and Designation of Local Nature Reserves);
 - Neighbourhood Plan policies B11 and B13(C), regarding Local Green Spaces, and sports and recreation infrastructure respectively, represent an appropriate “like for like” replacement for RNOTP Policy 15 (Open Space, Sport and Recreational Facilities);
 - Neighbourhood Plan Policy B13 identifies local infrastructure priorities, including the maintenance of the local bus service (B13(D)), which represents an appropriate replacement for RNOTP Policy 5 (Transport Network);
 - Neighbourhood Plan Policy B15, which sets a local list of non-designated heritage assets, represents appropriate replacement for RNOTP Policy 9 (Buildings of Local Architectural or Historic Interest); and
 - Neighbourhood Plan Policy B19, regarding the redevelopment of Brigstock Camp, represents an appropriate “like for like” replacement for RNOTP Policy BC1.
- 4.6 Many of the policies in the Brigstock Neighbourhood Development Plan provide clear “like for like” replacements for equivalent policies in the current Local Plan Part 2 (RNOTP). However, a small number of remaining RNOTP policies, are not found to have an equivalent Neighbourhood Plan replacement.
- 4.7 The Neighbourhood Plan defines local infrastructure priorities, but does not define residential parking standards, so RNOTP Policy 6 should be retained. RNOTP Policy 12 (Considerate Construction) is a self-contained construction phase development management policy, for which there is no equivalent Neighbourhood Plan policy. Also, the Plan contains little detail regarding “1 for 1” replacement of dwellings in the open countryside although Policy B6(F) recognises that the extension and replacement of rural dwellings is an appropriate countryside use, so RNOTP Policy 24 should be retained.

5.0 Conclusions

- 5.1 This report seeks Council approval to “make” (adopt) the Brigstock Neighbourhood Development Plan, recently passed at referendum, as part of the statutory development plan. In seeking to adopt the Neighbourhood Plan, Council approval is also sought for policies from the 2011 Rural North, Oundle and Thrapston Plan

(RNOTP) to be reviewed (in respect of the Brigstock Parish) and superseded where the Neighbourhood Plan contains an appropriate replacement policy.

5.2 The assessment of RNOTP policies 2, 4, 5, 6, 9, 10, 12, 15, 23, 24 and BC1 has identified the following changes that need to be made to the adopted development plan, for the Parish of Brigstock (the defined Neighbourhood Area) that should accompany the “making” (adoption) of the Neighbourhood Plan:

- RNOTP Policy 2, be replaced by a combination of Neighbourhood Plan policies B1(B) and B2;
- RNOTP policies 4 and 10, be replaced by a combination of Neighbourhood Plan policies B9 and B10;
- RNOTP Policy 5, be replaced by Neighbourhood Plan Policy B13(D);
- RNOTP Policy 9, be replaced by Neighbourhood Plan Policy B15;
- RNOTP Policy 15, be replaced by a combination of Neighbourhood Plan policies B11 and B13(C);
- RNOTP Policy 23, be replaced by a combination of Neighbourhood Plan policies B6(C) and B18; and
- RNOTP Policy BC1, be replaced by Neighbourhood Plan Policy B19.

6.0 Equality and Diversity Implications

6.1 There are no equality and diversity implications arising from the proposals at this stage. The Brigstock Neighbourhood Development Plan was supported by an Equalities Impact Assessment, which considered potential equality or diversity implications arising from the Plan.

7.0 Legal Implications

7.1 The Neighbourhood Plan has been prepared in accordance with the relevant legislation (2012 Neighbourhood Planning Regulations; 2004 Environmental Assessment of Plans and Programmes Regulations, and 2010 Conservation of Habitats and Species Regulations 2010). Changes have been proposed which, if approved, will result in changes to the statutory development plan policies that are in force for the designated Neighbourhood Plan Area (Brigstock Parish).

8.0 Risk Management

8.1 Once “made” (adopted), the Brigstock Neighbourhood Development Plan will form part of the development planning framework that the Council is required to prepare. Now the Plan has been passed at referendum, the legislation requires the Council to adopt it as part of the statutory development plan for East Northamptonshire.

8.2 In addition to “making” the Neighbourhood Plan, the Council needs to resolve which (if any) of the Neighbourhood Plan policies should replace policies from the 2011 Rural North, Oundle and Thrapston Plan (the current Local Plan Part 2). If this is not properly considered there is a potential risk of confusion and inconsistency in decision making (determination of planning applications).

9.0 Resource and Financial Implications

9.1 There are no direct resource and financial implications arising from this report.

10.0 Constitutional Implications

10.1 There are no constitutional implications arising from this report.

11.0 Customer Service Implications

11.1 The development plan policy index for the Parish of Brigstock will need to be updated,

and communicated to key stakeholders, as soon as practicable, to ensure that the correct and most up to date policy information is available (<http://www.east-northamptonshire.gov.uk/parishpolicy>).

12.0 Privacy Implications

12.1 There are no implications arising from this report.

13.0 Corporate Outcomes

13.1 The relevant Corporate Outcomes are:

- Good Quality of Life – sustainable development, strong communities, high quality built environment, improved housing and public health;
- Effective Partnership Working – effective joint working with Town / Parish Councils and Neighbourhood Planning groups to ensure that the newly “made” (adopted) Neighbourhood Plan is used in decision making;
- Knowledge of our customers and communities – ensuring that the current development plan framework is correctly understood.

14.0 Recommendation

14.1 The Committee is recommended to:

1. Adopt (“make”) the Brigstock Neighbourhood Development Plan 2011-2031 as part of the statutory development plan for East Northamptonshire, in accordance with the relevant provisions in the 2011 Localism Act and 2012 Neighbourhood Planning Regulations

2. Agree that the making of the Brigstock Neighbourhood Development Plan will result in the deletion of the following RNOT plan policies in respect of Brigstock parish:

- Policy 2 replaced by Neighbourhood Plan policies B1(B) & B2
- Policy 4 replaced by Neighbourhood Plan policies B9 & B10
- Policy 5 replaced by Neighbourhood Plan Policy B13 (D)
- Policy 9 replaced by Neighbourhood Plan Policy B15
- Policy 10 replaced Neighbourhood Plan policies B9 & B10
- Policy 15 replaced by a combination of Neighbourhood Plan policies B11& B13(C)
- Policy 23 replaced by a combination of Neighbourhood Plan policies B6(C) & B18
- Policy BC1 replaced by Neighbourhood Plan Policy B19

(Reason – To update the adopted development plan for the Parish of Brigstock in view of the making of the Brigstock Neighbourhood Development Plan)

Legal	Power: Town and Country Planning Act 1990 Localism Act 2011 Neighbourhood Planning Act 2017 Neighbourhood Planning (General) Regulations 2012, as amended Neighbourhood Planning (Referendums) Regulations 2012, as amended Neighbourhood Planning (Prescribed Dates) Regulations 2012 Environmental Assessment of Plans and Programmes Regulations 2004 Conservation of Habitats and Species Regulations 2010, as amended				
	Other considerations: N/a				
Background Papers:	North Northamptonshire Joint Core Strategy 2011-2031, adopted July 2016 (Local Plan Part 1) Retained policies from the Rural North, Oundle and Thrapston Plan, adopted July 2011 (Local Plan Part 2) Brigstock Neighbourhood Development Plan 2011-2031 – Referendum Version: https://www.east-northamptonshire.gov.uk/downloads/file/11048/brigstock_neighbourhood_development_plan_2011-2031_referendum_version_december_2018 Planning Policy Committee, 16 November 2015 (Minute 234)				
Person Originating Report:	Michael Burton, Principal Planning Policy Officer ☎ 01832 742221 ✉ mburton@east-northamptonshire.gov.uk				
Date: 15 January 2019					
CFO		MO		CX	

Appendix 1: Adopted policies from 2011 Rural North, Oundle and Thrapston Plan which are to be replaced by policies in the Brigstock Neighbourhood Development Plan 2011-2031

2011 Rural North, Oundle and Thrapston Plan (RNOTP) Policy	Policy Name	Commentary	Replacement Neighbourhood Plan Policy
	2 Windfall Development in Settlements	RNOTP Policy 2 provides detailed development management criteria regarding development within the designated settlement boundary, as defined on the adopted Policies Map (RNOTP Inset 11). The Brigstock Neighbourhood Development Plan (BNDP) reviewed the previous settlement boundary and amended this accordingly (Map, p25). The BNDP includes two specific policies for managing development within the amended settlement boundary. Relevant criteria from BNDP policies B1 and B2 explain the overall role of the settlement boundary, with Policy B2 providing detailed criteria for development management within the boundary. In combination, these are concluded to represent a direct replacement for RNOTP Policy 2.	B1(B) and B2
	4 Green Infrastructure	RNOTP Policy 4 is in 2 parts. The first specifies linear green infrastructure projects, including a connection between Brigstock and Twywell (4(4)). The second part includes development management criteria for delivering green infrastructure as part of new developments. BNDP Policy B9 updates the first part of RNOTP Policy 4, with reference to green infrastructure opportunities for Rockingham Forest and Harper's Brook. Policy B10 effectively updates the second part of RNOTP Policy 4; setting local development criteria for delivering green infrastructure in association with new developments. Therefore, GNP policies B9 and B10 represent a Brigstock-specific replacement for RNOTP Policy 4.	B9 and B10
	5 Transport Network	Policy 5 includes two parts; a spatial direction regarding improving feeder services from rural areas to service centres, plus more specific threshold criteria for delivering improved walking and cycling routes. The more strategic elements of Policy 5 are addressed through relevant criteria in North Northamptonshire Joint Core Strategy (JCS) 2011-2031 (Local Plan Part 1) policies 8 and 15. The BNDP includes reference to local infrastructure priorities, including the retention of the bus service (Policy B13(D)). RNOTP Policy 15 also includes specific thresholds for the provision of new walking or cycling connections, although it is considered that these are appropriately covered by Neighbourhood Plan Policy 13(D), in association with JCS Policy 15.	13(D)

Appendix 1: Adopted policies from 2011 Rural North, Oundle and Thrapston Plan which are to be replaced by policies in the Brigstock Neighbourhood Development Plan 2011-2031

2011 Rural North, Oundle and Thrapston Plan (RNOTP) Policy	Policy Name	Commentary	Replacement Neighbourhood Plan Policy
6	Residential Parking Standards	RNOTP Policy 6 sets out a maximum car parking standard for the rural areas (2 spaces per dwelling). This was based on former national policy (Planning Policy Statement 3/ Guidance 13), which set maximum residential parking standards. Given that the NPPF does not require the setting of maximum parking standards, it may be questioned whether Policy 6 complies with current national policy. Nevertheless, the BNDP does not set out an appropriate replacement policy or standard, so on this basis RNOTP Policy 6 ought to be retained.	Retain/ review as part of Local Plan Part 2
9	Buildings of Local Architectural or Historic Interest	RNOTP Policy 9 relates to the local list of non-designated heritage assets for several settlements within the Plan area, including Brigstock. BNDP Policy B15 sets a replacement/ updated local list, so is considered to be a "like for like" replacement for RNOTP Policy 9.	B15
10	Protection of Local Sites of Conservation Interest and Designation of Local Nature Reserves	RNOTP Policy 10 relates to designated local wildlife sites, as shown on the adopted Policies Map. The RNOTP includes a number of such sites within the Plan area. However, these have been comprehensively reviewed for the BNDP, so Policy B10 and the associated inset maps represent an appropriate review to RNOTP Policy 10; therefore a "like for like" replacement.	B10
12	Considerate Construction	Policy 12 sets additional local development management criteria for managing the construction phase of building. There is no equivalent policy within the BNDP; therefore Policy 12 should be retained.	Retain/ review as part of Local Plan Part 2
15	Open Space, Sport and Recreational Facilities	RNOTP Policy 15 is in two parts. The first sets local thresholds for the provision of open space, sport and recreation facilities in association with new development. The second part relates to the retention and enhancement of existing spaces. BNDP Policy B13 defines local infrastructure priorities, including the remodelling of sports and recreation facilities in the village (13(C)), while Policy B11 provides for protection of existing public open spaces as Local Green Space. Therefore, BNDP policies B11 and B13(C), together, are considered to provide a suitable replacement to RNOTP Policy 15.	B11 and B13(C)

