

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING AND COMPENSATION ACT 1991

DAVENTRY DISTRICT LOCAL PLAN

REPORT OF AN INQUIRY INTO  
OBJECTIONS  
TO THE LOCAL PLAN

(VOLUME 2)

Inspector : Michael Griffin BSc(Eng) CEng MICE DipTE

Date of Inquiry : 6 December 1994 - 31 July 1995



Tollgate House  
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To the Chief Executive  
Daventry District Council

Dear Sir

1. As you know, between 8 September 1994 and 31 July 1995 we held an Inquiry under Section 42 of the Town and Country Planning Act 1990 into objections to the Daventry District Local Plan. The Inquiry was held initially at the Staverton Park Conference Centre, near Daventry, but later at the Civic Offices in Daventry. The Inquiry was opened by Mr Osborne and sat for 9 days until he was taken ill on 5 October 1994. Mr Griffin took over the Inquiry from 25 October and resumed sittings on 6 December 1994. The Inquiry then sat for a further 35 days. Mr Osborne had held a Pre-Inquiry Meeting on 2 June 1994. We carried out both accompanied and unaccompanied site visits before and during the Inquiry, and also after its close.

2. We have produced separate reports - Nos 1 and 2 - each of which deal with the objections which we considered. They should, however, be read together, especially where they both deal with different objections to the same policy or part of the draft plan, before the Council embark on the next stage of plan preparation. We have both read each other's report and have no reason to disagree with any part of it. We have also both prepared a summary of our respective recommendations.

3. The draft local plan covers the whole of administrative area of Daventry District for the period up to 2006. It comprises the Written Statement and the Proposals Map, together with Insets to that Map. The draft plan had been placed on deposit on 29 July 1993, though with a statement issued by the Northamptonshire County Council that its provisions did not conform generally with the Replacement County Structure Plan, which was approved by the Secretary of State for the Environment on 13 February 1989, and amended by Alteration No 1 which was approved by him on 27 January 1992. The Replacement Structure Plan became operative on 1 March 1989, and Alteration No 1 became operative on 10 February 1992. All the matters relating to the non-conformity of the draft local plan with the approved structure plan affect matters which are dealt with by Mr Griffin.

4. A total of 2,257 objections were made to the deposited plan by the prescribed date of 26 November 1993, together with 149 expressions of support. On 4 May 1994 the Council advertised 135 Proposed Changes to the deposited plan, which elicited 43 counter objections by the specified date of 8 July 1994. By the close of the Inquiry, 71 objections had been withdrawn unconditionally, together with 60 on condition that the Council's published Proposed Changes were made to the plan. Of the unconditionally withdrawn objections, 27 are relevant to matters covered by Mr Osborne, and include all 13 objections which had been made by The Michael Robinson

Partnership Ltd in respect of their suggested new settlement at Sedgebrook; and 44 are relevant to matters dealt with by Mr Griffin. All but one of the conditionally withdrawn objections are relevant only to matters covered by Mr Griffin.

5. Mr Osborne has dealt with 578 objections, of which 24 objections were presented at the Inquiry and a further 525 objections were pursued by way of written representations. He has also considered the 22 expressions of support which are relevant to the matters with which he has dealt. However, since two of the objections which he heard at the Inquiry were re-heard by Mr Griffin, he has not reported on these. They are objection 252 by Hallam Land Management Ltd, and objection 2176 by The House Builders' Federation, both of them in respect of Policy HS1.

6. Mr Griffin heard a total of 89 objections at the Inquiry, and has dealt with a further 1,489 written representations (including 59 of the conditionally withdrawn objections) and all of the counter objections. He has also taken into account the 127 expressions of support for those parts of the plan with which he has dealt.

7. Mr Osborne has dealt with most of the objections to Policies EN13 and EN14, and nearly all of those to Policies HS2 - HS5 inclusive. He has also dealt with objection 256 by Hallam Land Management Ltd to Policy HS14, and duplicate objections 872 and 906 by a Consortium of Land Owners to Policy HS34, as well as objection 869 by Mr D Williams to this latter policy. In the case of all the above policies, however, there are other objections which are dealt with in Mr Griffin's report. These are indicated in the General Note at the end of the list of objections in each of sections 1-8 of Mr Osborne's report, and are included in the lists in Mr Griffin's report.

8. In section 9 of his report Mr Osborne has dealt with most of the objections to the non-allocation of sites for housing development on the outskirts of Northampton. Again however, there are other objections to the non-allocation of housing sites, both in this area and elsewhere in the District, which are dealt with in Mr Griffin's report. Those relating to sites on the outskirts of Northampton are indicated in the General Note at the end of the list of objections in section 9 of Mr Osborne's report.

9. Mr Griffin's report therefore covers not only the objections to those parts of the draft local plan with which he has dealt exclusively, but also with some of the objections to those parts covered as well by Mr Osborne. We appreciate that this may be confusing and inconvenient for readers, but was unavoidable unless the Inquiry had been started again at the beginning.

10. In accordance with current practice, our reports do not summarise the cases for all individual objectors, nor the Council's response to them, but incorporate the relevant points from both sides in our assessments of each group of objections. The full grounds of objections, including of those pursued by way of written representations, are set out in the statements kept by the Council in the Inquiry library, and which should continue to be kept available for public inspection at least until the period for any High

Court challenge to the adoption of the plan has expired. Only in the case of information which emerged solely at the Inquiry, for example, as the result of cross-examination or in answer to our questions, is there no library record. Where such information is relevant we have included it in our assessments.

11. We have taken into account all the material which we received before the close of the Inquiry on 31 July 1995. We have referred in our reports to points from representations in support of the plan only in so far as they add anything to the Council's response to the objections which we have covered.

12. Our reports follow the chapter order of the deposited plan, in general dealing with the objections to individual policies in turn but, where it has been convenient, Mr Griffin has considered certain objections as being to a group of policies. In particular, the objections to the non-allocation of land for housing are dealt with all together in the second part of the chapter of his report which deals with this topic, whereas Mr Osborne's report has a separate section on the non-allocation of sites for housing related to the growth of Northampton. Inevitably, where the Council's housing land provision was challenged by a series of objectors, and numerous alternative sites were proposed by them, we have been obliged to deal with a substantial number of essentially similar grounds of objection and largely repetitive counter-arguments by the Council.

13. Inevitably, there is also a mixture of general and detailed points in our reports in respect of individual parts of the plan, and as well a certain amount of repetition. In order, therefore, to keep the amount of duplication to a minimum, in the case of some grounds of objection to a particular matter we have made cross references within our own report where this is appropriate.

14. For each matter which we have dealt with we have first identified and then summarised the objections. We have then set out the material issues which we consider are in dispute in respect of each matter. In each case this is followed by an assessment of the issues, taking into account the grounds of objection, the Council's response, any relevant supporting representations, and any other material considerations. We have then come to a recommendation as to whether any change suggested or implied in the objections, or put forward by the Council by way of an advertised Proposed Change, would be significantly preferable in planning terms to the deposited plan. We have made our recommendations on modifications to the draft plan in the light of the High Court judgement in the Electricity Supply Nominees Ltd case.

15. At the Inquiry the Council made repeated reference to this judgement, especially in relation to the discretion available to them as to where new development should be located. Mr Griffin therefore reached an understanding with the Council about the way that he should deal in his report with objections relating to the non-allocation of sites in the draft plan for housing development. However, the same principles also apply to the non-allocation of land for other purposes.

16. In reaching this understanding Mr Griffin took particular account of the fact that he would be unlikely to be aware, from the information before him, of all the benefits and disadvantages relating to a particular site suggested in an objection. He was also mindful that, clearly, there is other land in the District which could be developed if necessary. Accordingly, he indicated that he would do no more than commend to the Council any sites drawn to his attention by objectors which he considered worthy of further evaluation by the Council. Mr Osborne has adopted a similar approach.

17. In relation to the use of 'NORMALLY' in policies we are aware that there are duly made objections to this word in respect of certain policies, but not in respect of others where it is also used. Where such objections have been duly made they have all been dealt with by Mr Griffin, and he has recommended that the word be deleted. However, since the use of this term unjustifiably increases uncertainty for applicants as to whether planning permission would be granted in a particular case, especially in the case of criteria based policies, there is need for consistency throughout the plan. Both he and Mr Osborne have, therefore, omitted the term from any specific re-wording of policies which they recommend for other reasons, and the Council will need to consider whether it should be omitted from all policies.

18. The Council will also need to consider whether sites which have been granted planning permission for the purposes indicated in the draft plan should continue to be included as allocations in the plan which they intend to adopt. Where such sites are the subject of duly made objections Mr Griffin has recommended that they be deleted from the plan if permission has already been granted. There are no such sites which Mr Osborne has needed to cover, but there may be other sites of which we are not aware but to which similar considerations apply.

19. Attached to our reports are Appendices which list all the objections which we have individually dealt with, together with the person(s) who made them, including those withdrawn, and indicating whether such objections were pursued at the Inquiry or by way of written representations. The Appendices also indicate which section of that report deals with a particular objection. The Appendices also include a schedule of core documents which were available for public reference during the Inquiry; a list of those persons who appeared at each part of the Inquiry; and a schedule of the documents and plans which were submitted at that part of the Inquiry.

20. We would like to record our sincere thanks to the Programme Officer, Mr Lewis Thomas, for the courteous and efficient way in which he dealt with the day to day administration of the Inquiry, for his kindness to Mr Osborne when he was taken ill, and for his clerical assistance during the preparation of our reports. Mr Osborne's illness required considerable reorganisation of the Inquiry timetable which, in the event, was undertaken smoothly and successfully.

21. Finally, but by no means any less significantly, we would like to express our appreciation to both the Council's advocates and to your staff for their patience and courtesy throughout what was, in the event, a protracted Inquiry. Mr Griffin, especially, is grateful for the accommodation provided for the Inquiry at the Civic Offices and for the facilities which were put at his disposal there.

Yours faithfully



IAN OSBORNE  
Inspector



MICHAEL GRIFFIN  
Inspector

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ABBREVIATIONS USED IN THIS REPORT

BT.	British Telecommunications plc.
CC.	County Council.
CPRE	Council for the Protection of Rural England.
DoE	Department of the Environment.
DIRFT	Daventry International Rail Freight Terminal
DTi	Department of Trade and Industry.
HBF	House Builders Federation.
LDV	Limited Development Village.
MAFF	Ministry of Agriculture, Food and Fisheries.
NFU	National Farmers Union.
NRA	National Rivers Authority.
PC	Parish Council.
PPG	Planning Policy Guidance.
RPG	Regional Planning Guidance.
SAM	Scheduled Ancient Monument.
SLA	Special Landscape Area.
(999)	A related objection to which the Assessment and Recommendations would apply.

CHAPTER 1.

1.0 INTRODUCTION

1.1 OBJECTIONS by :

2018 The Daventry and District Society (2019) (2020) (2021)

SUMMARY OF OBJECTIONS

1.2 No reference is made in paragraph 1.4 to the requirement in the Structure Plan that of the 8,500 houses to be provided in the District, 1,000 must be related to the needs of Northampton Borough. No reference is made to the Ministerial guidance that the Council has flexibility in exactly how and where these dwellings are best located, nor that there is no requirement that the land for these should physically adjoin Northampton.

1.3 No reference is made in paragraph 1.15 to the importance of enhancing the economic and social life of present and future residents of the District.

1.4 No reference is made in paragraph 1.24 to local employment, shopping or leisure which are considerations relevant to the Local Plan.

1.5 The reference to the need to review the status of Crick and West Haddon in paragraph 1.39 is unnecessary as they are both fully developed.

THE ISSUE

1. Whether the changes suggested by the objectors would ensure that the aims and objectives of the Local Plan were more accurately stated ?

ASSESSMENT

1.6 Paragraph 1.4 of the Local Plan appears under the heading, 'The Purpose of the Local Plan' and together with the following paragraphs, it provides an accurate and definitive statement to that effect. The Society's argument that it should be qualified by reference to the contents of a Ministerial letter dated 20 March 1993, [incorrectly referred to as the 'decision letter' from the Secretary of State], is to misinterpret the status of that letter and its contents. Perhaps the confusion arises from the Minister's letter which states initially that the 1,000 houses 'must demonstrably be related to the needs of Northampton Borough', but concludes that the decision where the 1,000 dwellings are best located is a matter for the District Council. In that latter respect it echoes the Secretary of State's letter of the 27 January 1992 which indicated that the choice lay with the Local Planning Authority. Any reference to the 'Northampton 1,000' is therefore best left to the Housing Chapter of the Local Plan, to do otherwise would be to put too great an emphasis on a requirement which the Council is obliged to meet but only through the normal processes of Plan making. I therefore make no recommendation for any modification to the Local Plan in respect of objection No 2018.

1.7 The Society's objection to paragraph 1.15 relates to the absence of any reference to the importance of enhancing the economic and social life of the residents of the District and it highlights a curiosity of this section of the Local Plan. It is titled, 'Aims and Objectives', but starts with a reference to the purposes of the Local Plan, (the subject of paragraph 1.4 et seq.), and continues in that vein throughout the 4 subsections. There appears to be a misunderstanding at this point of the conventional meaning of 'aims and objectives' and a missed opportunity to set out a statement of the Council's strategy for the District in an early chapter of the Local Plan. This strategy is implied in paragraph 1.24 and in Chapter 2, of course, (where Policies GN1 - GN4 show obvious signs of being derived from some long term intentions), while individual chapters address their particular objectives. The Daventry and District Society are right to point out a particular weakness in the Introduction which is indicative of a more significant one the Council should remedy. I recommend accordingly.

1.8 Objection 2020 raises a similar issue and I have nothing to add to the preceding paragraph. I recommend accordingly.

1.9 The view that both Crick and West Haddon are fully developed is one held by the Society but not shared by the Council, nor by a number of objectors who have identified opportunities for further development in these settlements. Without necessarily endorsing all or any of the latter's proposals I come to the same common conclusion on the basis that the Society offers no evidence for its assertion and the balance of probability suggests otherwise. I therefore make no recommendation for any modification to the Local Plan in respect of objection No 2021.

#### RECOMMENDATIONS

1.10 That the contents of paragraph 1.15 be incorporated into the section headed, 'The Purpose of the Local Plan' and that under the heading, 'Aims and Objectives of the Local Plan', the Council provide a synopsis thereof, drawing on the details contained in the General Chapter of the Local Plan and the succeeding chapters.

CHAPTER 2.

2.0 GENERAL.

2.1 OBJECTIONS by :

587 Mr T Cotton

602 Mr T Macrow

SUMMARY OF OBJECTIONS

2.2 The proposals in the Plan would lead to the destruction of the local countryside.

THE ISSUE

1. Whether development for residential, employment and other purposes could reasonably avoid the use of greenfield sites in the District ?

ASSESSMENT

2.3 Because of the sheer scale of development required in the Plan period the short answer to the question raised by these objections must be framed in the negative. But the Council is required by Government guidance to make use of derelict land when available and where appropriate; in my consideration of the more specific objections to the Plan, I shall be similarly guided in my recommendations.

RECOMMENDATIONS

2.4 That no modification be made to the Local Plan in respect of these objections.

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POLICY GNI

THE GRANTING OF PLANNING PERMISSION FOR DEVELOPMENT WILL BE GUIDED BY THE NEED TO:

- A. SAFEGUARD THE NATURAL RESOURCES OF THE DISTRICT,
- B. PROTECT AND ENHANCE THE ENVIRONMENT,
- C. MAKE PROPER USE OF DISUSED OR UNDER UTILISED LAND AND BUILDINGS,
- D. CONCENTRATE DEVELOPMENT IN OR CLOSELY ASSOCIATED WITH THE LARGE AND SMALL TOWNS,
- E. LIMIT DEVELOPMENT IN THE VILLAGES,
- F. SEVERELY RESTRAIN DEVELOPMENT IN THE OPEN COUNTRYSIDE.

[Proposed Changes : See Core Document No.12]

2.5 OBJECTIONS by :

25	NFU	440	Christ Church, Oxford
457	Country Landowners' Association	1071	Stepnell Ltd.
2139	Sports Council (EM Division)	2104	CPRE
2241	DoE	2327	Northamptonshire CC. (3000)

SUMMARY OF OBJECTIONS

2.6 It is not the purpose of the Local Plan to repeat verbatim policies contained in the Structure Plan, ie. GEN 1. PPG12 makes clear the difference in kind between the two documents; the policy should be deleted or reduced to text.

2.7 Policies for the protection of the countryside should take full account of the need to maintain a healthy rural economy; they should not unreasonably limit development for agricultural and other employment related development which has an acceptable impact on its surroundings. An additional criterion should be added to the policy, viz:

- G. 'Maintain and promote a healthy rural economy'

2.8 The policy and its primary objectives should not be weakened by unsuitable words and phrases. The following changes should be made, viz:

- E. 'Severely restrain development in the villages'
- F. 'Severely restrict development in the open countryside'

On the contrary, the inclusion of the word 'severely' in criterion F is unnecessary and contradictory, it should be deleted as should Criteria D and E which unreasonably restrict development in the rural areas.

2.9 Development in the countryside may be necessary to enable people to pursue a suitable range of leisure activities; the policy should reflect that requirement.

2.10 To be consistent with the objective of sustainability outlined in PPG13, the policy needs to ensure that future development is accessible by modes of transport other than the private car. The policy should be changed to include an additional statement, viz:

- G. 'Make the development accessible by public transport where appropriate'.

### THE ISSUES

1. Whether the policy as presently worded, or in its recommended form, repeats the Structure Plan policy or is relevant to the local context ?
2. Whether the policy would prove too restrictive of development for agricultural and farm diversification proposals and is deficient in not promoting the rural economy. And, consequently, whether the policy would more accurately reflect Government guidance by the inclusion of the suggested Criterion G ?
3. Whether the degree of restriction indicated by Criteria D, E and F accurately reflects the aims and objectives of the Local Plan ?
4. Whether the policy should be changed to reflect the requirement for development for countryside leisure activities, bearing in mind the aims and objectives of the Local Plan as they relate to the countryside, generally, and the scope provided by the Recreation and Leisure policies, as recommended ?
5. Whether Policy GN1, as worded, accurately reflects the principles and strategy of the County Structure Plan or whether the addition of the suggested criterion G relating to public transport is required, bearing in mind Policy GEN4 of that Plan.

### ASSESSMENT

#### First Issue : Repetition of Structure Plan Policy

2.11 I deal first with the objection by the DoE which sees no significant difference between Structure Plan Policy GEN 1 and Policy GN1. There is no denying the similarities between the guiding needs as far as they go in Policy GEN 1 and Policy GN1, but the latter goes further in identifying other areas of restraint and the context is in the granting of planning permission. There is, therefore, a fundamental difference between the two policies; GEN 1 is directed at the Local Planning Authorities, Policy GN1 at prospective developers and other users of the Local Plan. The latter represents genuine and useful guidance in that respect. I am left, however, with the feeling that Policy GN1 is too broad a statement and that it loses its effect and

usefulness as a result. Given the thrust of Policies GN2, GN3 and GN4, which relate to development under the policies and proposals of the Local Plan. Policy GN1 should relate to those exceptional proposals which do not. I therefore recommend a form of wording to that effect and for paragraph 2.2, which is still relevant to the context of the Local Plan, but I suggest a re-ordering of the policies to reflect the fact that this is now a policy for exceptional proposals.

#### **Second Issue : Promotion of the Rural Economy**

2.12 The NFU and the Country Landowners' suggested addition to the policy would strike a promotional note and it would be slightly discordant in a policy which, as recommended, sets out the restraining parameters for development other than that provided for under the proposals and policies of the Local Plan. The addition would serve no useful purpose especially as it is effectively contained in Policy GN2 wherein it provides a balanced approach to rural development. I see no reason for needless repetition and I therefore make no recommendation for any modification to the Local Plan in respect of objection Nos. 25 and 457.

#### **Third Issue : Criteria D, E and F**

2.13 Christ Church, Oxford and the CPRE hold differing views to the Council on the degree of restriction that should be applied to development in the villages and in the open countryside; the former arguing that criterion F is in conflict with other policies in the Local Plan. I am with the Council regarding Criterion E but with Christ Church on Criterion F on the basis that the policy, as recommended, aims to set out the guiding needs which conform to the broad strategy of the Local Plan. The consideration of proposals should be in the context of the Local Plan's detailed provisions and policies where the degree of restraint, or otherwise, is best expressed. It may be an oversight of mine but I can find no reference in the Structure Plan which would justify the qualification 'severely' in criterion F. On that basis, I am of the view that this and other exceptional qualifications would be out of place in a policy which aims to set out the guiding needs in straightforward terms. I am not, therefore, with the CPRE or Stepnell Ltd. on any count and I recommend accordingly.

#### **Fourth Issue : Countryside Leisure**

2.14 In its recommended form, whereby development in the countryside would be restrained without qualification, the Sports Council's objection is met. Leisure and sports development is subject to particular policies contained in the Recreation, Leisure and Community Facilities Chapter of the Local Plan and I see no reason to anticipate my consideration of those in Policy GN1. I therefore make no recommendation for any modification to the Local Plan in respect of objection No 2139.

**Fifth Issue : Accessibility**

2.15 The change agreed with Northamptonshire County Council would reflect the advice in PPG13 and should be incorporated within the policy: I recommend accordingly.

**RECOMMENDATIONS**

2.16 That the main clause of Policy GN1 be modified, viz:

FOR PROPOSALS OTHER THAN THOSE IN THE LOCAL PLAN AND UNDER THE POLICIES OF THIS PLAN, THE GRANTING OF PLANNING PERMISSION WILL BE GUIDED BY THE NEED TO : etc.

And that the first sentence of paragraph 2.2 be modified by the addition of the word, 'other than those in the Local Plan', between the words 'development' and 'within'.

And that Criterion F should be modified, viz:

F. RESTRAIN DEVELOPMENT IN THE OPEN COUNTRYSIDE.

And that Criterion G should be added to Policy GN1, viz:

G. PROVIDE REASONABLE ACCESS TO PUBLIC TRANSPORT.

And that the order of policies be changed such that Policy GN1 becomes Policy GN4, to reflect the exceptional nature of its provisions.



POLICY GN2

UNDER THE PROPOSALS AND POLICIES OF THIS LOCAL PLAN, PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR DEVELOPMENT PROVIDED IT:

[A. - E.] as listed, and

F. WILL NOT ADVERSELY AFFECT SITES OF NATURE CONSERVATION, GEOLOGICAL OR ARCHAEOLOGICAL IMPORTANCE OR THE SETTINGS OF ARCHAEOLOGICAL SITES.

G. WILL NOT ADVERSELY AFFECT A SPECIAL LANDSCAPE AREA.

[Proposed Changes : See Core Document No.12]

2.17 OBJECTIONS by :

26	NFU	441	Christ Church, Oxford
458	Country Landowners' Association	2052	CPRE
2328	Northamptonshire CC.	2026	MAFF
2242	DoE		

SUMMARY OF OBJECTIONS

2.18 It is not the purpose of the Local Plan to repeat verbatim policies contained in the Structure Plan, ie. GEN 4. PPG12 makes clear the difference in kind between the two documents; the policy should be deleted or reduced to text. All of the criteria appear elsewhere in the Plan within relevant policies. The policy is, therefore, unnecessary, repetitious and adds nothing to the Plan.

2.19 To be consistent with the objective of sustainability outlined in PPG13, the policy needs to ensure that future development is accessible by modes of transport other than the private car. The policy should be changed to include the following addition to Criterion D, viz:

'and be served by public transport'.

2.20 Criteria F and G are too restrictive and could be applied to prevent any development in Special Landscape Areas and those areas covered by Criterion F. In the latter areas, the policy should seek to balance preservation with the need for development; the criteria should be deleted or restated elsewhere in the Plan where that balance could be struck. The word, 'adversely' needs to be qualified in criteria C, E, F and G; any development could have an adverse effect and, however minimal, would thereby be judged incompatible with the aims and objectives of the Plan. The words, 'would not have a significant adverse effect' should be substituted therefor. The policy and its primary objectives should not be weakened by unsuitable words and phrases. The following changes should be made, viz:

- E. 'Will not have any adverse effect on a conservation area or a building listed as being of architectural or historic interest and their respective settings'.
- F. 'Will not have any adverse effect upon sites of nature conservation, geological or archaeological importance or the settings of archaeological sites'.
- G. 'Will not have any adverse effect upon a Special Landscape Area'.

2.21 Paragraph 2.3(c) should be amended to substitute the words, 'best and most versatile', for the word, 'valuable'.

### THE ISSUES

1. Whether the policy as presently worded, or in its recommended form, is relevant to the local context. Whether the criteria reflect the aims and objectives of the Plan and, if so, whether they are adequately and better contained within more relevant policies ?
2. Whether the policy would more accurately reflect Government guidance in PPG13 by the inclusion of the suggested addition Criterion D ?
3. Whether the criteria reflect the aims and objectives of the Plan and, if not, whether the suggested changes would provide a more accurate statement ?
4. Whether the suggested change to paragraph 2.3(c) would more accurately reflect Government guidance in PPG7 ?

### ASSESSMENT

#### First Issue : Unnecessary Repetition and Irrelevance

2.22 I again deal with the objection of the DoE first, in this instance joined by Christ Church, Oxford, as both would have the policy deleted from the Local Plan. The distinction the Council draws between Policy GEN 4 of the Structure Plan and Policy GN2 is a fine one in this instance and if it were not for my recommended modification of Policy GN1 I might be persuaded that Policy GN2 was, indeed, repetitious and irrelevant. However, after assessing the objections to the former I recommend that it should relate to development not covered by the proposals and policies of the Local Plan. It follows, I believe, that Policy GN2, which does relate to development so covered, must also have a place in the Local Plan. To ensure completeness would be a sufficient reason but I see the setting of a policy framework, such as this, as an essential precursor to the chapters of the Local Plan which deal with particular areas of the District and the variety of development which could be permitted. I therefore make no recommendation for any modification to the Local Plan in respect of objection Nos 441 and 2242.

**Second Issue : Criterion D - Accessibility**

2.23 The change agreed with Northamptonshire County Council would reflect the advice in PPG13 and should be incorporated within the policy; I recommend accordingly.

**Third Issue : The Criteria C, E, F and G**

2.24 There is a variance in views between the NFU, the Country Landowners' Association and the CPRE about the restrictions imposed by the various criteria and the manner in which they are expressed. The two latter objectors, who urge a lessening and hardening of restrictions respectively, make semantic points which are not convincing nor do they improve the meaning or intent of the criteria. The NFU, on the other hand, would have criteria F and G deleted on the basis that they are too restrictive and could be called in aid to prevent any development in the areas they cover. Too much is inferred from this framework statement and I am content that no case has been made for changing these particular criteria. I therefore make no recommendation for any modification to the Local Plan in respect of objection Nos 26, 458 and 2052.

**Fourth Issue : Agricultural Land**

2.25 The change agreed with MAFF would reflect the advice and terminology of PPG7 and should be incorporated within the policy; I recommend accordingly.

**RECOMMENDATIONS**

2.26 That the Policy GN2 be modified by the addition to Criterion D of the words, viz :

'AND BE SERVED BY PUBLIC TRANSPORT WHERE APPROPRIATE'.

And that in paragraph 2.3 the words, 'most valuable' be replaced by the words, 'best and most versatile'.

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**POLICY GN3**

UNDER THE PROPOSALS AND POLICIES OF THIS LOCAL PLAN, PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR DEVELOPMENT PROVIDED IT:

- A. DOES NOT POLLUTE WATER SUPPLIES, RIVERS OR CANALS.
- B. DOES NOT CAUSE OR EXACERBATE FLOODING TO THE SITES WHICH THEY OCCUPY OR TO OTHER SITES, PREVENT THE FUTURE MAINTENANCE OR IMPROVEMENT OF FLOOD CONTROL MEASURES OR DETRIMENTALLY AFFECT EXISTING WATERCOURSES.

[Proposed Changes : See Core Document No.12]

2.27 OBJECTION by :

504 NRA

**SUMMARY OF OBJECTION**

2.28 Criterion A does not adequately identify the need to safeguard against groundwater pollution. Criterion B is not precise enough; no reference is made to the flood event against which development proposals should be considered.

2.29 The supporting text is similarly deficient; the brief reference to the subject in paragraph 2.4 is indicative of a lack of concern. The Council should have regard to the requirements of Circular 30/92.

**THE ISSUE**

- 1. Whether the Plan deals adequately with the Council's responsibilities as they relate to the aims and objectives of the National Rivers Authority ?

**ASSESSMENT**

2.30 The changes agreed with the NRA would seem to meet the objections and provide an appropriate degree of protection to those natural resources; they should, therefore, be incorporated into the policy and I recommend accordingly.

**RECOMMENDATIONS**

2.31 That Criterion A of Policy GN3 be modified by the substitution of the words, viz :

- A. DOES NOT POLLUTE GROUND AND SURFACE WATERS

And that the words, 'AND THEIR CORRIDORS' be added to Criterion B.

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**POLICY GN4**

**BEFORE PLANNING PERMISSION FOR RESIDENTIAL, BUSINESS OR COMMERCIAL DEVELOPMENT IS GRANTED, THE COUNCIL WILL REQUIRE TO BE SATISFIED THAT THE INFRASTRUCTURE, SERVICES AND AMENITIES MADE NECESSARY BY THE DEVELOPMENT ARE IN EXISTENCE OR WILL BE PROVIDED BY THE DEVELOPER OR OTHER AGENCY.**

[Proposed Changes : See Core Document No.12]

**2.32 OBJECTIONS by :**

560 Crick Parish Council, 2053 CPRE

**SUMMARY OF OBJECTIONS**

2.33 The policy provides insufficient safeguards against the possibility of developers not providing the infrastructure required by major development. The policy should be extended to ensure that when planning permission is granted the necessary financial resources are available to provide infrastructure and services to a timescale which takes account of and limits the impact on adjoining communities.

2.34 A firmer and more positive application of the policy would result if the words, 'any development' were substituted for the words, 'residential, business or commercial development'.

**THE ISSUES**

1. Whether the policy or the procedures outlined in the supporting text could be strengthened to provide the guarantees required ?
2. Whether the change suggested by the objector would more accurately reflect the aims and objectives of the Plan ?

**ASSESSMENT**

**First Issue : Provision of Infrastructure**

2.35 Crick Parish Council seeks a change in the policy which would guarantee the provision of public and private resources sufficient for infrastructural needs before planning permission was granted. The proposed change would prove impracticable and would force the Council to make financial judgements beyond its capabilities. The common and proved practice when developer contributions are deemed appropriate is through the use of Section 106 Agreements as set out in paragraph 2.6 of the Local Plan; I see no reason to try to change that practice and I therefore make no recommendation for any modification to the Local Plan in respect of objection No 560.

*Second Issue : Improved Wording*

2.36 The change the Council has agreed with the CPRE would improve the understanding of the policy and I recommend accordingly.

**RECOMMENDATIONS**

2.37 That the first phrase of the Policy GN4 be modified, viz :

'BEFORE PLANNING PERMISSION FOR ANY DEVELOPMENT IS GRANTED,'

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