

# **Spratton Neighbourhood Development Plan 2015-2029**

**Report by Independent Examiner**

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## Summary and Conclusion

1. The Spratton Neighbourhood Development Plan 2015-2029 has a clear vision and clearly defined objectives.
2. I have found that the clear policy approach in Policies SB1 and HS1 has regard to national policy, is in general conformity with strategic policies contained in the development plan and contributes to the achievement of sustainable development.
3. I have recommended modifications to some of the policies in the Plan. In particular, I have recommended modifications to ensure clarity and precision in decision making.
4. Policy LG1 is in conflict with Policy CF1, with regard to the development of a community building on the Recreation Ground. The Local Green Space designation effectively rules out new development other than in very special circumstances. I have recommended that the area of the Recreation Ground that lies within the village settlement boundary is deleted from the Local Green Space designation. My recommendation ensures that the community's aspirations for a new community building are not thwarted by restrictions on new development on land designated as Local Green Space.
5. I have recommended the deletion of Policy RE1 as it is no longer appropriate for neighbourhood plans to refer to the performance of new dwellings.
6. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that subject to my recommendations, the Plan meets the Basic Conditions. Subject to my recommendations being accepted, I consider that the Spratton Neighbourhood Development Plan 2015-2029 will provide a strong practical framework against which decisions on development can be made. I am pleased to recommend that the Spratton Neighbourhood Development Plan 2015-2029, as modified by my recommendations, should proceed to Referendum.**

## Introduction

7. I was appointed as an independent Examiner for the Spratton Neighbourhood Development Plan 2015 - 2029 in January 2016.
8. On 6 December 2012 Daventry District Council (DDC) approved that the Spratton Neighbourhood Development Plan Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The Area covers the whole of the parish of Spratton. The qualifying body is Spratton Parish Council.

## Legislative Background

9. As an independent Examiner, I am required to determine, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:

- the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
  - the Plan meets the requirements of Section 38B of the 2004 PCPA where the plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area; and
  - that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.
10. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.
11. I am obliged to determine whether the plan complies with the Basic Conditions. The Basic Conditions are:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;
  - the making of the neighbourhood plan contributes to the achievement of sustainable development;
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority; and
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations and human rights requirements.

## EU Obligations

12. Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) (EA Regulations) set out various legal requirements and stages in the production of a Strategic Environmental Assessment (SEA).
13. DDC has prepared a *Screening Report for: Strategic Environmental Assessment and Habitats Regulation Assessment* (November 2014). At the time of the screening report, the West Northamptonshire Joint Core Strategy (WNJCS) had been found to be sound and was close to adoption. The Screening Report concludes: *no negative significant effects will occur as a result of the implementation of the Spratton Neighbourhood Plan. The assessment also finds many of the policies are in conformity with the policies of the emerging West Northamptonshire Joint Core Strategy which have*

*been subject to a full SA/SEA where no significant effects were identified. Consequently from the findings of the screening assessment it is recommended that a full SEA does not need to be undertaken for the Spratton Neighbourhood Plan. This has been confirmed through the responses from English Heritage, Natural England and the Environment Agency.*

14. As regards a Habitats Regulation Assessment (HRA), the Report concludes: *it has found that many of the policies are in conformity with the policies of the emerging West Northamptonshire Joint Core Strategy which was subject to full HRA which found no significant or in combination effects. It is considered that due to the plan demonstrating conformity with the West Northamptonshire Joint Core Strategy and it promoting growth to assist with delivering that strategy, that it will not result in any significant effects, alone or in combination, upon the Upper Nene Valley Gravel Pits pSPA/pRAMSAR or the Rutland Water SPA/RAMSAR sites. This has been confirmed through the responses from English Heritage, Natural England and the Environment Agency.*
15. I am satisfied with the conclusions of the Screening Report and I consider that this Plan does not require an assessment for future development under Article 6 or 7 of the Habitats Directive.
16. A Neighbourhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. I am satisfied that the Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

## **Policy Background**

17. *The National Planning Policy Framework 2012 (NPPF)* sets out the Government's planning policies for England and how these are expected to be applied. The *Planning Practice Guidance (PPG)* provides Government guidance on planning policy.
18. Spratton Parish is within the local authority area of Daventry District Council (DDC). The development plan for the Spratton Neighbourhood Development Plan area comprises The West Northamptonshire Joint Core Strategy Local Plan (Part 1) (WNJCS) adopted on 15 December 2014 and saved policies in the Daventry District Local Plan, June 1997.
19. The strategic policies in the development plan include policies regarding housing provision and the conservation and enhancement of the natural and historic environment.
20. Part Two of the Local Plan is in its early stages. I note that *The Settlements and Countryside Local Plan (Part 2a) Issues and Options Consultation Report* is proposed to be published for consultation during the course of my examination. The consultation period is between 29 January 2016 and 11 March 2016. Daventry Town is the focus for housing growth within the

District. Paragraph 2.5 in this Consultation Report states: *since 1 April 2011, 887 dwellings have been completed across the District (including Daventry Town). This level of delivery has exceeded the requirement of the WNJCS for that period by 30 dwellings.*

## **The Neighbourhood Plan Preparation**

21. I am required under The Localism Act 2011 to check the consultation process that has led to the production of the plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
22. A Village Design Statement (VDS), adopted in May 2013, was the forerunner of the Neighbourhood Plan process. Four major consultation exercises have taken place.
23. In November 2012, the Village Hall was the venue for a consultation exercise consultation, with its main purpose of seeking to identify a possible single site for housing. This event was advertised through a poster put up around the village and a six page document delivered to every dwelling in the village. This document also set out the background to and purpose of the consultation, being to seek parishioner's views on three sites chosen by the Steering Group.
24. A further consultation was undertaken in March 2013 to address the number of additional market houses which parishioners would support. This was held in three separate locations at three different times and dates.
25. Consultation in November 2013 was aimed at making a decision between the two sites that now remained as candidates for development of 35 houses. This was announced in the September 2013 Newsletter, put on the Parish Council website and advised by door-drop to every household. In addition, six large posters were placed around the village.
26. Consultation in September 2014 concentrated on individual questionnaires being delivered to every elector. The questionnaire was supported by a background document which explained the potential change in direction from a site allocation to no site allocation.
27. The Consultation period on the pre-submission draft of the Plan ran from 28 October 2014 to 10 December 2014. Individual door-drops to every household were carried out advising people of this stage and how and where they could study the Plan. Copies of the Plan were placed in the Kings Head public house and the Church coffee shop. A further copy was placed in the Library in Brixworth. In addition, councillor surgeries were arranged.
28. I note that the analysis of questionnaire responses has been criticised. I am required to assess whether the consultation process has been followed in terms of consultation and publicity. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The

Neighbourhood Planning (General) Regulations 2012. The consultation and publicity went well beyond the requirements and it is clear that the qualifying body went to considerable lengths to ensure that local residents were able to engage in the production of the Plan. I congratulate them on their efforts.

29. DDC publicised the submission Plan for comment during the publicity period between 1 May 2015 and 12 June 2015 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of 14 responses were received. I am satisfied that all these responses can be assessed without the need for a public hearing.
30. Some responses suggest additions and amendments to policies. My remit is to determine whether the Plan meets the Basic Conditions. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration.
31. I have been provided with a detailed evidence base in background supporting documents. This has provided a useful and easily accessible source of background information.

## **The Spratton Neighbourhood Development Plan 2015-2029**

### **Background To The Neighbourhood Plan**

32. The Plan area covers the whole Parish of Spratton. Background information includes a history of Spratton and a socio-economic profile.
33. The Plan has a clear vision: *In 2029, Spratton Parish will be a thriving rural community with a strong agricultural base but will have adapted to the changing needs of the community through the provision of new housing and opportunities for local employment allowing businesses to thrive. Development will respect the local historic built form and architecture and will ensure that Spratton Village retains its position in a highly attractive landscape setting.*
34. It is necessary for Neighbourhood Plans to provide *a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency* as stated in the core planning principles in paragraph 17 in the NPPF. I do refer to clarity with regard to a number of recommendations to modifications to the Plan. Where I do so, I have in mind the need to provide a practical framework in accordance with the core principles in the NPPF, thus ensuring that the Plan has regard to national policy in this respect.
35. The front cover of the Plan and the Basic Conditions Statement refer to the Plan covering the period between 2015 and 2029. However, paragraph 1.1 in the introduction to the Plan states that the plan period is 2014 to 2029. In the interest of clarity, the 'start dates' in the documents should coincide.



36. Paragraphs 1.5 – 1.7 seek to explain the relationship with the Daventry District Development Plan. As the development plan is the WNJCS and saved policies in the Daventry District Local Plan, June 1997, paragraph 1.5 is not correct in stating that the extant development plan is the Local Plan from 1997. In the interest of clarity, I recommend the deletion of this paragraph.
37. **Recommendation: In the interest of clarity, I recommend modification of paragraph 1.1 to state that the plan period is between 2015 and 2029 and I recommend the deletion of paragraph 1.5.**

## Village Settlement Boundary and Housing

### Policy SB1: Village settlement boundary

### Policy HS1: Housing development

38. The following extracts from The Settlements and Countryside Local Plan (Part 2a) Issues and Options Consultation Report set out DDCs current housing position for the rural areas in the District: *To help underpin the strategy policy S1 of the WNJCS sets out that residential development in the rural areas will be limited with emphasis on meeting four criteria. Policy S3 of the WNJCS sets out that the rural areas will be the focus for about 2,360 dwellings to 2029. Whilst the figures are expressed as ‘about’ and are not a ceiling, they are crucial to underpin the overall spatial strategy contained within the WNJCS of directing greater levels of growth at Daventry Town...*
39. *...As set out in the quarterly monitoring report the requirement for the rural areas has been exceeded, as at 30th September 2015 by 95 dwellings with over 13 years of the plan period remaining...*
40. *...Whilst the rural requirement has been met this has been largely focused on a number of larger settlements and that some smaller settlements may benefit from some development to help meet local housing need and to help sustain services and facilities.*
41. I realise that the Issues and Options Consultation Report is subject to consultation and the rural housing figures in that document may be subject to scrutiny. It is relevant to my Examination of this Plan only so far as it is a very early stage in the process of the preparation of Part Two of the Local Plan and that the paragraphs quoted above are a convenient source of DDCs explanation of the current housing position for the rural areas in the District. In this context, I have not been reliant on this Issues and Options Consultation Report in my Examination.
42. The Neighbourhood Plan Examination process does not require a rigorous examination of district wide housing land requirements. There is no legislative requirement for Neighbourhood Plans to set their own housing numbers. The Plan does not seek to determine the overall amount of



houses to be built during the plan period. Instead, its emphasis is on influencing how housing will be delivered.

43. In recognising the purpose of sustainable development, the NPPF emphasises that development means growth. The Plan is explicit in its recognition of the need to plan positively for growth and to provide for a wide choice of high quality homes. It sets out the type of new housing development that would be appropriate to enable growth of an appropriate scale that harmonises with the existing character of the village.
44. The Plan specifically states in paragraph 4.3 that it *proposes a more flexible approach to development adjacent to the built-up area of the village in order that it can properly accommodate the levels of growth likely to come forward through the updated planning policy framework provided by Daventry District Council. By restricting development to no more than fifteen dwellings, this will ensure that there is no significant encroachment into open countryside.*
45. Interested parties have promoted two sites for housing development. One being a site off Welford Road to the north of the village and the other being a site off Brixworth Road to the north east of the village. Both proposals offer community benefits. There has been criticism of Policies SB1 and HS1 in terms of the 15 dwelling cap and the ability of the proposed strategy to provide community facilities and affordable housing.
46. The restriction on individual housing developments of up to fifteen dwellings has been the subject of public consultation. I note this limit was increased from 10 dwellings to ensure the provision of affordable housing. None of the representations objecting to the housing strategy have definitively demonstrated that individual developments of up to 15 dwellings within or immediately adjacent to the village settlement boundary cannot be designed in an appropriate manner, cannot be designed to use land sustainably, are not deliverable, or that housing growth could not be achieved in the way set out in Policies SB1 and HS1.
47. Policies SB1 and HS1 specifically allow for the expansion of the village by accepting the development on individual housing sites of up to 15 dwellings within and immediately adjacent to the village settlement boundary, and do not place a cap on the total number of houses. In my opinion, this is not an arbitrary approach. This strategy specifically seeks to maintain the village's strong and established sense of place. This approach has regard to the NPPF, where it requires policies to recognise housing growth and respond to local character. At the same time, the Plan in its entirety includes requirement for the provision of affordable housing and support for community facilities. I see no reason why the housing development strategy cannot achieve these aims.
48. For the above reasons, I conclude that the clear policy approach in Policies SB1 and HS1 has regard to national policy, is in general conformity with strategic policies contained in the Development Plan and contributes to the achievement of sustainable development. As such, I consider that Policies SB1 and HS1 meet the Basic Conditions.

49. Although I have found that Policies SB1 and HS1 meet the Basic Conditions, in the interest of clarity, I recommend the modifications below to the supporting text to ensure conformity with these policies.
50. Paragraph 4.4 does not reflect the policy stance in Policy SB1. I am of the opinion that this is primarily due to poor drafting. It appears to be trying to state that there is a presumption against development in the open countryside beyond both the village settlement boundary and beyond the area immediately adjacent to the village settlement boundary, apart from certain types of development necessary to support the countryside. I recommend revised drafting of paragraph 4.4, in the interest of clarity, and to avoid contradiction with Policy SB1.
51. The last sentence of paragraph 5.3 does not conform with Policy SB1. That policy does not refer to affordable housing on rural exception sites. In the interest of clarity, I recommend the deletion of this phrase. In addition, in the interest of precision, I recommend reference to the 'Village Settlement Boundary' rather than the 'settlement area'.
52. Paragraph 5.7 refers to the requirement in the Written Ministerial Statement of 28 November 2014 and subsequent alterations to the Planning Practice Guidance to set a threshold of ten units, at or below which no on-site affordable housing provision can be sought.
53. The current situation is that a declaration Order was issued on 4 August 2015 confirming that the policies in the Written Ministerial Statement must not be treated as a material consideration in development management and development plan procedures and decisions, or in the exercise of powers and duties under the Planning Acts more generally. In these circumstances, in the interest of clarity, I recommend deletion of all of paragraph 5.7, apart from reference to WNJCS Policy H2. I suggest that sentence is incorporated into paragraph 5.8. I am particularly concerned that the two bullet points at the end of paragraph 5.7 go beyond the specific requirements of Policy HS1.
54. **Recommendation: in the interest of clarity, to meet the Basic Conditions I recommend:**

**modification to paragraph 4.4 to read as follows:**

**There is a presumption against development in the open countryside beyond both the village settlement boundary and beyond the area immediately adjacent to the village settlement boundary, apart from certain types of development necessary to support the countryside. This is particularly important given that the whole of Spratton Parish is designated in the Daventry Local Plan as a Special Landscape Area. In particular, development which underpins ongoing agricultural uses will generally be supported, subject to appropriate design to minimise any impact on the special landscape of the parish.**

**modification to the last sentence in paragraph 5.3 to read as follows:**

**The Village Settlement Boundary, as defined in Policy SB1, allows for new development within or adjacent to the Village Settlement Boundary.**

**modification by deleting paragraph 5.7 and incorporating reference to 'Policy H2 of the West Northamptonshire Joint Core Strategy requiring affordable housing to be delivered at the rate of 40% for developments of five or more units' into paragraph 5.8.**

### **Policy HS2: Infill development**

55. Policy HS2 defines criteria against which proposals for infill development within the village settlement boundary are to be assessed. This policy seeks to ensure infill development reflects the character of the area and protects the amenity of neighbours.
56. In the interest of precision, I recommend modification to the first criterion by referring specifically to 'neighbouring development' at the end of the second sentence.
57. Criteria 3 and 4 are over prescriptive, contrary to paragraph 59 in the NPPF. I recommend modification and combination of these criteria to read as follows: 'New buildings should not adversely affect the amenities of existing occupiers of neighbouring properties, particularly in terms of daylight and sunlight and private amenity space provision.'
58. The above modifications ensure Policy HS2 is a robust policy for decision making, having regard to national policy.
59. The supporting text in paragraph 5.15 refers to the 'village settlement area'. In the interest of precision, I recommend modification to refer to the 'village settlement boundary'.
60. Paragraphs 5.16 – 5.23 list issues to be considered in demonstrating that an infill scheme is acceptable. These are set out as policy requirements and many are more explicit than Policy HS2. In the interest of precision, I recommend the deletion of these paragraphs.
61. Paragraph 5.29 is a repetition of 5.28. Thus, it should be deleted.
62. **Recommendation: to meet the Basic Conditions I recommend modifications as follows:**

**modification to paragraph 5.15 to read:**

**It is considered important that infill development, whilst generally acceptable within the village settlement boundary, must be designed so that it sits appropriately within its surroundings.**

**modification by the deletion of paragraphs 5.16-5.23 and paragraph 5.29.**

**Modification to Policy HS2 to read:**

**Policy HS2: Infill development**

**Within the village settlement boundary planning permission will be granted for infill development, subject to the following criteria:**

**Proposals should reflect the character of the surrounding area and protect the amenity of neighbours. Where appropriate, it should reflect the scale, mass, height and form of its neighbouring development.**

**Proposals that would lead to over-development of a site or the appearance of cramming will be resisted. It should be demonstrated that development is of a similar density to properties in the immediate surrounding area.**

**New buildings should not adversely affect the amenities of existing occupiers of neighbouring properties, particularly in terms of daylight and sunlight and private amenity space provision.**

**Development must not lead to further on-street parking that will create congestion and damage existing verges.**

**Commercial Uses**

**Policy CM1: Provision of incubator space**

**Policy CM2: Protecting and enhancing existing employment areas**

63. The NPPF seeks to support a prosperous rural economy, as part of the economic role of sustainable development. WNJCS Policy S1 is a strategic policy regarding the distribution of development. This policy seeks, amongst other matters, the strengthening of rural enterprise, whilst enhancing and maintaining the distinctive character and vitality of rural communities.
64. Policy CM1 seeks to support start-up and micro-businesses. Policy CM2 seeks to allow the expansion of existing businesses in a sustainable manner. It seeks to ensure that minor extensions to existing businesses are not detrimental to the character of the wider countryside.
65. Policies CM1 and CM2 have regard to national policy, contribute towards the achievement of sustainable development and are in general conformity with development plan strategic policy. As such, I consider these policies meet the Basic Conditions.

## Green Open Spaces

### Policy LG1: Local Green Spaces

66. Paragraph 77 in the NPPF states that: *The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*

*where the green space is in reasonably close proximity to the community it serves;*

*where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*

*where the green area concerned is local in character and is not an extensive tract of land.*

67. Policy LG1 designates four sites as Local Green Space. I have visited each of the proposed Local Green Space sites. It is clear that the proposed sites meet the criteria for Local Green Space designation. They are reasonably close to the community, demonstrably special, particularly in terms of recreational value and tranquillity and are not extensive tracts of land.
68. Policy for managing development within a Local Green Space is required to be consistent with policy for Green Belts. A proposal for development has to be determined against whether it amounts to inappropriate development, and if so, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.
69. Development defined as not being inappropriate includes the provision of appropriate facilities for outdoor sport and outdoor recreation, as long as it preserves the openness and does not conflict with the purposes of including land within the Local Green Space designation. In my opinion, *the development of local community infrastructure including, for example, a multi-activity community building*, is inappropriate development in a Local Green Space if it seeks to provide wider community facilities.
70. Basically, by designating the whole of the Recreation Ground as a Local Green Space, the future aspirations of providing a community building on part of the Recreation Ground could be restricted because of the restrictions of the Local Green Space allocation. The designation effectively rules out new development other than in very special circumstances.
71. The designation of the whole Recreation Ground as a Local Green Space could have unintended consequences and harm the community's aspiration to provide a community building in the future. I see conflict with Policy CF1, which supports the development of a community building on the Recreation Ground. This internal conflict in the Plan would not lead to the precision and clarity needed from planning policy.

72. Paragraph 7.6 defines the area of the Recreation Ground considered appropriate for a community building and accordingly this area is included within the village settlement boundary. I recommend this area of the Recreation Ground within the village settlement boundary is deleted from the Local Green Space designation and reference to a community building deleted from Policy LG1. In addition, under Policy CF1, I intend to recommend that Policy CF1 refers to the area of the Recreation Ground 'within the village settlement boundary'. This meets the Basic Conditions, with regard to precision and clarity, as it ensures that there is no conflict with Policy CF1. It has a further advantage of ensuring that the community's aspirations can be met.
73. In the interest of precision, I recommend that Figure 7.1 is replaced with inset OS based maps at an appropriate scale that ensures the precise boundaries of the Local Green Spaces are clearly identifiable. This is particularly important for the recreation ground.
74. I am concerned that the first bullet point of the second part of Policy LG1 seeks to define very special circumstances. The NPPF does not define very special circumstances and it is necessary for local policy for managing development within a Local Green Space to be consistent with policy for Green Belts. To ensure that Policy LG1 has regard to national policy, I recommend deletion of this bullet point.
75. **Recommendation: to meet the Basic Conditions, I recommend the deletion of the part of the Recreation Ground within the village settlement boundary from the Local Green Space designation on the Proposals Map and Figure 7.1. I recommend modification to paragraph 7.6 to reflect these amendments. I recommend that Figure 7.1 is replaced with inset OS based maps at an appropriate scale that ensures the precise boundaries of the Local Green Spaces are clearly identifiable.**

**I recommend modification to Policy LG1 to read as follows:**

**Policy LG1: Local Green Spaces**

**The following areas shown on the Proposals Map are designated as Local Green Spaces:**

**The Recreation Ground (outside the village settlement boundary only)**

**The Pocket Park**

**Jubilee Wood**

**The Millennium Garden**

**Proposals for built development on these Local Green Spaces will not be permitted unless the proposal would not conflict with the openness or purpose of the Local Green Space.**



### **Policy LG2: Protection of allotment space**

76. Policy LG2 seeks to protect existing allotment space, unless alternative suitable space is provided. This policy meets the Basic Conditions, particularly with regard to national policy seeking to promote healthy communities.

### **Policy LG3: Other green spaces**

77. Policy LG3 seeks to protect other green spaces, primarily grass verges. I note that some have biodiversity value and others have an historic context. This policy meets the Basic Conditions, particularly in that it meets the core principle in the NPPF of taking account of the different roles and character of an area.

### **Landscape**

78. The landscape policies have largely been derived from and informed by existing guidelines in the VDS. The VDS is a Supplementary Planning Document that does not have to be scrutinised to ensure it meets the Basic Conditions.

### **Policy LD1: Landscape and views**

79. Figure 8.1 is copied from the VDS. Its main purpose in this Neighbourhood Development Plan is to identify protected views. However, it does include open spaces. The status of some of these open spaces is not clear, especially as they are not all the same open spaces identified in Policies LG1 and LG3. In the interest of clarity, I recommend the deletion of the open spaces in Figure 8.1.
80. The annotation on Figure 8.1 is not complete, with some of the notes ending in mid-sentence. In the interest of clarity, this needs to be rectified to coincide with the wording on the same map in the VDS.
81. Policy LD1 seeks to protect and enhance existing views. This policy has regard to policy in the NPPF where it seeks to protect and enhance valued landscapes. However, it is not appropriate to require all new development to be *varied in mass and height and softened with landscaping and planting* as the definition of new development encompasses a wide range; including small extensions to dwellings. In the interest of clarity, to meet the Basic Conditions, I recommend modification to Policy LD1 by the inclusion of 'where possible and appropriate' at the end.
82. **Recommendation: to meet the Basic Conditions I recommend: modification to Figure 8.1 to remove the open spaces and correct the annotation;**



**modification to Policy LD1 to read as follows:**

**Policy LD1: Landscape and views**

**Due to its elevated position, views in and out of Spratton village, as shown on the Proposals Map, are important and should all be protected and enhanced. Planning permission will not be granted for development proposals that have a significant detrimental impact on these views.**

**The skyline of Spratton village is dominated by the church spire and this should remain so with views between village churches protected from any tall structures or buildings.**

**New development must not create the visual ‘wall’ of building that damages views of Spratton and should be varied in mass and height and softened with landscaping and planting where possible and appropriate.**

**Policy LD2: Tree planting**

83. Further to my comment above regarding the wide definition of development, in the interest of clarity, tree planting can only be encouraged where possible and appropriate. Subject to this modification, Policy LD2 meets the Basic Conditions, particularly in that it meets the core principle in the NPPF of taking account of the different roles and character of an area.

84. **Recommendation: to meet the Basic Conditions I recommend modification to Policy LD2 to read as follows:**

**Policy LD2: Tree planting**

**As part of any new development, tree planting especially in streets and open spaces will be encouraged to improve the amenity and create links with the surrounding countryside where possible and appropriate. Any trees that have to be removed as part of development should be replaced, if possible, in close proximity to the development.**

**Policy LD3: Special Landscape Area**

85. The whole of the Parish of Spratton, including the village within the settlement boundary, lies within a Special Landscape Area. Other policies in the Plan, such as Policies SB1, HS1 and CM2 have established the criteria for the scale and location of development in the Plan area to a considerable extent. In this context, it is not accurate to state in paragraph 8.12 that development outside the village settlement boundary *should only be permitted in exceptional circumstances*. Therefore, in the interest of clarity, I recommend the deletion of this reference.

86. For the same reason as above, reference to *a strong presumption against development in the Special Landscape Area* should be deleted from paragraph 8.14. The second sentence in paragraph 8.14 states that the Plan *does not consider that any development detached from Spratton village can properly relate to the settlement*. This contradicts both Policies LD3 and CM2. In particular it contradicts the policy justification for Policy CM2 with regard to support for further development at Matts Lodge Farm, some 700 metres to the north of the village. In the interest of precision and clarity, I recommend the deletion of paragraph 8.14.
87. Subject to these modifications to the policy justification, I consider that Policy LD3 meets the Basic Conditions, particularly where it has regard to policy in the NPPF with respect to protecting valued landscapes.
88. **Recommendation: to meet the Basic Conditions, in the interest of clarity, I recommend the deletion of the last sentence in paragraph 8.12 and paragraph 8.14.**

#### **Policy LD4: Light pollution**

89. Paragraph 125 in the NPPF seeks to limit the impact of light pollution from artificial light on local amenity. Policy LD4 meets the Basic Conditions in this respect.

#### **Policy LD5: Enhancing woodland areas**

90. Further to my comment above under Policies LD1 and LD2 regarding the wide definition of development, in the interest of clarity, the enhancement of existing wooded areas can only be required where possible and appropriate. Subject to this modification, Policy LD5 meets the Basic Conditions, particularly where it has regard to policy in the NPPF with respect to protecting and enhancing valued landscapes.
91. **Recommendation: to meet the Basic Conditions, in the interest of clarity, I recommend modification to Policy LD5 to read as follows:**

#### **Policy LD5: Enhancing woodland areas**

**New development will be required to protect and enhance the existing wooded areas in the parish where possible and appropriate.**

**Any proposals which facilitate the planting of appropriate mature trees that enhance the quality of the woodland areas in the parish will be supported. Appropriate mature trees are considered to be of the same species as the predominant tree species within the particular woodland area.**

## Heritage and Design

### Policy HD1: Building design

92. Paragraphs 59 and 60 in the NPPF state: *Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.*
93. Policy HD1 has largely been derived from and informed by existing guidelines in the VDS. It seeks to ensure that new development is in keeping with the character of the village and harmonises with neighbouring properties. Whilst these are laudable aims, I consider that it is unnecessarily onerous for developers to be required to include perspective drawings with planning applications. Therefore, I recommend deletion of the second criterion.
94. I have visited the parish and seen for myself the distinctive character and appearance of the area. Reference to the detailing in stone built walls in Policy HD1 has regard to national policy where it seeks to reinforce local distinctiveness. However, I consider the proposed imposition of restrictions on architectural style would not have regard to the above national policy. DDC has suggested revised wording incorporating the third and fourth criteria. To have regard to national policy, I recommend modification to Policy HD1 to include revised wording as suggested by DDC, as this would meet the Basic Conditions.
95. **Recommendation: to meet the Basic Conditions I recommend modification to Policy HD1 to read as follows:**

### Policy HD1: Building design

**Development which demonstrates that the scale and proportions of new buildings and extensions harmonise with neighbouring properties and spaces shall be supported.**

**New extensions should respect the character of the area and use materials that match the existing main building.**

**Stone built walls should be simple local dressed ironstone using a bond and finish to match the area.**

**Existing locally distinctive old cob, stone and brick boundary walls and buildings, thatched and slate roofs should be protected and conserved.**

**This policy should be read in conjunction with the other policies in the Neighbourhood Development Plan, particularly Policy HS1.**

## **Highways and Parking**

### **Policy HP1: Parking standards for new residential development**

96. Policy HP1 seeks to ensure that there is sufficient off road parking available for new development. The proposed standards have been derived taking into consideration the existing level of car ownership in the Parish and the concerns about where cars are parked. When I visited the Parish I was well aware of the restrictions of narrow streets and existing parking difficulties.
97. Policy HP1 addresses the need for off-street parking in the particular circumstances of Spratton. I consider the existing situation provides a clear and compelling justification that it is necessary to impose local parking standards to manage the local road network. As such, I consider Policy HP1 meets the Basic Conditions, particularly where it has regard to national policy for local parking standards in the NPPF.

### **Policy HP2: Improved provision for walking**

98. Policy HP2 encourages improved pedestrian safety and improved pedestrian access to the countryside. This is good planning practice which encourages the development of safe and accessible environments and encourages sustainable transport measures. As such, Policy HP2 has regard to national policy and contributes to the achievement of sustainable development. This policy meets the Basic Conditions.

## **Renewable Energy**

### **Policy RE1: Use of renewable energy in new buildings**

99. In a Written Ministerial Statement of 25 March 2015 the Government announced that it is not now appropriate to refer to any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings in neighbourhood plans.
100. The Government published a command *paper* *Fixing the foundations: Creating a more prosperous nation* in July 2015. It announced that: *The government does not intend to proceed with the zero carbon Allowable Solutions carbon offsetting scheme, or the proposed 2016 increase in on-site energy efficiency standards, but will keep energy efficiency standards under review, recognising that existing measures to increase energy efficiency of new buildings should be allowed time to become established.*

101. In the light of the above Statement and Announcement and to have regard to national policy, I recommend the deletion of Policy RE1 and accompanying text.
102. **Recommendation: to meet the Basic Conditions, I recommend the deletion of Policy RE1 and accompanying text.**

## **Community Facilities**

### **Policy CF1: Provision of a multi-activity community building**

103. Part of the social role of sustainability is to support the social and cultural well-being of a community. The provision of a multi-activity community building as supported by Policy CF1 would contribute to the achievement of sustainable development.
104. I have already made comment under Policy LG1 with regard to the Recreation Ground. For the same reasons, I recommend reference to the Recreation Ground to include 'within the village settlement boundary'. Subject to this modification, Policy CF1 meets the Basic Conditions.
105. **Recommendation: to meet the Basic Conditions, I recommend modification to policy CF1 to read as follows:**

### **Policy CF1: Provision of a multi-activity community building**

**Proposals to provide a multi-activity community building and associated parking for the benefit of the community on the Recreation Ground within the village settlement boundary will be strongly supported.**

**If it is not possible to provide such a facility on the Recreation Ground within the village settlement boundary, or an alternative location is proposed, then it must be demonstrated that this location is accessible for the majority of the community, both by car and in particular, on foot.**

## **Non Land Use Actions**

106. Section 13 clearly separates non-land use actions from the preceding planning policies. This provides a clear list of matters of local importance and actions to achieve the vision and objectives of the Plan.

## **Referendum and the Spratton Neighbourhood Development Plan 2015-2029 Area**

107. I am required to make one of the following recommendations:
- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
  - the Plan as modified by my recommendations should proceed to Referendum; or
  - the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.
108. **I am pleased to recommend that the Spratton Neighbourhood Development Plan 2015-2029, as modified by my recommendations, should proceed to Referendum.**
109. I am required to consider whether or not the Referendum Area should extend beyond the Spratton Neighbourhood Development Plan Area. I see no reason to alter or extend the Neighbourhood Development Plan Area for the purpose of holding a referendum.

**Janet Cheesley**

**Date 18 February 2016**

## Appendix 1 Background Documents

The background documents include

The National Planning Policy Framework (2012)  
The Planning and Compulsory Purchase Act 2004  
The Localism Act (2011)  
The Neighbourhood Planning (General) Regulations (2012)  
The Neighbourhood Planning (General) (Amendment) Regulations (2015)  
The Planning Practice Guidance (2014)  
The West Northamptonshire Joint Core Strategy Local Plan (Part 1) adopted on 15 December 2014  
Saved Policies in the Daventry District Local Plan, June 1997.  
The Settlements and Countryside Local Plan (Part 2a) Issues and Options Consultation Report.  
West Northants SHMA 2009.  
Spratton Village Design Statement. (2013)  
Spratton Neighbourhood Development Plan 2015-2029 Basic Conditions Statement April 2015  
Spratton Neighbourhood Development Plan Consultation Statement  
Spratton Neighbourhood Development Plan 2015-2029 Screening Report for: Strategic Environmental Assessment and Habitats Regulation Assessment November 2014  
Supporting Documentation on the Spratton Parish Council web site  
Regulation 16 Representations