

Crick Village Neighbourhood Plan 2011-2029

**A report to Daventry District Council on the Crick
Village Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by Daventry District Council in August 2017 to carry out the independent examination of the Crick Village Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 13 September 2017.
- 3 The Plan proposes a series of policies and seeks to bring forward positive and sustainable development in the plan area. There is a very clear focus on safeguarding local character and celebrating its rich historic environment. It identifies a series of Local Green Spaces and safeguards various community and sporting facilities.
- 4 The Plan has been underpinned by community support and engagement. The community has been actively engaged in its preparation in a proportionate way.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Crick Village Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood plan area.

Andrew Ashcroft
Independent Examiner
5 October 2017

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Crick Village Neighbourhood Development Plan 2011-2029 (the Plan).
- 1.2 The Plan has been submitted to Daventry District Council (DDC) by Crick Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework in 2012 and which continues to be the principal element of national planning policy.
- 1.4 This report assesses whether the Plan is legally compliant and meets the Basic Conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.5 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by DDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the DDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 30 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

The Basic Conditions

- 2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
 - contribute to the achievement of sustainable development; and
 - be in general conformity with the strategic policies of the development plan in the area; and
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth bullet point above in paragraphs 2.6 to 2.10 of this report.

- 2.6 In order to comply with the Basic Condition relating to European obligations the District Council carried out a screening assessment. The conclusion of the draft

screening report was that there were no significant environmental effects as a result of the production of the Plan.

- 2.7 The required consultation was carried out with the three prescribed bodies.
- 2.8 DDC has also prepared a Habitats Regulations Assessment (HRA) screening report on the Plan. It concluded that the Plan was not likely to have any significant effect on a European site. Both of the screening reports are exemplary in the way they address the issues and their proportionate use of information.
- 2.9 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various Regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 2.10 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Other examination matters

- 2.11 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (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
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.12 Having addressed the matters identified in paragraph 2.11 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the DDC Screening report
- the representations made to the Plan.
- the West Northamptonshire Joint Core Strategy 2011-2029.
- the saved elements of the Daventry District Local Plan 1997.
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- Relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the Plan area on 13 September 2017. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised DDC of this decision early in the examination process.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. The Statement reflects the Plan area and its policies. It also provides specific details on the consultation process that took place on the pre-submission version of the Plan from August to September 2016.
- 4.3 The Statement sets out details about the engagement with the statutory bodies and the public consultation events in the village. It also sets out details of the consultation events that were carried out in relation to the initial stages of the Plan including websites, Facebook and the use of banners and posters. It also provides details about more specific events and processes as follows:
- the village needs survey
 - the Scarecrow Festival Survey and Exhibition (July 2015)
 - the Village Survey (September 2015)
 - Residents and Business Surveys (May 2016)
 - The Scarecrow Festival Exhibition (July 2016)
- 4.4 The Statement also sets out details of the responses received to the consultation process on the pre-submission version of the Plan. Appendix I properly sets out the comments received and how the Plan responded to those representations. It is exemplary in the way that it addresses this matter.
- 4.5 A key element of the Statement is the way in which its appendices A-E reproduce or explain the consultation techniques that were used. This approach adds depth, interest and integrity.
- 4.6 Other appendices helpfully identify the range of bodies that were consulted as part of the preparation of the Plan.
- 4.7 From all the evidence provided to me as part of the examination, I conclude that the Plan has sought to develop an inclusive approach to seeking the opinions of all concerned throughout the process. I am satisfied that it meets the tests for a consultation process for a neighbourhood plan as set out in paragraphs 183 and 184 of the NPPF. DDC has carried out its own assessment of this matter and has concluded the consultation process has complied with the requirements of the Regulations.

Representations Received

4.8 Consultation on the submitted plan was undertaken by the District Council for a six-week period that ended on 28 July 2017. This exercise generated comments from the following persons and organisations:

- London Metric Property Limited
- Anglian Water
- Trevor Finney
- Jacqueline Smith
- Butchers Pet Care Limited
- Northamptonshire County Council
- Diane Irwin
- Gladman Developments
- Sworders
- Daventry District Council
- Canal and River Trust
- Natural England
- Hazleton Homes
- Delisle Estates Limited

4.9 I have taken account of all these representations as part of the examination of the Plan. Where it is appropriate and relevant to do so I refer specifically to the representation in this report.

5 The Plan Area and the Development Plan Context

The Plan Area

- 5.1 The Plan area covers the parish of Crick with the exception of the separate area designated as the Crick Commercial neighbourhood area. In 2011, it had a population of 1886 persons living in 745 dwellings. It was designated as a neighbourhood area on 13 July 2015.
- 5.2 The village of Crick sits to the immediate south of the A428 and approximately a kilometre to the east of the M1 (and its junction 18). As the historic milepost off Main Road indicates it is 14 miles from Northampton to the south east and 7 miles from Dunchurch to the west. The Plan area contrasts very significantly with land uses around junction 18 of the M1 which are dominated by the extensive Daventry International Rail Freight Terminal (DIRFT) to the west of the junction, and other employment areas to the east of the junction (as designated as the Crick Commercial neighbourhood area). The Plan area is primarily in agricultural use and with the built-up area of the village at its heart. The village itself is predominantly residential in character. It has a clearly-defined core. It displays the attractive character and appearance found in many traditional Northamptonshire villages.
- 5.3 The format of the village reflects its agricultural heritage. It also has a strong historic core based on the junction of Main Road and Church Street. The church of St Margaret of Antioch is particularly prominent both within the village and its surrounding landscape. The village includes an attractive range of vernacular buildings. Some use the rich Northamptonshire stone and others use bricks. A particular feature of the village is the route of the Grand Union Canal to the east. The significance and attractiveness of the Canal is heightened by the Crick Marina to the north east of the village.

Development Plan Context

- 5.4 The West Northamptonshire Joint Core Strategy (WNJCS) was adopted in December 2014. It sets out the basis for future development in the wider Plan area from 2011 to 2029. It covers the administrative areas of Daventry District, Northampton Borough and South Northamptonshire District. The WNJCS provides a very clear spatial context for development in the Plan area.
- 5.5 Within this broader strategic planning context DDC is working to bring forward more detailed policies for the Daventry District. It is preparing two plans which in combination with form part 2 of the Local Plan. The first is the Settlements and Countryside Local Plan. The second is the Gypsy, Travellers and Travelling Show People Local Plan. These two plans are expected to be submitted for examination in March 2018.

- 5.6 Until such time as these Part 2 plans are adopted, the development plan comprises the Core Strategy and the saved elements of the Daventry District Local Plan 1997.
- 5.7 The Basic Conditions Statement helpfully maps the various policies in the submitted neighbourhood plan against the policies in the WNJCS and the saved Local Plan. In summary, the following policies have been particularly important in underpinning neighbourhood plan policies:

WNJCS

- S1 The Distribution of Development
- S10 Sustainable Development Principles
- C1 Changing Behaviour and Achieving Modal Shift
- INF2 Contributions to Infrastructure Requirements
- R1 Strategy for the Rural Areas

Saved Local Plan

- GN1 General
- GN2 General
- HS11 Limited Development in Villages
- HS16 Crick
- HS24 Open Countryside

- 5.8 It is clear that the submitted Plan has been prepared within the context of the existing development plan and the evolving part 2 of the Local Plan. In doing so it has relied on up-to-date information and research. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Site Visit

- 5.9 I carried out an unaccompanied visit to the Plan area on 13 September 2017. The back-end of Storm Aileen made the visit bright and breezy.
- 5.10 I drove into the Plan area from the west via DIRFT and junction 18 of the M1. I was able to see the significant contrast between the Plan area and the transportation and employment-related environment to the west.
- 5.11 I looked initially at the centre of the village based on Main Road. I looked at its character and the proposed local green spaces in this part of the Plan area.
- 5.12 I then walked to the west along Main Road. I looked at the various local green spaces, including the allotments. I took the opportunity to walk through the new residential areas in the north and west of the village centre.
- 5.13 I found my way through to Yelvertoft Road and then onto the well-used footpath that took me to the Sports Field, the Jubilee Wood, Cracks Hill and Millennium Wood. It was the highlight of a very pleasant day. The various areas were well-maintained in their different ways. Individually and collectively they provide an excellent recreational

facility for the village. I was rewarded with excellent (if windy) views from the top of Cracks Hill to the Rugby Cement Works to the west, to the Hemplow Hills to the north, to the village to the south west and to various wind turbines.

- 5.14 I walked back into the village and looked at the other proposed local green spaces, and LGS3 in particular.
- 5.15 I then walked to the east of the village so that I could see the Marina and the garden centre. At this point, and as I walked to Cracks Hill earlier, I was able to see the route of the Grand Union Canal.
- 5.16 I finished my visit by walking down High Street into Watford Road. To get a wider impression of the Plan area in general, and the relationship between the village and its surrounding countryside I drove to Yelvertoft to the north, to the A5 beyond the Watford Road and to West Haddon to the east.

6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and very professional document.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.6 to 2.10 of this report have already addressed the issue of conformity with European Union legislation.

National Planning Policies and Guidance

- 6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Crick Village Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted WNJCS and the saved elements of the Local Plan.
 - Proactively driving and supporting sustainable economic development.
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities.
 - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area within the context of its historic character. At its heart are a suite of policies that aim to safeguard its character and appearance in its wider landscape setting and to promote sensitive development appropriate to this character. It protects local community facilities and designates a series of local green

spaces. Table 1 of the Basic Conditions Statement is particularly effective in terms of mapping the Plan policies with the core planning principles in the NPPF.

- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the Plan area. In the economic dimension, the Plan includes policies for the development of small businesses (CRICK 8), for infill development (CRICK 9) and for communications infrastructure (CRICK 7). In the social role, it includes policies on meeting local housing needs (CRICK 11), to designate local green spaces (CRICK 2) and to safeguard community facilities (CRICK 3). In the environmental dimension, the Plan sets out guidance on design (CRICK 12), and to safeguard its built heritage (CRICK 13).

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in the wider District area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the WNJCS. Table 3 of the Basic Conditions Statement helpfully relates the Plan's policies to policies in the WNJCS and to the policies in the saved Local Plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial sections of the Plan (Parts 1-4)

- 7.8 These introductory elements of the Plan set the scene for the policies. They are commendable to the extent that they are proportionate to the Plan area and the subsequent policies.
- 7.9 Part 1 provides very clear context to the neighbourhood planning process. It also provides a useful context to the decision to prepare this Plan and the separate Crick Commercial Neighbourhood Plan. It describes the timetable within which the Plan has been prepared.
- 7.10 Part 2 sets out an interesting description of the history of the village. This then shifts into commentary about its current characteristics, buildings and facilities.
- 7.11 Part 3 sets out the planning policy framework for the Plan. It summarises national planning policy and then describes local planning policies. It does so in a commendable level of detail. It provides assurance that the Plan has been properly prepared within this context.

7.12 Part 4 sets out community issues and opportunities to be addressed in the Plan. This then cascades into a Vision for Crick. This is then underpinned by a series of Objectives.

7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

. Policy CRICK 1 – Landscape and Local Landscape Character

7.14 This policy sets the scene for the wider series of policies in the submitted Plan. It requires that development proposals should demonstrate their relationship to a series of landscape design principles. The principles are distinctive to Crick Village and include the scale, form and character of the village, the protection of the skyline and profile of the village, landscaping and boundary treatments and the protection of local habitats and wildlife corridors.

7.15 I am satisfied that the approach adopted in this policy is appropriate to the context and the setting of the Plan area. As I have already commented in Section 5 of this report its setting is unusual in terms of its proximity to other larger and more modern built development to the north and west of the Plan area. I have looked at the representation that Gladman Developments have made to criterion c (development on prominent sites on the edge of the village) very carefully. However, I am satisfied that this element of the policy is drafted in a non-prescriptive way and that it addresses an important material consideration for future development in the Plan area.

7.16 I recommend a series of modifications so that the policy has the clarity required by the NPPF and so that the format and structure of the various criteria flow naturally from its opening element. I also recommend that criterion g adopts the same flexible approach as criterion d. This will reflect the individual circumstances of proposed developments.

In the introductory part of the policy replace ‘will be required to’ with ‘should’

In a. and b. replace ‘shall be’ with ‘is’

In g. add at its end ‘where practical and possible’

Policy CRICK 2 – Protection of Local Green Spaces

7.17 This policy identifies and designates 14 parcels of land as local green space (LGS). I looked at some of these sites on my recent visit to the Plan area. Proposed local green spaces are addressed in paragraphs 76 to 78 of the NPPF. The context is that such designation will not be appropriate for most green areas or open spaces. On this basis, the designation should only be used where three circumstances apply as described in paragraph 77 of the NPPF.

7.18 Table 1 in the Plan sets out a comprehensive assessment of each of the proposed LGSs. This assessment is supported by their identification on the Policies Map at

Appendix 3. This approach is entirely appropriate. However, I recommend that the proposed LGSs are also displayed in a separate appendix on a map of an appropriate scale which would identify their locations and boundaries precisely for development management purposes throughout the Plan period.

- 7.19 In all cases I am satisfied that they are in close proximity to the community that they serve and that they are local in character and not extensive tracts of land. As I mentioned in paragraph 5.13 of this report I walked through and into the series of proposed local green spaces to the immediate north of the village and on either side of the Grand Union Canal. It was a very pleasant walk into parcels of land that are in close proximity to the village. I saw several other people doing so on the day of my visit. Plainly in combination they would constitute an extensive tract of land. Nevertheless, they have been properly proposed as individual areas of LGS. They have different land uses, physical characteristics and maintenance regimes.
- 7.20 In their different ways I can also see that the majority of the proposed LGS are 'demonstrably special to the local community'. I sought clarification from the Parish Council on proposed LGS 7 and 8. They provide part of the landscaping and open space respectively associated with the new residential developments to the immediate north of the village. Their designation as LGSs reflect their importance within these new landscapes. In effect their safeguarding and development through the development management process would be translated into planning policy within any 'made' neighbourhood plan. In any event both will be transferred to the Parish Council as part of the Section 106 agreements.
- 7.21 I looked carefully at the proposed LGS3 as part of my visit to the Plan area. I saw that the majority of its proposed extent was fenced off from the amenity open space to the east and from the churchyard to the south. A representation was submitted by the site owners of the fenced-off part of the site. It explains that planning appeal has recently been allowed which would gift the land to the Parish Council as public open space. This proposal would allow further investigations of the archaeological importance of the site and safeguard its ecological significance. The owner contends that it would be inappropriate to designate the site as LGS in these circumstances.
- 7.22 In its response to my Clarification Note the Parish Council provides some background to the uses of the site, the erection of the fencing and the value of the site to the local community. Taking all these matters into account I recommend that the majority of the proposed LGS3 (Land beyond the School towards Oak Lane, including Elms Farm) is deleted from the Plan. As best I could see from my visit the site has an open aspect. Nevertheless, it was fenced off from public access or view. The examination process requires me to assess the relationship of each and every proposed LGS at that time. On this basis it was not possible to conclude that the site was 'demonstrably special to the local community'. Plainly this part site of the wider LGS has the opportunity to become a LGS at some point in the future when the planning proposal is implemented. That would need to take place as part of a review of any 'made' Plan. I am satisfied that the open space to the east of the fenced area can remain in the Plan as LGS.

- 7.23 The policy includes both the playing fields (LGS5) and the allotments (LGS14). These areas display many of the characteristics of the other proposed LGSs. However, they are also respectively identified as a Sport and Recreational facility (CRICK 4) and as a Local Community Facility (CRICK 5). I sought clarification from the Parish Council on the Playing Field site. Taking all the information into account, including the characteristics of the two sites concerned I recommend that they are deleted as LGSs. Their protection through the other policies would remain unaffected by this modification. This recommendation has two primary purposes. The first is to bring clarity to the development management process. As submitted there would be two different policies that would otherwise have to be applied to the same site. The second is to reflect the potential for the very restrictive LGS policy on potential future operational development proposals associated with existing uses on both sites. This would be particularly the case with regard to the evolving proposals to redevelop the existing pavilion on the Playing Field site.
- 7.24 Policy CRICK 2 identifies the proposed LGSs and then sets out a policy basis to safeguard the spaces throughout the Plan period. I recommend modifications to the structure of the policy so that it is clear, straightforward and has regard to paragraph 78 of the NPPF.

Replace the introductory part of part 1 the policy and the whole of part 2 of the policy with the following:

The following parcels of land as shown on the Policies Map at Appendix C and in the more detailed maps at Appendix [insert number] are designated as Local Green Spaces:

[List here the sites to be retained]

New development will not be supported on land designated as Local Green Space except in very special circumstances.

Delete LGS 5 and 14.

Reduce the extent of LGS 3 by deleting the fenced-off area.

Include detailed maps of each retained LGS to an appropriate scale in a separate appendix.

Policy CRICK 3 – Protection of Local Community Facilities

- 7.25 This policy sets out to safeguard identified local community facilities. Fourteen facilities are listed in the policy. The community facilities are appropriate to the scale and character of the neighbourhood area. They include the Village Hall, the primary school and various public houses.
- 7.26 The second part of the indicates that proposals that would result in the loss of the facilities unless one of three circumstances can be demonstrated. The approach adopted is both thorough and appropriate. The policy meets the basic conditions.

Policy CRICK 4 – Protection and Enhancement of Sport and Recreation Facilities.

- 7.27 This policy sets out to protect and enhance sports and recreational facilities. Five facilities are identified. However, the policy is a statement of intent and does not identify how the facilities will be protected in a policy format. I recommend a modification to address this matter. I also recommend a modification so that the five facilities are shown either on the Policies Map or in a separate appendix.
- 7.28 Thereafter the policy has two separate components (parts two and three). Part 2 offers support to proposals to enhance or to improve the five identified facilities. Part 3 highlights a series of initiatives that the Parish Council intends to undertake to protect and enhance sports and recreational facilities.
- 7.29 Part 2 of the policy identifies two criteria against which proposals will be assessed (residential amenity and access/parking). It meets the basic conditions. Part 3 of the policy sets out a series of initiatives which the Parish Council wishes to pursue. The various initiatives are all very laudable. Nevertheless, they are not policies. Instead they are a series of proposals for the Parish Council to implement itself, or to encourage others to implement.
- 7.30 National policy anticipates that proposals of this nature may arise as part of the preparation of a neighbourhood plan. However, it comments that such policies should be located in a discreet part of the Plan which would not form part of the development plan. Plainly these circumstances apply here and I recommend accordingly.

Replace the initial section of the first part of the policy to read:

‘Development that would result in the loss of the following local sports and recreational facilities as shown on the Policies Map will not be supported.’

Delete the third part of the policy

Reposition it into a separate non-land use part of the Plan

Show the five facilities either on the Policies Map or in a separate appendix.

Policy CRICK 5 – Developer Contributions and Community Infrastructure Levy

- 7.31 This policy identifies a series of projects that the Parish Council considers to be appropriate for funding from the Community Infrastructure Levy (CIL). A CIL was introduced by DDC in September 2015.
- 7.32 The policy has attracted representations from various sources. DDC and Gladman Developments express concerns about the application of the policy. DDC’s focus is on the applicability of the policy and its use of ‘developer contributions. Gladman Developments comments that the policy will have little effect given the limited amount of development anticipated in the Plan.

- 7.33 Plainly this matter will evolve throughout the Plan period. As DDC point out developer contributions through Section 106 agreement can only be sought where there would be a direct and functional connection between any proposed development and off-site works. The application of CIL is inherently more flexible. In any event if the Plan is 'made' the Parish Council will receive 25% of all CIL monies generated in the neighbourhood area for use on local infrastructure projects.
- 7.34 Taking all these factors into account I recommend that the policy is restructured. The effect of the modification will be to identify the range of local infrastructure projects and then link them to local CIL funding streams.

Replace the opening part of the policy with:

The following projects are identified as priorities for investment in local community infrastructure:

[List a-k at this point]

Add a second part of the policy (after the schedule) to read:

Monies from the local element of the Community Infrastructure Levy will be applied to these various priority projects

Include additional text at the end of paragraph 125 to read:

Section 106 contributions may also have the ability to assist in the delivery of the projects listed in Policy 5 where the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 are met.

Policy CRICK 6 – Traffic and Transport

- 7.35 This policy addresses traffic and transport issues in the neighbourhood area. It sets out a series of areas where it proposes to work jointly with the County Council as the highways authority to tackle traffic congestion, traffic calming measures and car parking.
- 7.36 The policy is not in itself a land use policy. Rather it is a proposal from the Parish Council to address a series of issues. Plainly any joint responses as anticipated in the policy will be a separate matter for the County Council in its capacity as the highways authority. National policy anticipates that proposals of this nature may arise as part of the preparation of a neighbourhood plan. However, it comments that such policies should be located in a discrete part of the Plan which would not form part of the development plan. Plainly these circumstances apply here and I recommend accordingly.

Delete policy

Reposition the policy into a separate non-land use part of the Plan

Policy CRICK 7 – Communications Infrastructure

- 7.37 This policy recognises the importance of communications infrastructure to modern life. It reflects the poor quality of mobile phone signals in the Plan area (paragraph

129a) and that superfast broadband is likely to encourage local residents to work from home and therefore reduce the need to travel (paragraph 129b). As submitted the policy has four overlapping elements. Some are policy based and others are aspirational. In some cases, the elements are both policy-based and aspirational.

- 7.38 In its representation to the Plan DDC contends that the final three elements (incorrectly numbered 3/4/5) could not be implemented as part of its operation of the development management process. I share its view on the second element of the policy (and as numbered 3). It is more of an operational issue rather than a policy matter. In any event the Plan acknowledges that technology is changing. In 2029 it is likely to be very different from that which we currently experience. I recommend the deletion of this element of the policy
- 7.39 The third element of the policy (and as numbered 4) requires that all new development should provide fibre to the premises. As the Parish Council correctly identify this approach follows on from that included in Policy C1 of the WNJCS. I recommend a modification so that the two policies are entirely consistent.
- 7.40 The fourth element of the policy (and as numbered 5) is both policy-based and aspirational. The Plan's contention that 4G mobile coverage should be extended to cover all parts of the village falls squarely in the latter category. The section of this part of the policy that refers to the siting of phone masts is a policy issue. I recommend modifications to its structure so that it has the clarity required by the NPPF and reflects that many such masts may be permitted development.

Delete the second part of the policy.

Replace the third part of the policy with:

'All new developments should be accessed by fibre to the premises (FTTP) technology enabling access to superfast broadband'.

Replace the fourth part of the policy with:

'Insofar as planning permission is required proposals for communications masts to extend 4G mobile phone coverage in the Plan area will be supported where they would not have an unacceptable impact on the visual amenity, character and appearance of the surrounding area'.

Policy CRICK 8 – Supporting the Development of Small Businesses

- 7.41 This policy establishes support for the development of small businesses in the Plan area. Paragraph 131 of the Plan highlights the rather unusual circumstances in the wider area with the existing local industrial areas (to be addressed in a separate neighbourhood plan) and the more sub-regional employment opportunities at DIRFT.
- 7.42 The Parish Council has responded helpfully to my Clarification Note which sought to understand the relationship between the policy and national and local policies. I

recommend a modification to policy so that it is in general conformity with Policy R2 of the WNJCS and has the clarity required by the NPPF.

Modify the initial part of the policy to read:

Proposals for the development of small business will be supported where they involve:

- a. new builds or the conversion of existing buildings; and**
- b. the diversification of existing rural enterprises.**

In paragraph 131 b add at its end:

The purpose of Policy CRICK 8 is to meet these and other local employment needs. In a wider context there are significant opportunities for larger scale employment development either in the Crick Industrial Estates (outside this Plan area) and in DIRFT.

Policy CRICK 9 – New Residential Development in Crick

- 7.43 This policy identifies that residential development will be supported within the settlement boundary subject to a series of criteria. The identified criteria address issues that are appropriate to the scale and character of the village and include design, respecting open land and protecting the amenities of residential properties.
- 7.44 Gladman Developments has made representations to this policy and to Policy CRICK 10. In particular it objects to the use of settlement boundaries where they would otherwise preclude sustainable development from coming forward. I have looked at the two policies carefully and related them to my own observations when I visited the Plan area. I can see that the proposed settlement boundary has been sensitively and appropriately drawn. In addition, I can see that Policy CRICK 10 does not place an absolute restriction on residential development outside the defined settlement boundary. In any event the approach adopted in the submitted Plan is consistent with that set out in the WNJCS. Its Policy S1D identifies that new development in rural areas will be limited with an emphasis on enhancing and maintaining the distinctive character and vitality of rural communities (S1D1) and respecting the quality of tranquillity (S1D4). In addition, Policy R1 sets out the spatial strategy for the rural areas. In this context the Daventry Part 2 Local Plan documents will identify the village hierarchy in the District as set out in Policy R1. Nevertheless, Policy R1 is very clear that residential development in rural areas will be required to be of an appropriate scale to the existing settlement (E) and to be within the confines of the existing village (G).
- 7.45 In coming to my judgement about the appropriateness of the settlement boundary I also looked at the proposed site included in the representation made by Hazelton Homes.
- 7.46 I recommend a series of modifications so that the policy has the clarity required by the NPPF. In criterion c it would be appropriate for a linkage to be made to CRICK 2 and 4. In criterion d. I recommend that the reference is to ‘residential properties’

rather than to 'existing residents'. In the second part of the policy the reference to a 'prioritisation' of retirement homes should be modified so that such schemes would receive particular support. Plainly developers will come to their own judgements on market signals. Finally, in the third part of the policy I recommend that 'allowed' is replaced by 'supported'

In criterion c add at the end 'and the parcels of land identified in Policies CRICK 2 and 4 in particular'.

In criterion d replace 'existing residents' with 'residential properties'

In part 2 of the policy replace 'should be...housing need' with 'to meet local housing needs will be particularly supported'

In part 3 of the policy replace 'allowed' with 'supported'

Policy CRICK 10 – New Housing Development outside Crick Village

7.47 This policy follows on from the approach already set out in the previous policy. It addresses proposals for new housing development outside the settlement boundary. It identifies a series of circumstance where residential development will be supported in this part of the Plan area.

7.48 I am satisfied that the approach adopted is in general conformity with the strategic approach set out in the WNJCS and the saved Local Plan. In coming to this judgement I have taken into account the various representations that have been made about the settlement boundary and the focus for new residential development in the Plan area.

7.49 DDC has made very helpful comments on the contents of criterion a. I recommend accordingly

In criterion a after reuse add 'and conversion' and replace 'and leads.....immediate setting' with 'that are suitable in terms of condition, design and appearance and would enhance its immediate setting; or'

Policy CRICK 11 – Meeting local housing needs

7.50 This policy sets out to ensure that all new residential development of five or more houses should provide a mix and range of house types to meet identified local needs. It is supported with robust evidence in paragraphs 137 and 138.

7.51 The policy meets the basic conditions

Policy CRICK 12 – Development design criteria

7.52 The policy sets out the approach to design in the Plan area. It appropriately references the Village Design Statement. It addresses a series of matters that are distinctive to the Plan area. They include sites on the edge of the village, the size and

shape of the building plot and detailed matters such as fenestration and doors, brickwork detailing, roof pitches and building materials.

- 7.53 One of the 12 core planning principles in the NPPF (paragraph 17) is ‘(always seek) to secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings’. Furthermore, the approach adopted in the policy has regard to the more detailed design elements of the NPPF. In particular, it plans positively for high quality and inclusive design (paragraph 57), it has developed a robust and comprehensive policy (paragraph 58), it proposes outlines of design principles (paragraph 59) and does so in a locally distinctive yet non-prescriptive way (paragraph 60).
- 7.54 I recommend a series of modifications so that the policy meets the basic conditions. The first is to replace ‘will be expected to’ with ‘should’ in the introductory part of the policy. The second extends the coverage on flooding set out in criterion (i). The third reflects the point made by DDC that it has not adopted the County Council car parking standards highlighted in criterion (j).

Replace ‘will be expected to’ with ‘should’ in the introductory part of the policy. In criterion (i) add at the end ‘or increase flood risk elsewhere’

Replace criterion (j) with the following:

‘Provide a sufficient level of off-street car parking’

In paragraph 140 add a new section to read:

Criterion j of Policy CRICK 2 requires that new development should provide a sufficient level of off-street car parking. The level of car parking should reflect the type of scheme proposed and its location within and adjacent to the highway network. The District Council has not adopted Northamptonshire County Council car parking standards. Nevertheless, those standards should be used as a starting point to satisfy this design criterion.

Policy CRICK 13 – Protection of Heritage including listed buildings

- 7.55 The policy in the submitted Plan is very extensive. It addresses listed buildings, conservation areas and scheduled ancient monuments. It also identifies and addresses buildings of local significance or interest. It is supported in significant detail by appendices and maps showing the various buildings and sites.
- 7.56 The policy has attracted representations both from DDC and from Gladman Developments. They both contend that the first two elements of the policy are fully covered by national policy and are unnecessary. I agree with these representations and recommend accordingly.
- 7.57 I am satisfied that the part of the policy which refers to buildings or sites of a local significance or interest is capable of meeting the basic conditions. It would reflect the localism agenda and the clear importance that the local community place on its heritage. However, it does not have regard to national policy which indicates that the

responsibility for preparing local lists (in this case described as Local Historic Importance) rests with the local planning authority (here DDC). At some future point the identified buildings could be incorporated into a local list for the wider DDC area if one was produced.

- 7.58 On this basis I recommend modifications to the format of the structure of the retained part of the policy. In the first instance, I recommend that the local buildings be identified as ‘important character buildings and sites’. In the second instance I recommend that development proposals that may affect these buildings should be referenced back to important elements of the NPPF on this matter.

Delete the first and second parts of the policy.

Replace the third part of the policy with:

A series of local character buildings and sites are identified in the schedule and the map in Appendix 6

Proposals for the demolition, redevelopment or substantial alterations to important character buildings and sites should demonstrate the consideration that has been given to retaining:

- **The important character building or site itself;**
- **Its most distinctive and important features;**
- **The positive elements of its setting and its relationship to its immediate surroundings; and**
- **The contribution that the building or the site and its setting makes to the character of the local area.**

Modify Appendix 6 (schedule and map) so that only the ‘Local Historic Importance’ category (to be modified to read Local Character Buildings and Sites) are shown.

Other Matters

- 7.59 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for DDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies

- 7.60 Appendix 3 includes a Proposals Map. For clarity I recommend that it is identified as the ‘Policies Map’

In Appendix 3 replace ‘Proposals Map’ with ‘Policies Map’.

- 7.61 Paragraph 18 of the Plan refers to DIRFT being to the east of the M1. For clarity it is to the west

In paragraph 18 replace 'east' with 'west'.

- 7.62 DDC has identified an update to the document referred to in paragraph 106. I recommend accordingly.

In paragraph 106 replace 'Biodiversity.... Northamptonshire (August 2015)' with 'Biodiversity Supplementary Planning Document for Daventry District (May 2017)'

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2029. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Crick Village Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended some technical modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 On the basis of the findings in this report I recommend to Daventry District Council that subject to the incorporation of the modifications set out in this report that the Crick Village Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 13 July 2015.
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
5 October 2017