

Pitsford Neighbourhood Development Plan 2011-2029

**A report to West Northamptonshire Council on
the Pitsford Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by West Northamptonshire Council in February 2022 to carry out the independent examination of the Pitsford Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 11 February 2022.
- 3 The Plan is an exceptionally good example of a neighbourhood plan. It is beautifully written and presented. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on two specific matters. The first is ensuring that the design of new development takes account of the character of the parish in general, and of the village of Pitsford in particular. The second is the proposed designation of a package of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
1 April 2022

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Pitsford Neighbourhood Development Plan 2011-2029 ('the Plan').
- 1.2 The Plan was submitted to Daventry District Council (DDC) by Pitsford Parish Council (PPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan. In April 2021, DDC was incorporated into the newly-created West Northamptonshire Council (WNC). That Council has overseen my appointment as the examiner and the wider process thereafter.
- 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 (NPPF) in 2012, 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan in particular. It seeks to provide a context in which the neighbourhood area can maintain its rural character.
- 1.6 Within the context set out above, 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.
- 1.7 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 neighbourhood 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 WNC, with the consent of PPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WNC and PPC. 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 35 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 System.

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 as submitted should proceed 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.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am 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.

2.7 Having addressed the matters identified in paragraph 2.6 of this report I am satisfied that all of the points have been met.

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 SEA/HRA Screening report.
- the representations made to the Plan.
- PPC's responses to the clarification note.
- the adopted West Northamptonshire Joint Core Strategy.
- the adopted Settlements and Countryside Local Plan (Part 2) for Daventry.
- the National Planning Policy Framework (July 2021).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 11 February 2022. I observed the social distancing arrangements in place at that time. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 The Plan's submission coincided with the publication of the most recent version of the NPPF in July 2021. I have taken this matter into account as part of the examination of the Plan and recommend modifications where necessary to ensure that the Plan has proper regard to the most up to date national planning policy.

3.4 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 concluded that the Plan could be examined by way of written representations. I was assisted in this process by the comprehensive nature of many of the representations and the professional way in which the Plan has been developed.

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, PPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It is a very good example of a Statement of this type. In particular it sets out key findings in a concise report which is underpinned with a series of more detailed tables.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (March to May 2020). It provides the details of the responses to that version of the Plan in Tables 1 and 2. This analysis contributes significantly to the legibility of the relevant information and helps to describe how the Plan has progressed to the submission stage.
- 4.4 The Statement sets out details of the range of consultation events that were carried out in relation to the initial stages of the Plan which included:
- the questionnaire survey (May and June 2018);
 - the informal consultation (October 2019); and
 - the ongoing use of the Parish Council website, the village notice boards and updates in the Parish newsletter.
- 4.5 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. WNC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

4.6 Consultation on the submitted plan was undertaken by West Northamptonshire Council. It ended on 15 October 2021. This exercise generated representations from the following organisations:

- West Northamptonshire (Minerals and Waste)
- Natural England
- Historic England
- Brixworth Parish Council
- West Northamptonshire Council (Key Services)
- West Northamptonshire Council (Planning Policy)
- Environment Agency
- Anglian Water
- National Grid

4.7 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Pitsford. Its population in 2011 was 671 persons living in 294 households. It is located in attractive rolling countryside between Northampton to the south and Brixworth to the north. The parish straddles the A508 (Northampton to Market Harborough Road). It was designated as a neighbourhood area on 13 December 2016.
- 5.2 Pitsford is the principal settlement in the parish. It is located to the immediate east of the A508. It is an attractive historic village based around the junction of High Street, Moulton Road and Grange Lane. Its historic core is a designated conservation area. It includes many attractive vernacular buildings. As the Plan describes 'it remains a small historic village having retained its peaceful, coherent character. It has a relatively high number of high-status buildings yet is not dominated by any of them; trees typically dominate the horizon and envelop its historic properties. These trees also instil a sheltered feel within the village, where views are short and channelled'.
- 5.3 Pitsford Water is located to the north-east of the village. It is a prominent and attractive facility in both the parish and the wider surrounding landscape. The remainder of the parish consists of attractive countryside. The Brampton Valley Way is located in the western part of the parish. It includes the workshops of the Northampton and Lamport Light Railway. With the adjacent Brampton Halt PH this part of the parish is an attractive and popular focus for leisure and recreation uses in the wider locality.

Development Plan Context

- 5.4 The development plan for the neighbourhood area is well-developed and up-to-date. The West Northamptonshire Joint Core Strategy (WNJCS) sets the broader strategic picture for new development in the West Northamptonshire area (which at that time incorporated Daventry, Northampton and South Northamptonshire Districts).
- 5.5 The Settlements and Countryside Local Plan (Part 2) for Daventry is one of a series of District-based plans which adds local value to the WNJCS. It includes a wide range of other more detailed policies. In particular Policy RA3 identifies Pitsford as one of a series of 'Secondary Service Villages' in the former Daventry District. The Secondary Service Villages perform an important role in helping to provide some services and facilities for the local communities which they serve.

- 5.6 In addition to Policy RA3, the following policies in the Settlements and Countryside Local Plan have been particularly important in underpinning the policies in the submitted Plan:
- ENV1 Landscape
 - ENV4 Green Infrastructure
 - ENV5 Biodiversity
 - ENV7 Historic Environment
 - CW1 Health and Well-being
 - RA5 Renovation and Conversion of Existing Buildings within settlements
 - RA6 Open Countryside
- 5.7 The submitted Plan has been prepared within its up-to-date development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is clear that the submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.
- 5.8 WNC has now begun work a new West Northamptonshire Strategic Plan (WNSP). It will set out a spatial vision for the future of the area for the period up to 2050. However, that Plan is at a very early stage and it would be impracticable to give it any weight for the purposes of examining this neighbourhood plan. In any event the basic conditions test is against the strategic policies in the adopted development plan.
- Visit to the neighbourhood area
- 5.9 I visited the neighbourhood area on 11 February 2022. I approached it from the A508 from the north. This helped me to understand its position in the wider landscape in general and its accessibility to the strategic road network in particular.
- 5.10 I drove initially to the Northampton and Lamport Railway and Brampton Halt in the west of the parish. I saw the attractiveness and the interest of the two facilities and their association with the adjacent Brampton Valley Way. In their different ways, these various leisure and recreational facilities were being enjoyed by several groups of people.
- 5.11 I then drove to Pitsford Village. I parked at All Saints Church. I saw its attractive and quiet setting away from the centre of the village. Given the tightly-knit nature of the village I was able to undertake the majority of the visit

on foot. I appreciated the extensive use of vernacular stone throughout the village

- 5.12 I walked initially along Grange Lane to the Pitsford Reservoir Car Park. On the way, I saw the attractive The Birches constructed in a distinctive fashion in 1878. I also saw the attractive proposed local green spaces to the west of Grange Lane and the Grange Lane Nature Reserve. In both cases they were precisely as described in the Plan.
- 5.13 When I arrived at the car park, I was rewarded with extensive views across the Reservoir itself and the surrounding countryside, including Brixworth Country Park.
- 5.14 I then retraced my steps into the village centre, taking Manor Road rather than the direct Grange Lane route. I saw the Manor and its equally-impressive Coach House. I also saw Elm Cottage and York Cottage and their splendid thatched roofs.
- 5.15 I then looked at High Street. I saw its attractive range of buildings including the Village Hall, The Griffin Inn and Restaurant and the Old Dower House.
- 5.16 Finally I looked at the recreational facilities to the west of the village and adjacent to the A508. I saw the way in which the Playing Field and T's Wood provide an effective screening effect for the bulk of the village from the main road.

6 The Neighbourhood Plan and the Basic Conditions

- 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 in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 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;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework 2021 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Pitsford Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan, the West Northamptonshire Joint Core Strategy and the Settlements and Countryside Local Plan (Part 2) for Daventry
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and

- conserving heritage assets in a manner appropriate to their significance.

- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 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 subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies that address a range of development and environmental matters. It proposes the designation of a package of local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of 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 (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: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 that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic

dimension, the Plan includes policies for infill residential development (Policy 1) and for employment development (Policy 10). In the social role, it includes policies on open spaces (Policies 5 and 6) and on community facilities (Policies 7 and 8). In the environmental dimension, the Plan positively seeks to protect its natural, built and historic environment. It has policies on design (Policy 2) and on heritage assets (Policies 3 and 4). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

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 West Northamptonshire 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 adopted development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation – Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required. In order to comply with this requirement, DDC undertook a screening exercise in December 2020 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that it will be unlikely that any significant environmental effects will arise from the implementation of the Plan. As such the submitted Plan does not require a full SEA to be undertaken.

European Legislation – Habitats Regulations Assessment

- 6.14 DDC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It concludes that the submitted Plan is unlikely to have significant effects on a European site. The report is very thorough and comprehensive. In particular, the wider report assesses the likely effects of the implementation of the policies in the Plan on sites in close proximity to the parish (Upper Nene Valley Gravel Pits SPA/RAMSAR and the Rutland Water SPA/RAMSAR sites).
- 6.15 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.

- 6.16 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.

European Legislation – Human Rights

- 6.17 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

Summary

- 6.18 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

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 (Section 41-004-20190509) 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 normal print.
- The initial parts of the Plan (Sections 1 to 4)
- 7.8 The Plan as a whole is very well-organised and presented. It is supported by a series of excellent photographs. It is clear that the Plan has been prepared with much attention to detail and local pride. It makes an appropriate distinction between the policies and their supporting text. In summary it is a first-class example of a neighbourhood plan. If it is eventually made it will comfortably sit within the wider context of the development plan.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. The Background comments about the way in which the Plan was prepared. Figure 1 incorporates an excellent summary of the neighbourhood plan process. It properly identifies the neighbourhood area (Figure 2). Paragraph 3.3 eventually comments about the Plan period. Nevertheless, I recommend that

the Background includes a definitive statement about the Plan period. This will bring early clarity to the Plan.

At the end of paragraph 1.2 add: 'The neighbourhood plan period is also 2011 to 2029'.

- 7.10 Section 2 provides information about the neighbourhood area and its history. It provides interesting and comprehensive details which help to set the scene for the eventual policies.
- 7.11 Section 3 sets out the vision, aims, key issues and objectives for the Plan. It is helpfully underpinned by a series of clear graphs and pie-charts. It makes a strong functional relationship between the various matters. In several cases, the various matters feed into the resulting policies. A key success of the Plan is the way in which detailed information is used in each element of the Plan to support the relevant policy.
- 7.12 Section 4 sets out the planning policy context in West Northamptonshire in a proportionate way.
- 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.

General comments

- 7.14 Several policies (and principally policies PNDP1-4) have a universal effect and would apply to all development. Plainly development proposals will come forward in different shapes and sizes within the Plan period. However, the majority will continue to be small-scale and/or domestic in nature. On this basis, I recommend modifications to the policies concerned so that they would apply in a proportionate way (based on their scale, nature and location). PPC responded positively to this approach in its response to the clarification note.
- 7.15 Whilst I will recommend a modification of this type in the policies concerned, I will not repeat this justification on a policy-by-policy basis.

Policy PNDP1 – Housing in Pitsford Village

- 7.16 This policy offers general support to new development in the village confines of Pitsford. It also identifies a series of specific criteria.
- 7.17 The policy takes a distinctive approach to this matter. It establishes a spatial strategy for the neighbourhood area which concentrates new development in the most sustainable location with regard to access to local community and education services. As such, it has regard to national policy and is in general conformity with the strategic policies in the development plan.

7.18 Within this broad context I recommend the following modifications:

- the policy is reconfigured so that it would apply on a proportionate basis (see paragraph 7.14 of this report)
- the deletion of criterion a) as it restates the opening element of the policy
- a detailed modification to the wording used in criterion b) to bring the clarity required by the NPPF;
- the correction of a numbering error in criterion d);
- detailed modifications to the wording of paragraph 5.2 to acknowledge the potential for rural exception sites to come forward in accordance with local policy; and
- a detailed modification to the wording in paragraph 5.4 on the housing need survey.

7.19 Otherwise it meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the opening element of the policy after ‘In addition’ add ‘and as appropriate to their scale, nature and location’

Delete criterion a) and then update the remaining lettering sequence accordingly.

In criterion b) replace ‘meets’ with ‘addresses’

In criterion d) replace ‘(PNDP3)’ with ‘(PNDP4)’

Replace the final sentence of paragraph 5.2 with:

‘Development outside of the confines would only be allowed in defined circumstances. This includes the circumstances set out in policies RA2B and RA6 of the SCLP and as a rural exception site for affordable housing, in accordance with policy H3 of the WNJCS’

In paragraph 5.4 add the following additional sentence after the second sentence: ‘It will retain its effectiveness for three years’

Policy PNDP2 – Design Principles

7.20 This policy comments that all new development will be expected to respond positively to the environmental assets of the neighbourhood area and the key local design features of the village. It goes on to identify a series of criteria against which planning applications will be assessed.

7.21 It is an excellent local response to the national design agenda as captured in Section 12 of the NPPF.

- 7.22 WNC suggest a series of modifications to the policy. In general terms, they would involve relocating some elements of the policy into other policies in the Plan. This approach would have merit and may make the Plan slightly easier to navigate. However, it is not basic conditions point and it is not within my remit to suggest changes to a Plan that would simply bring about a change in its appearance or format.
- 7.23 In addition, I recommend that the policy is applied in a proportionate way (as described in paragraph 7.14 of this report). This approach would help to clarify some of the issues which WNC has helpfully raised about the format of a very detailed policy.
- 7.24 I recommend a series of modifications to ensure that the policy has the clarity required by the NPPF as follows:
- the policy is reconfigured so that it would apply on a proportionate basis (see paragraph 7.14 of this report);
 - the relocation of the element about development which would not be supported to the end of the policy – this will separate the positive and negative elements of the policy;
 - detailed modifications to the wording of some of the criteria to being the clarity required by the NPPF; and
 - the removal of the example from criterion o).
- 7.25 Otherwise the policy meets the basic conditions. It will contribute significantly to the delivery of the environmental dimension of sustainable development.

At the beginning of the policy replace ‘All new development will be expected to’ with ‘As appropriate to their scale, nature and location development proposals should’

In the opening part of the policy delete ‘Development will not be supported.... its surroundings’

In criterion h) replace ‘severe adverse’ with ‘unacceptable’

In criterion o) delete ‘e.g....car parking’

At the end of the policy add as a free-standing paragraph:

‘Development proposals which are poorly-designed and/or have an unacceptable impact on the character of the area and/or its surroundings will not be supported’

Policy PNDP3 – Development affecting non-designated assets

- 7.26 This policy identifies eight non-designated heritage assets and applies the approach to such assets as set out in the NPPF. The supporting text helpful provides a description of the assets concerned. I saw several of the assets during my visit to the parish.
- 7.27 On the balance of the evidence, I am satisfied that the evidence which has underpinned the identification of non-designated assets is proportionate to the nature of the policy.
- 7.28 The policy's approach largely mirrors the national approach to the protection of non-designated assets as set out in Section 16 of the NPPF. In this context, the submitted policy adds distinctive value by identifying the assets in the parish. I recommend a modification to the policy so that it can be applied in a proportionate fashion. Otherwise, it meets the basic conditions.

Replace 'Development' with 'As appropriate to their scale and nature development proposals'

Policy PNDP4 – Protecting Landscape and Heritage Character

- 7.29 This is a comprehensive policy which seeks to protect the landscape and heritage character of the parish. It is based around a package of landscape and heritage matters with which development proposals are expected to comply.
- 7.30 WNC suggest a series of modifications to the policy. In general terms, they would involve grouping the various elements of the policy. This approach would have merit and may make the Plan slightly easier to navigate. On balance, I am satisfied that this is a basic conditions issue. In particular, it will allow a developer to understand better which elements of the policy would apply to the proposal in question. This would also overlap with a recommended modification which would involve the policy being applied on a proportionate basis.
- 7.31 WNC also suggest that the opening part of the policy is modified so that it refers to the rural as well as the landscape character of the parish. I am satisfied that this would be appropriate and would reflect the wider context and background within which the Plan has been prepared.
- 7.32 Finally I recommend that criterion h) is modified so that it is clear that the views to be protected are those in the existing Conservation Area Character Appraisal.
- 7.33 Otherwise the Plan meets the basic conditions. It will contribute significantly to the delivery of the environmental dimension of sustainable development.

In the opening part of the policy replace ‘New development’ with ‘As appropriate to their scale, nature and location development proposals should’

Restructure the order of the criteria so that they fall into the following groups: landscape matters (a-c-e-h-i-j-k); trees and woodland (b-f-g) and heritage issues (d and l). Before each group include a sub-heading.

In the opening part of the policy add ‘and rural’ after ‘landscape’

In criterion h) replace ‘including those’ with ‘as’

Policy PNDP5 – Protecting Local Green Spaces

- 7.34 This policy proposes the designation of a series of local green spaces (LGSs). They are shown in paragraph 5.27/Table 1. The proposed LGSs reflect the character and the nature of Pitsford village. In most cases, they are either traditional open recreation areas or incidental green spaces within the village.
- 7.35 The supporting text comments about the tests in the NPPF for the designation of LGSs. The supporting text provides detailed commentary on the way in which PPC considers that the various proposed LGSs meet the criteria for such designation in the NPPF. I looked carefully at the proposed LGSs when I visited the neighbourhood area.
- 7.36 On the basis of all the information available to me, including my own observations, I am satisfied that the proposed LGSs 5/1 to 5/5 and 5/7 to 5/9 comfortably comply with the three tests in the NPPF. In several cases they are precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national policy.
- 7.37 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.
- 7.38 I looked carefully at the proposed Reservoir car park LGS during my visit to the parish. I saw that it was an attractive car parking area which provided

access to the footpaths around the Reservoir itself. Most of the proposed LGS would be the loose gravel car parking surface itself which would be difficult to justify that it was ‘demonstrably special to the local community’. However, I saw the pleasant crescent shaped grassed area with trees within the proposed LGS and to the immediate north and west of Grange Lane which displays the criteria for LGS designation. In its response to the clarification note PPC agreed with the proposed approach to reducing the size of the proposed LGS. I recommend accordingly. I also recommend consequential modifications to Table 1 and to the Policies Map.

- 7.39 In reaching this conclusion I have taken account of the representation of WNC and Anglian Water.
- 7.40 The policy itself has two related parts. The first lists the proposed LGSs. The second sets out the implications for LGS designation. The second part seeks to follow the approach as set out in paragraph 103 of the NPPF. Nevertheless, I recommend a modification so that the policy takes the matter-of-fact approach in the NPPF. It acknowledges that there is no direct context in the submitted policy to the application of Green Belt policy to the proposed LGSs.
- 7.42 In the event that development proposals affecting the designated LGSs come forward within the Plan period, they can be assessed on a case-by-case basis by WNC. In particular WNC will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy. I recommend that the supporting text clarifies this matter.
- 7.43 Finally I recommend detailed modifications to the numbering from the NPPF. This reflects the updates to the NPPF made in 2021 as the Plan was being submitted.
- 7.44 Otherwise the policy meets the basic conditions. It will do much to contribute to the delivery of the environmental and the social dimensions of sustainable development. In many cases the proposed LGS help to define the character of the neighbourhood area.

In the first part of the policy replace ‘99’ and ‘100’ with ‘101’ and ‘102’ respectively.

**Replace the second part of the policy with:
‘Development proposals within the designated local green spaces will only be supported in very special circumstances’**

In Table 1 reconfigure the ‘Demonstrably special’ column in relation to 6 to read:

‘Grassed area with trees within the Reservoir car park which is used by many residents and those from farther afield for walking, dog-walking, and other seasonal activities such as tobogganing in the winter’

Revise the area of LGS 5/6 on the Policies Map to correspond only with the grassed area in the area proposed in the Plan as LGS.

At the end of paragraph 5.24 add: ‘Policy PNDP 5 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by West Northamptonshire Council. In particular, it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy’

Policy PNDP6 – Protecting Other Open Spaces

- 7.45 This policy identifies two other open spaces. The supporting text comments that:

‘As well as the key green spaces that are identified for the highest level of protection as designated Local Green Spaces under Policy PNDP5, the neighbourhood area also has several other important open spaces that perform a variety of useful functions and can provide connections between gardens and larger wildlife areas, such as fields and woodlands: no matter how small these spaces can be they are ‘green corridors’ that allow wildlife to move through human settlements. These smaller, often quite incidental open spaces help to make the area a greener place and all add to the quality of life enjoyed by residents and visitors.’

- 7.46 I am satisfied that the approach taken in the policy is appropriate and is in general conformity with WNJCS Policy RC2. The submitted policy adds value to the WNJCS policy by identifying the two spaces to be protected. The two other open spaces have been carefully selected.

- 7.47 The policy meets the basic conditions.

Policy PNDP7 – Community Facilities

- 7.48 The policy identifies seven important community facilities in the parish. Paragraph 5.32 sets out details about their importance to the community. I saw their significance during my recent visit.

- 7.49 The policy provides two detailed approaches to development proposals which may come forward in the Plan period. The first offers support to proposals which would enhance the identified facilities. The second identifies the approach which should be taken to proposals which would involve the change of use of the identified facilities.
- 7.50 I am satisfied that the policy takes an appropriate approach to this important matter. I saw the importance of the various facilities during the visit. The policy seeks to add local value to the existing development plan policies for community facilities. The key area where local value is added is by the identification of the seven community facilities.
- 7.51 I recommend the following modifications to the policy. In turn, they will bring the clarity required by the NPPF:
- listing the community facilities (part C) at the beginning of the policy rather than at the end;
 - other consequential modifications associated with the re-ordering of the policy;
 - the reconfirmation of the opening element of part A of the policy to ensure that it is properly aligned to the development management process; and
 - detailed modifications to the wording of part C of the policy to bring the clarity required by the NPPF.
- 7.52 Otherwise the policy meets the basic conditions. It will contribute significantly to the delivery of the social dimension of sustainable development. It will also assist in safeguarding the well-being of the local community.

Reposition part C so that it comes at the start of the policy (and then update the remaining lettering sequence accordingly)

In that part of the policy replace ‘The facilities.... listed below and shown on’ with ‘The Plan identifies the following important community facilities. They are shown on’

In part A of the policy (as submitted) replace ‘There will be a presumption in favour of the protection of community facilities including those listed in Part C. Where planning permission is required’ with ‘Development proposals should safeguard community facilities including those listed in Part A of the policy. Insofar as planning permission is required,’

In part B of the policy (as submitted) replace ‘these facilities’ with ‘the important community facilities listed in part A of this policy’

Policy PNDP8 – Sport and Recreation Facilities

- 7.53 This policy takes a similar approach to sports and recreation facilities to that taken in Policy PNDP7 on community facilities. As submitted, it is constructed in a way which has avoided the need for the ordering modifications are recommended for Policy PNDP7.
- 7.54 The policy will contribute significantly to the delivery of the social dimension of sustainable development. It will also assist in safeguarding the well-being of the local community. It meets the basic conditions.

Policy PNDP9 – Traffic Management and Transport Improvements

- 7.55 This policy offers support to proposals which would improve road safety and traffic management throughout the neighbourhood area where they would protect the form, character and setting of the village and the amenity of existing residents. It comments in particular about improved car parking to support the use of local services and facilities and improved public transport, cycling and footpath links from Pitsford village to the surrounding countryside and key centres.
- 7.56 The policy takes a balanced approach to this matter. Some highway improvement measures will be fully in the highway and will not need planning permission. I recommend a modification to the policy so that it acknowledges this matter. Otherwise, it meets the basic conditions.

At the beginning of the policy add: ‘Insofar as planning permission is required’

Policy PNDP10 – Supporting the Local Economy

- 7.57 This policy comments that development proposals of an appropriate scale that would help to retain and support the growth of the neighbourhood area’s existing sources of local employment will be supported subject to a series of environmental criteria.
- 7.58 The policy takes an appropriate approach to this matter. In particular it has regard to Section 6 of the NPPF.
- 7.59 I recommend the deletion of the second part of the policy which refers to existing adopted planning policies. There is no need for a neighbourhood plan to restate or repeat existing policies. In this case, that element of the submitted policy adds no distinctive value to the existing policy context.
- 7.60 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the economic dimension of sustainable development. In particular,

it will provide a context within which local companies can grow and/or diversify.

Delete the final paragraph of the policy.

Other Matters - General

- 7.61 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. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for WNC and PPC 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 and to accommodate any administrative and technical changes.

Other Matters – Specific

- 7.62 WNC has made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.
- 7.63 I also recommend other modifications to the Plan based on WNC's comments insofar as they are necessary to ensure that the Plan meets the basic conditions. They relate to the more general parts of the Plan as follows:

Paragraph 4.8 – replace 'Northamptonshire County Council' with 'Minerals and Waste Planning Authority'

Identify all charts, graphs and tables as 'figures' and make appropriate cross-references in the text and the policies concerned.

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 to safeguard the character and setting of the neighbourhood area and to protect its community facilities and rural setting.
- 8.2 Following the independent examination of the Plan, I have concluded that the Pitsford Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report, I recommend to West Northamptonshire Council that subject to the incorporation of the modifications set out in this report that the Pitsford Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood 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 Daventry District Council on 13 December 2016.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. The responses to the clarification note were both detailed and informative.

Andrew Ashcroft
Independent Examiner
1 April 2022