

HARLESTONE NEIGHBOURHOOD DEVELOPMENT PLAN

Submission Draft Version

**A report to West Northamptonshire Council
into the examination of the
Harlestone Neighbourhood Plan
by Independent Examiner, Rosemary Kidd**

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1.0 Summary

- 1.1 The Harlestone Neighbourhood Development Plan has been prepared to establish a vision for the parish and to help deliver the local community's aspirations for the village of Harlestone and the surrounding countryside, all within the parish of Harlestone.
- 1.2 I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer, including improvements to the mapping of sites referred to in policies to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
 - The deletion of Policy H8;
 - Clarification of the wording of policies and the supporting text; and
 - The improvement of the clarity of the Policies Map.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Harlestone Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

2.0 Introduction

Background Context

- 2.1 This report sets out the findings of the examination into the Harlestone Neighbourhood Plan.
- 2.2 The Parish of Harlestone is situated about 4 miles north west of the county town of Northampton. The parish contains four distinct areas: Upper Harlestone, Lower Harlestone, Harlestone Heath and The Glebelands and Railway Cottages. At 2011 there were 445 people living in the parish in 197 households.

Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner to conduct the examination on the Harlestone Neighbourhood Development Plan (HNDP) by West Northamptonshire Council (WNC) with the consent of Harlestone Parish Council in November 2022. I do not have any interest in any land that may be affected by the HNDP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies.

Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
- The Neighbourhood Development Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004, that is the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area; and
 - The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.
- 2.5 An Independent Examiner must consider whether a neighbourhood plan meets the "Basic Conditions". The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by

section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, as incorporated into UK law; and
5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

The following prescribed condition relates to neighbourhood plans:

- Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

2.6 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.

2.7 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

The Examination Process

2.8 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.

2.9 I have sought clarification on a number of factual matters from the Qualifying Body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.

2.10 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I

have considered the documents set out in Section 5 of this report in addition to the Submission draft of the HNDP.

- 2.11 I have considered the Basic Conditions Statement and the Consultation Statement as well as the Screening Opinions for the Strategic Environmental Assessment and Habitats Regulation Assessment. In my assessment of each policy, I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.

Legislative Requirements

- 2.12 The neighbourhood plan making process has been led by Harlestone Parish Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process.
- 2.13 Paragraph 1.3 of the Neighbourhood Plan confirms that Neighbourhood Plan area was designated by WNC on 24 June 2020. Paragraph 2.5 of the Basic Conditions Statement confirms that there are no other neighbourhood plans covering this area.
- 2.14 A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Plan states that this is to 2029. Paragraph 2.3 of the Basic Condition Statement confirms that it will be effective from the date of adoption to 2029. It is recommended that the date of adoption is included on the front cover, providing the plan is successful at the referendum. (Included in Recommendation 1.)
- 2.15 Paragraph 2.4 of the Basic Conditions statement states that the plan does not deal with excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990. However a representation has been received objecting to the inclusion of paragraphs 5.19 – 5.21.
- 2.16 This section is included in section 5 on Non Land Use Actions and expresses the Parish Council’s concerns about and aspirations for the reinstatement of Harlestone Quarry. Paragraph 5.1 states that the matters included in this section of the Plan are those that cannot be addressed directly through the policies of the HNDP.
- 2.17 I consider that the title of section 5 is misleading as some of the topics addressed are land use based. Under Recommendation 14, I am proposing a modification that the section title is revised to read “Community Actions”. Paragraph 5.1 should also be revised to better explain that these are aspirations and actions for the Parish Council and do not form part of the planning policies of the HNDP. If these amendments were introduced, it would be clear that the Parish Council’s views on the future of the restoration of the quarry are not contained in the policies section of the Plan and would mean that the Plan accorded with this legal requirement.
- 2.18 The Neighbourhood Development Plan should only contain policies relating to the development and use of land. I am satisfied that the HNDP policies are compliant with this requirement.

- 2.19 The Basic Conditions Statement confirms the above points and I am satisfied therefore that the HNBP satisfies all the legal requirements set out in paragraph 2.4 above.

The Basic Conditions

Basic Condition 1 – Has regard to National Policy

- 2.20 The first Basic Condition is for the neighbourhood plan “*to have regard to national policies and advice contained in guidance issued by the Secretary of State*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “*consistent with national policy*”.
- 2.21 The Planning Practice Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”
- 2.22 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:
- “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*
- 2.23 The NPPF of July 2021 is referred to in this examination in accordance with paragraph 214 of Appendix 1, as the plan was submitted to the Council after 24 January 2019. References in the HNBP to the NPPF do not include a date of the guidance used, however, references in the Basic Conditions statement are to paragraphs in the 2021 version of the NPPF.
- 2.24 The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the delivery of strategic policies set out in the Local Plan or spatial development strategy and should shape and direct development that is outside of those strategic policies*” and further states that “*A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum, the neighbourhood plan becomes part of the statutory development plan.*”
- 2.25 Table 1 of the Basic Conditions Statement includes comments on how the policies of the HNBP have taken account of relevant sections of the NPPF. I consider the extent to which the plan meets this Basic Condition No 1 in Section 3 below.

Basic Condition 2 - Contributes to sustainable development

- 2.26 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government's view of what sustainable development means in practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.
- 2.27 Paragraphs 3.5-3.7 of the Basic Conditions Statement considers in general terms how the Plan supports the delivery of the three themes of sustainable development.
- 2.28 I am satisfied that the Plan contributes to the delivery of sustainable development and therefore meets this Basic Condition.

Basic Condition 3 – is in general conformity with strategic policies in the development plan

- 2.29 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area. The adopted Development Plan relevant to the area comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) and the Daventry Settlements and Countryside Local Plan (Part 2). A list of policies that are particularly important in underpinning the policies of the HNPP are set out in paragraphs 1.21 to 1.22 of the Plan.
- 2.30 Table 2 of the Basic Conditions Statement assesses how the Neighbourhood Plan policies are in general conformity with the relevant strategic planning policies.
- 2.31 I consider in further detail in Section 3 below the matter of general conformity of the Neighbourhood Plan policies with the strategic policies.

Basic Condition 4 – Compatible with EU obligations and human rights requirements

- 2.32 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.33 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment (SEA) is submitted with a Neighbourhood Plan proposal or a determination from the competent authority (WNC) that the plan is not likely to have “significant effects.”
- 2.34 A screening opinion has been carried out by WNC on the pre-submission draft Harlestone Parish Neighbourhood Plan on 7 February 2022. The results are contained in the report entitled '*Harlestone Neighbourhood Development Plan Screening Report for Strategic Environmental Assessment & Habitat Regulations Assessment*'.

2.35 Table 1 of the Screening Opinion set out the conclusion based on the Assessment in Appendix A, that confirms that ‘SEA is not required’. The reason for this conclusion is as follows:

“It is considered unlikely that any significant environmental effects will occur from the implementation of the Harlestone NDP that were not considered and dealt with by the Sustainability Appraisal of the West Northamptonshire Joint Core Strategy and the Settlements and Countryside Local Plan for Daventry District. As such the Harlestone NDP does not require a full SEA to be undertaken.”

2.36 Consultation was carried out with the statutory environmental bodies on the SEA Screening Report in December 2021. Historic England supported the conclusions. The Environment Agency were consulted but did not wish to issue a response and the Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire did not respond. Natural England have raised issues which are discussed under the HRA below.

2.37 In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on a Special Area of Conservation or Special Protection Area, or other ecologically important European site (Ramsar) as a result of the plan’s implementation.

2.38 A screening assessment to determine the need for a Habitat Regulations Assessment was undertaken by West Northamptonshire Council on 7 February 2022. It was found that many of the policies are in conformity with the policies of the West Northamptonshire Joint Core Strategy and the Settlements and Countryside Local Plan (Part 2) for Daventry District. Both development plans were the subject of separate full HRAs and were found to have no significant or in combination effects, upon the Upper Nene Valley Gravel Pits SPA/RAMSAR or the Rutland Water SPA/RAMSAR sites.

2.39 The HRA assessment concluded that: *“it is not considered that the implementation of the Harlestone NDP, by virtue of its scale and distance, will result in any likely significant effects upon the Upper Nene Gravel Pits site or the Rutland Water site. Appendix A of the Screening Report shows the assessment.”*

2.40 Consultation was carried out with Natural England in December 2021 who raised some concerns about potential impacts on the SPA arising from the windfall sites policy (Policy H6). This is due to a number of factors including;

- i. The WNJCS is currently being reviewed
- ii. the unfavourable condition of the SPA with no recreational disturbance/pressure mitigation strategy in place for unit 1
- iii. 2019 BTO Webs alert report highlighting a decline in the Golden Plover populations within the SPA which has not been addressed by the HRA for the Part 2 Local Plan for Daventry District

- iv. Evidence being required to look at functionally linked land within 10km of the SPA (Harlestone is 6.4km)
- 2.41 Following receipt of the formal response further dialogue was sought with Natural England and they acknowledged that the assessment within the Neighbourhood Plan was based on evidence that, whilst out of date, was the best available at the time and that the conclusion of no likely significant effect may well be drawn at this point in time. They pointed out that it will be necessary to take into account any new evidence as it becomes available and assessments then made using any new Plans and Policies that have been adopted when proposals are brought forward which is likely to be work underpinning the WNSP. Consequently, it was considered most likely that this could be resolved through the inclusion of additional wording on pages 6-7 of the neighbourhood plan rather than further assessment. This should acknowledge that the evidence is being updated and mitigation measures may be necessary in the future for development within the Neighbourhood Area and that such mitigation will need to be secured by WNC either through a specific SPD or the WNSP.
- 2.42 This was considered to be an appropriate and proportionate way forward because of the uncertainty about the impact of development permitted through the Harlestone Neighbourhood Plan on the SPA and that the amount of development the plan is likely to facilitate will be relatively limited given the wording of the windfall policy and the heritage and environmental constraints affecting the Neighbourhood Area.
- 2.43 I am satisfied that the SEA and HRA assessments have been carried out in accordance with the legal requirements.
- 2.44 Section 5 of the Basic Conditions Statement considers how the Plan has had regard to Human Rights and states that:
- “The Neighbourhood Plan has been prepared with extensive input from community and stakeholders as detailed within the accompanying Consultation Statement. Considerable care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole of the community were included. There was extensive consultation and engagement in identifying issues and objectives and the Pre-Submission Neighbourhood Plan was consulted upon as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The responses received were recorded and changes have been made as detailed in the schedule provided within the Consultation Statement.*
- “It is therefore believed that the neighbourhood plan has had appropriate regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.*
- “The preparation of the neighbourhood plan has had due regard to the provisions of Section 149(1) of the Equality Act 2010 and the Parish Council is not aware of any discrimination, harassment, victimisation or any other conduct that is prohibited by or under this Act.”*

- 2.45 From my review of the Consultation Statement, I have concluded that the consultation on the HNDP has had appropriate regard to Human Rights.
- 2.46 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the HNDP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

Consultation on the Neighbourhood Plan

- 2.47 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.48 Following the designation of the neighbourhood area on 24 June 2020, the following key stages of consultation were:
- A Neighbourhood Plan Questionnaire was circulated to residents and businesses located in the Parish from 12 July to 30 September 2020.
 - Consultation was carried out on the Pre-Submission draft of the Neighbourhood Plan from 8 – 9 April 2022 with drop in events at the Harlestone Village Institute. About 150 residents attended the launch over the two days.
 - Informal discussions were held with a representative of Althorp Estate in September 2019 and May 2021. Site meetings were held with Officers of West Northamptonshire Council in August 2021 and May 2022.
 - Publicity for the consultations events was through the Parish Council website and the Upper and Lower Harlestone Residents Facebook Group. Banners were displayed along the approach roads to the village. Posters were displayed in key locations. Publicity was given in the parish newsletters
- 2.49 The Regulation 14 consultation on the pre-submission draft plan took place from 11 April to 27 May 2022; the extended period was agreed to take account of the Easter bank holidays.
- The Pre-Submission Plan was available to view on the Neighbourhood Plan section of the Parish Council's website.
 - Paper copies of the Plan were also made available to residents by contacting the Parish Clerk. In addition, a copy of the Pre-Submission Neighbourhood Plan was placed in the Harlestone Village Store for the duration of the consultation period.
 - Posters advertising the Pre-Submission Consultation were displayed around the village and displayed on the Parish Council noticeboard.
 - An email or letter was sent to the local businesses and organisations and statutory consultation bodies.
 - 16 responses were received, 6 from statutory consultees and 10 from local residents.
- 2.50 Consultation on the Regulation 16 Submission draft Plan was carried out by WNC from 21 September to 2 November 2022. In total 6 responses were received.

- 2.51 I am satisfied that from the evidence presented to me in the Consultation Statement that adequate consultation has been carried out during the preparation of the HNDDP.
- 2.52 I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.

3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording underlined.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The PPG states that “*a policy should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area*”. I will consider this requirement as I examine each policy.
- 3.5 The HNDP is a well presented plan that includes policies on design, heritage assets, valued views, local green spaces, housing, energy efficiency, village facilities, the local economy and developer contributions.
- 3.6 The HNDP makes no provision for future housing development other than including matters to be considered in windfall housing development and promoting housing for older people. The PPG states that “*Neighbourhood plans are not obliged to contain policies addressing all types of development.*”
- 3.7 I consider that the lack of policies on housing in the HNDP accords with national and strategic guidance which does not require neighbourhood plans to include the topic.
- 3.8 The introductory sections of the Plan set out the background to the preparation of the plan, the planning policy context, the history of the parish, a spatial portrait of the area, and the key issues facing the parish that have arisen through the consultation. It is suggested that the introductory sections may be reduced by summarising them or placing them in an appendix in the final version of the Plan to give greater emphasis to the planning policies.
- 3.9 The policies are clearly distinguishable from the supporting text by surrounding coloured boxes. The justifications to the policies are clear and succinct and set out the background to the policies and the strategic context.

- 3.10 The Policies Map is included at the end of the Appendices as Appendix 8. It is recommended that it is included within the main part of the Plan. The Policies Map shows only that part of the Plan area centred on the Conservation Area; it should cover the whole plan area. It should show all properties, including their curtilages, that are referred to in the policies. The sites referred to in Policy H3 Additional Non Designated Heritage Assets and Policy H10 Village Facilities are not shown.
- 3.11 There are a number of maps in the Appendices which should be revised to include a key.

Recommendation 1: Include a Policies Map for the Plan area, including Inset Maps as necessary. Place the Policies Map and Inset Maps in a more prominent position in the HN DP. Show properties designated under Policies H3 and H10 on the Policies Map and in the key.

Include a key on all maps in the Appendices.

Include date of adoption of the Plan on the front cover.

Make any further minor editorial changes to the Plan necessary to address any factual and typographical errors and to reflect the fact that the document will be in its intended final form.

The Neighbourhood Plan

Vision and Objectives

- 3.12 This is a very lengthy section with a number of repetitive statements including a list of issues in the middle of the Vision and Objectives. The Vision and Objectives should be tailored to form the principles that underpin the policies of the plan. As presented, there are a number of objectives that are not delivered through the HN DP and would be more appropriate to the Core Strategy. Representations have been made by the LPA about the format of the objectives and in response I have asked the QB and LPA to review this section.
- 3.13 The Vision and Objectives are the starting point of the plan itself and should be written so as to highlight those vitally important local matters that are to be delivered through the Plan. They form the starting point for the preparation of and direction of the policies. The objectives should be focused on what is deliverable and should not include matters that are not to be addressed in this Plan.
- 3.14 To improve the clarity and focus of the section it is recommended that this section should be reviewed and revised to set out the vision for the parish in 2030 as an aspirational statement. This should be followed by a clear and succinct list of objectives that are relevant to the plan. The issues should be placed in a separate section that precedes the Vision and Objectives. The QB has agreed the wording of the revised Vision statement and has suggested revised objectives. I have reviewed

their proposed objectives and am recommending a more succinct and focused form of wording.

- 3.15 The QB has proposed some minor amendments to the Issues in response to comments made in a representation to improve the clarity of these matters.
- 3.16 A representation has been made requesting inclusion of horse riders in the transport objective 7a. I have noted that Section 5 of the Plan on Non Land Use action includes consideration of the issues surrounding horse riding but no community action is included. No modification is proposed.

Recommendation 2: Revise the Vision, Issues and Objectives Section as follows:

Place the Issues in a separate section preceding the section on Vision and Objectives.

Amend the Issues section as follows:

Add the following to the final bullet point of Views, Open Spaces and Biodiversity “/growing space”.

Delete the first bullet point of Visitor Management “Majority of residents....”

Include a cross reference in the Visitor Management section to the importance of local identity founded on heritage and Local Green Space.

Revise the Vision to read:

“By 2030, Harlestone will be a thriving and sustainable rural community where the natural and built environment makes a positive contribution to agriculture, the landscape, conservation and the preservation of our heritage.”

Delete paragraphs 3.2, 3.3, 3.6 – 3.8.

Revised the objectives to read:

- a. **“To sustain and enhance Harlestone’s Conservation Area and the designated and non-designated heritage assets, to protect and improve the features which contribute positively to the historic environment.”**
- b. **To support development which meets the community's needs and sustains and enhances Harlestone's character and rural setting.**
- c. **To protect the Local Green Spaces and distinctive settlement pattern, to ensure that Harlestone remains discreet from the urban area and surrounding villages.**
- d. **To sustain and enhance the distinctive rural landscape, surrounding countryside, special landscape area and important views for present and future generations.**
- e. **To sustain and enhance the biodiversity of the area, the local wildlife with its habitat and trees, and conserve ecological corridors and sites of special interest.**

- f. **To ensure that Harlestone’s roads, footpaths and bridleways are properly signposted and provide safer and more accessible routes for recreational pursuits so that access to existing open spaces in the village and to the surrounding landscape can be achieved without harming the natural and historic environment within the Parish.**

- g. **To sustain and enhance village amenities and encourage opportunities for all generations to participate in a range of educational, sporting, leisure activities and promote community cohesion.**
- h. **To support the local economy so that new and existing businesses and agriculture may flourish.”**

Revise the cross references to the objectives in the title to each policy.

Policy H1 – Design Principles

- 3.17 The policy sets out eleven factors to be taken into account in designing proposals in addition to the Design Guidelines set out in Appendix 4. This refers to the Northamptonshire Countryside Design Guide produced by CPRE which sets out a wealth of examples of vernacular building designs and features. There are also principles set out in the Harlestone Conservation Area Appraisal and Management Plan (HCAAMP). The LPA has commented that it would have been helpful to draw out those principles that are of particular local importance using the guidance of the CAAMP. It may have been helpful to plan users to have included all the Design Guidance principles relevant to the Plan area in one document.
- 3.18 The principles in the policy are fairly generic. Nevertheless, as they do not repeat the points set out in the strategic policies verbatim, I have accepted that they have been considered by the plan makers to be those that are of importance to the design of development in the Plan area.
- 3.19 Guidance in the NPPF paragraph 197 is that local planning authorities should take account of the desirability of “sustaining and enhancing” the significance of heritage assets rather than “preserving and enhancing” as detailed in earlier guidance. DSCLP Policy ENV7 uses the term “sustaining and enhancing”. It is recommended that the policy and justification is revised to use this terminology.
- 3.20 Parts of criteria d) and k) are missing from the Submission Plan.
- 3.21 I am recommending revisions to the first two sections of the Policy to set out clearly the policies and guidelines that are to be considered. I am also proposing a modification to paragraph 4.4 to better explain the features that make up the special character of the Plan area.

Recommendation 3: Combine and revise parts (i) and (ii) of Policy H1 as follows:

“Development should be designed to be of a high quality and reflect the design of the buildings in the local area and should be integrated into the environment. Development will be supported that has regard to the Harlestone Design Guidelines, other design policies of the Development Plan, particularly Policy ENV10, and the following design principles where appropriate and proportionate to the development:”

Criteria a) to k) to be retained and revised as follows:

Revise b) to read: “sustain and enhance the significance of.....”

Revise d) to read “....and scale of development *and ensure that it is suitable for its location;*”

Revise k) to read “.....lifestyles and technologies.”

Revise the first two sentences of paragraph 4.4 to read: **“Harlestone’s special character is derived from its well landscaped and rolling countryside affording many varied and attractive views, interspersed with clusters of locally distinctive historic houses and agricultural buildings, connected by a network of bridleways and footpaths.”**

Policy H2 – Harlestone Conservation Area

- 3.22 This policy sets out four requirements that developments in or adjacent to the Harlestone Conservation Area should meet. They are also to have regard to the Harlestone CAAMP.
- 3.23 Paragraph 4.13 refers to the strategic policies of Policy BN5 of the WNJCS and Policy ENV7 of the DSCLP. It may be helpful to plan users to refer to these policies in the wording of Policy H2 to ensure that they are given due importance. The requirements of the policy are identified as those aspects that are locally important and that build on the strategic policies.
- 3.24 Harlestone CAAMP is a Supplementary Planning Document that is a material consideration in determining planning applications; it does not set out policy.
- 3.25 Guidance in the NPPF paragraph 197 is that local planning authorities should take account of the desirability of “sustaining and enhancing” the significance of heritage assets rather than “preserving and enhancing” as detailed in earlier guidance. DSCLP Policy ENV7 uses the term “sustaining and enhancing”. It is recommended that the policy and justification is revised to make use of this terminology.
- 3.26 The LPA has commented that “*The criteria would be strengthened by including more supporting text to highlight aspects of scale, layout and proportion, architectural detail, materials etc*”. I agree that this would have been helpful to plan users. However, the plan makers are relying on the guidance in the Harlestone CAAMP which is a Supplementary Planning Document. A recommendation is made (which the QB has indicated its support for) to include a reference to it in the policy.

Recommendation 4: Revise Policy H2 as follows:

Revise the first paragraph of the policy to read: “To sustain and enhance the character or appearance of the Harlestone Conservation Area, development in or adjacent to the Conservation Area should be in accordance with the policies of the development plan, in particular Policy BN5 of the WNJCS and Policy ENV7 of the DSCLP and the following requirements: a) to d)

Add after point d): “Development proposals should have regard to the Harlestone CAAMP.”

Policy H3 – Non-Designated Heritage Assets

- 3.27 This policy identifies 6 properties as potential Non-Designated Heritage Assets and a policy to conserve their significant features. The proposals are for the village school, three post boxes, a well head and a stone wall. The justification explains that the plan makers have identified these properties as potential Non-Designated Heritage Assets and will be seeking to have them formally designated and included in the Local List of Heritage Assets when this is reviewed by the LPA.
- 3.28 The QB has informed me that they have liaised with the Heritage Policy Officer at the WNC. They have completed Local Listing Assessment forms for each property and the LPA have assessed their ‘Thematic value’ against the former Daventry District Council’s adopted criteria used to identify heritage assets for the local list (which were formulated in accordance with current best practice as set out by Historic England in their Historic Environment Advice Note 7: Local Heritage Listing (most recent edition 2021). All assets have met the threshold for Local Listing.
- 3.29 WNC has informed the QB that “*As the properties have been identified in the HNDP and have gone through two rounds of consultation as part of the NDP process their identification will provide them with weight should there be any proposals which affects their special interest.*”
- 3.30 The LPA has informed me that at some point the WNC will be rationalising the former district and borough councils approaches to local listing, and at this stage there should be capacity to formally adopt them onto the local list. Until this happens, the assets which are included in the HNDP will have policy protection as “non-designated heritage assets”.
- 3.31 The location of the properties and structures are shown on a map in Appendix 5, although they are not numbered. Their location and curtilage (where applicable) should be shown on the Policies Map with each property numbered. It is considered that the policy should make the status of these properties and their location clear. The QB may wish to include their aspiration to have the properties included in the Local List in the Community Actions.
- 3.32 The policy title should be revised to “Additional Non-Designated Heritage Assets”

- 3.33 Policy BN5 of the WNJCS and Policy ENV7 of the DSCLP provide the strategic heritage policies and include the consideration of proposals affecting Non-Designated Heritage Assets. Policy H3 builds on these policies by identifying locally important assets.
- 3.34 There is a typographical error in paragraph 4.15 line 9: (2107)

Recommendation 5: Revise Policy H3 as follows:

“The buildings and structures listed below and shown on the Policies Map are identified as Non-Designated Heritage Assets. Development proposals that affect them or their settings, should seek to conserve the significant features which make them important.”

Add the following after paragraph 4.15: “WNC has been asked to include the properties in the Local List when this is next reviewed and to protect the properties as non-designated heritage assets in the meantime.”

Revised the title of Policy H3 to “Additional Non-Designated Heritage Assets”

Show the properties and their curtilages on the Policies Map cross referenced to the number in the policy.

Correct the typographical error in paragraph 4.15 line 9: (2017)

Policy H4 - Protection of Important Public Views

- 3.35 The policy identifies 30 Important Public Views. Of these 21 have been identified in the HCAAMP and 9 have been identified by the QB. There is a variety of long, short and glimpsed views, some locations having multiple distinctive views. Appendix 6 of the plan includes photographs, maps and a brief description of each view.
- 3.36 The HCAAMP concludes that *“the overall setting of the historic villages of Harlestone is characterised by long rural views of open landscape and heathland. The undulating line of the horizon and tree belts referred to, currently obscure development on the fringes of Northampton from views out of and into the village. Retaining this strong visual distinction provided by the uninterrupted rural views is crucial to maintaining the integrity and significance of the villages.”*
- 3.37 The first sentence of the policy includes some descriptive material which is not policy. I have considered whether the policy is overly prescriptive and restrictive as it is worded as a requirement (development proposals “must not”). In view of the number of long range views identified, the policy is likely to impact on development in a large area of the parish.
- 3.38 In response to my question concerning the selection of the additional views, the QB has commented that *“As the Northampton urban expansion moves closer to*

Harlestone the need to protect its seclusion has been recognised in the Settlements and Countryside Local Plan (Part 2). One particular policy is to retain “green wedges” between the urban sprawl and the village.”

- 3.39 Policy ENV3 of DSCLP defines a Green Wedge over most of the south east part of the parish outside the conservation area. The purpose of the green wedge is “*To protect the identity, character and setting of settlements within the areas that fringe Daventry and Northampton. ...Proposals will be required to demonstrate that they would maintain the physical and visual separation between settlements.*”
- 3.40 In addition, Policy ENV2 has defined most of the land in the parish to the west of the conservation area as a Special Landscape Area. This policy seeks to safeguard the special qualities of this area and to ensure that the impact of development proposals is appropriately assessed and mitigated. The policy states that “*The Council will consider the impact of proposals on the special qualities of the Special Landscape Areas, including cumulative impacts, and will resist proposals that would have a harmful effect on their special qualities that cannot be successfully mitigated.*”
- 3.41 As most of the plan area is covered by strategic policies to maintain its openness and special landscape qualities, I consider that Policy H4 would not be unduly restrictive and would help to ensure that the impact of development proposals on the important public views of the conservation area and surrounding countryside would be assessed. It may be helpful to plan users to include a reference to Policies ENV2 and ENV3 and the Special Landscape Area and Green Wedge.
- 3.42 I am proposing a modification to improve the clarity of the policy wording, to include the nature of the features that will be assessed and to address proposals that would improve the views.

Recommendation 6: Revise Policy H4 as follows:

“Important Public Views are listed below and shown on the Policies Map. Development proposals will not be supported that unacceptably harm the character, quality and integrity of these views or their viewpoints at publicly accessible locations. Development proposals should include appropriate mitigation measures to reduce any unacceptable impacts that may arise from the development. Measures to enhance and improve Important Public Views will be supported.”

Include the following text in the Technical Evidence section of the justification (after paragraph 4.20) to cross reference the policy to Policies ENV2 and ENV3 of the DSCLP to describe the purpose of the Green Wedge and Special Landscape Area.

“Policy ENV2 in the DSCLP identifies a Special Landscape Area (SLA) covering the western part of the parish. This policy pre-dates the NPPF; however, the designation recognises that although there are no national landscape designations in Northamptonshire, the county contains some distinctive landscapes that are of local importance.”

“Policy ENV2 aims to ensure that the protection of the special qualities of the SLA is given priority when considering proposals which fall within it. The Policy requires the consideration of cumulative impacts of development, which includes existing development, allocations, permissions, and other extant applications, including those in adjacent authorities.

“Policy ENV3 DSCLP defines a Green Wedge over most of the south east part of the parish outside the conservation area. The focus of growth at the urban areas of Daventry and Northampton has led to pressure on their fringes, which are predominantly agricultural areas and host to several settlements, including Upper and Lower Harlestone. Each settlement has a distinctive character, and it is important that this character is not harmed by urban expansion or coalescence. The Green Wedges therefore have the function of protecting the identity and setting of fringe villages and preventing coalescence of the villages with the nearby towns.

“The proximity of the Green Wedge to the urban areas means that it is also used for informal recreation and as part of the wider green infrastructure network, they also fulfil a biodiversity function. The areas are shown on the Inset Map for Upper and Lower Harlestone of the DSCLP (p58).

“The emphasis for Policy ENV3 is to ensure that the areas are kept open around settlements and to prevent coalescence.”

Policy H5 – Local Green Spaces

- 3.43 The policy proposes the designation of 18 Local Green Spaces. Appendix 7 of the Plan describes the features of each area and assesses them against their particular local significance against the criteria set out in NPPF paragraphs 101- 102.
- 3.44 The PPG on Local Green Space explains that the designation is a way to provide special protection against development for green areas of particular importance to local communities. Protecting open countryside would not be a proper use of the designation.
- 3.45 In answer to the question “*What types of green area can be identified as Local Green Space?*” the PPG explains that it is a matter for local discretion and goes on to give examples of: “*green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis.*” It goes on to explain that the NPPF is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. Further it states that LGS should not be used to protect public rights of way, which are already protected under other legislation.

- 3.46 The LPA has made a representation that *“The cumulative impact of designating a large number of local green spaces will need to be considered. The current form and number of local green spaces proposed would have the effect of creating a strategic designation of a network of continuous green spaces which would not be acceptable as neighbourhood plans can only deal with non - strategic designations. Further information has been provided to support how the LGS meets the tests set out in NPPF. It is suggested that all the spaces have beauty and tranquillity that is enjoyed by local residents. Whilst individually the local green spaces may meet the test set out in the NPPF, the cumulative impact of designating all the LGS would result in an extensive tract of land, which would not meet the LGS test of NPPF 102 c).”*
- 3.47 During my site visit, I viewed all the proposed LGS and considered whether they conformed to the national guidance on designation. I acknowledge that there are some attractive areas of countryside within the plan area many of which are accessible by public footpaths and bridleways. I have given considerable care in assessing the suitability of the proposed sites. I set out below my view on whether the sites satisfy the national criteria for designation as LGS.
- 3.48 Site LGS4 is a local amenity area, LGS5 is the village playground and playing fields contained in a secluded walled area and LGS6 are the allotments. It is considered that they satisfy the criteria to be designated as LGS – they are close to the community, have particular importance to the community because of their recreational value. LGS14 is identified as a wildflower meadow. Although there is no public access to the site, it can be viewed from the adjacent footpaths and if the habitat is enhanced, it affords the community the opportunity to appreciate an area of local importance for nature. I consider that it merits designation.
- 3.49 Sites LGS 7, 8 and 9 form part of the golf course that was within the former Harlestone Park. These areas are accessible to golf club members; they form part of the tract of open land lying between the communities of Upper and Lower Harlestone. I do not consider that they satisfy the national criteria to be worthy of designation.
- 3.50 The remaining areas are agricultural land use for grazing and crossed by public footpaths. The QB has argued that each area is well contained. However, I contend that they are all areas of open countryside bounded by hedges, trees and walls. Cumulatively, I consider that they together with the sites LGS7, 8 and 9 constitute an extensive tract of land which is open countryside on the edge of and linking the two villages. They have no recreational value other than that they are crossed by public footpaths. Their historic value is no different to that of most agricultural land around historic villages. The sites are all within the Harlestone Conservation Area and this affords them protection.
- 3.51 The PPG advises that designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. I discuss under Policy H6 below, the strategic position on housing in the plan area. In summary, Lower Harlestone is classified as a third tier Other Village and Upper Harlestone is classified as a fourth tier Small Settlement / Hamlet. Only limited housing

development will be acceptable in Lower Harlestone; whereas only exceptional development will be permitted in Upper Harlestone and any proposals will be considered against the policies for development in the countryside.

- 3.52 It is considered that the strategic development policies, which are restrictive towards development in the countryside, coupled with the conservation area policies, would mean that little additional protection would be gained by the designation of the countryside and golf course sites as Local Green Space.
- 3.53 I am therefore recommending that only sites LGS4, LGS5, LGS6 and LGS14 should be designated as Local Green Spaces.

Recommendation 7: Revise Policy H5 as follows:

Delete the following sites from Policy H5.

LGS1, LGS2, LGS3, LGS7, LGS8, LGS9, LGS10, LGS11, LGS12, LGS13, LGS15, LGS16, LGS17, LGS18.

Update the Local Green Space Assessment accordingly.

Housing

- 3.54 The adopted Local Plan does not propose setting a housing target for rural areas. Paragraph 5.1.05 states that *“Due to the progress against the rural requirement it is not considered necessary to make any allocations for development in the rural areas in this plan or to identify specific targets for individual settlements. However further development could come forward exceptionally as set out in PolicyRA3, through Policy RA6 and through neighbourhood development plans or exception sites. Such development will need to be supported by appropriate evidence, for example a Local Housing Needs Survey or Housing Needs Assessment provided in support of a proposal. The Council works proactively with local communities to undertake local housing needs surveys in a timely manner, in particular to support neighbourhood development planning.”*
- 3.55 There is provision within Policy RA3 for neighbourhood plans to bring forward sites for housing development, however, the PPG makes it clear that there is no requirement for neighbourhood plans to do so.

Policy H6 – Windfall Sites

- 3.56 This policy sets out five criteria to be used in considering residential development on infill and existing housing plots outside the Conservation Area. The LPA has commented that the criteria largely reflect those in Policy H1 and there is no need to repeat them. I agree that there is some overlap, and there is also a degree of overlap with criteria in Policies RA3 and RA6. Nonetheless, the criteria in Policy H6 identify those features that are of local importance to the location of housing development.

- 3.57 Lower Harlestone is classified as a third tier Other Village and Upper Harlestone is classified as a fourth tier Small Settlement / Hamlet in Table 2 of the DSCLP. Policy RA2 sets out the approach to determining development proposals within and outside the confines of Other Villages. It also supports housing development allocated in neighbourhood plans. Policy RA4 states that housing development in the Small Settlements should be in accordance with the policy for housing in the countryside, that is Policy RA6.
- 3.58 It is considered that Policy H6 is not in conformity with the Local Plan policies. It refers to sites “outside the Conservation Area” and does not differentiate between development in Lower Harlestone and the rest of the plan area where the countryside Policy RA6 applies. The policy should use the same term of “village confines” as Policy RA3. Furthermore, Policy H6 is considered to be vague and imprecise as it does not define “infill and existing housing plots” and states that proposals will be “considered” rather than that they will be supported. It would also be helpful to plan users to include reference to Policy RA5 which covers the Renovation and Conversion of Existing Buildings within Settlements. I am recommending a modification to overcome these concerns.
- 3.59 The title of the policy should refer to “Windfall Housing Sites”.
- 3.60 The Neighbourhood Plan Survey has shown that there is some aspiration for new housing development but no evidence in the form of a detailed Housing Needs Survey has been carried out to quantify this. Policy H7 seeks to address the perceived need for housing for older people. NPPF paragraph 78 states that planning policies should support housing development that reflect local needs. Paragraph 80 sets out the exceptional forms of housing development that are considered acceptable in the countryside.

Recommendation 8: Revise Policy H6 as follows:

“Residential development will be supported where it meets the following criteria in addition to those in Policies RA3 and RA5 (for proposals in and adjacent to the village confines of Lower Harlestone), and RA4 and RA6 (for sites in the countryside) of the DSCLP:

“Criteria a) – d).

Add the following at the end of the first sentence of paragraph 4.28:

“....identified in a development plan i.e. a site which becomes available for development unexpectedly and is therefore not included as allocated land in a planning authority’s development plan. For example, a commercial or agricultural site that becomes obsolete which may provide a suitable location for housing.”

Add the following new paragraph in the Technical Evidence after 4.28: “Table 3 of the DSCLP sets out criteria to define locations within village confines of Other Settlements and areas outside them.”

Revise the title of the policy to “Windfall Housing Sites”.

Policy H7 – Housing for Older People

- 3.61 The policy seeks to promote the provision of housing for local older people through the conversion of an existing building or dwelling and the provision of single storey or other suitable housing. It is considered that point i) of the policy is vague and imprecise. It is unclear what the “range of housing options” entails or how “local older people” are to be defined. It is not stated whether the development under point iii) is to be considered as exceptional development or whether it has to accord with other policies of the Development Plan like point ii).
- 3.62 Part C of Policy H08 of the DSCLP on Housing Mix and Type sets out the Housing Standards that will be used to help meet the needs of the District’s residents and to deliver dwellings which are capable of meeting peoples’ changing circumstances over their lifetime. However, these standards will only be applied to sites of 10 or more houses.
- 3.63 Part D of the policy sets out the criteria to be met for schemes that provide specialised accommodation whilst promoting independent living.
- 3.64 Paragraph 4.30 of the justification to the policy states that to the Neighbourhood Plan Survey has shown that there is a prediction for a need for more homes for the elderly in the Plan area in the future but no evidence in the form of a up to date Housing Needs Survey has been carried out to quantify this.
- 3.65 I am recommending a modification to clarify the wording of this policy.

Recommendation 9: Revise Policy H7 as follows:

Housing development that meets the needs of older people will be supported where it accords with other policies in the Development Plan, in particular through:

- a) **The conversion or adaption of an existing building or dwelling, including the sub-division of a dwelling; and**
- b) **The provision of single storey accommodation or a residential annexe or residential adaptation to accommodate the needs of the resident.**

Policy H8 – Provision of well-designed energy efficient buildings and places

- 3.66 The policy seeks to encourage the design on new development to have a high level of sustainable design and construction to optimise energy efficiency.
- 3.67 Policies S10 and S11 of the WNJCS address Sustainable Development Principles and Low Carbon and Renewable Energy. These cover the points in the three criteria

in Policy H8. Policy S11 of the WNJCS states that dwellings shall include energy efficiency measures equivalent to those required to achieve level 4 of the former Code for Sustainable Homes. Policy ENV7 of the DSCLP sets out the matters to be used in considering proposals affecting a conservation area.

- 3.68 The WNJCS sets out detailed policies on the subject of well designed, energy efficient buildings and places and HNPD Policy H8 does not add any locally specific policies requirements to these.
- 3.69 It is considered that the first part of the policy concerning energy efficiency measures on buildings in conservation areas is unnecessary as it does not add any locally specific policy approach to the heritage policies in the Local Plan.
- 3.70 As the policy does not add any locally specific policy requirements, I am therefore recommending that the policy should be deleted. Consequential amendments to the numbering of policies and text should be made as necessary.

Recommendation 10: Delete Policy H8.

Policy H9 – Working from Home

- 3.71 The policy sets out three criteria to be used in considering proposals for small scale home based businesses.
- 3.72 Policy R2 of the WNJCS supports the development of businesses in the rural areas providing they are of an appropriate scale for their location and respect the local environment. Policy H9 provides more locally specific details to be used in the determination of home based business developments.
- 3.73 I consider that the policy accords with national and strategic policies. No modifications are recommended.

Policy H10 – Village Facilities

- 3.74 The policy seeks to safeguard 8 village facilities. The list of sites includes the Golf Club. It is not clear whether this is the clubhouse or the whole course. The QB has confirmed that as the golf club offers free social membership to Harlestone residents, they wish to include the clubhouse as a village amenity.
- 3.75 The second paragraph refers to the facilities as “community facilities” and sets out three criteria of the types of evidence that will be required to demonstrate that the facility is no longer required or the proposal includes a suitable alternative.
- 3.76 To ensure clarity and consistency it recommended that paragraph 2 is revised to refer to village facilities. The location of the facilities and their curtilages should be shown on the Policies Map to ensure that the policy can be interpreted consistency

by decision makers. The sites should be numbered on the map to accord with the numbers used in the policy.

- 3.77 The policy does not include a clause supporting the improvement of the facilities. The QB has proposed a modification to address this deficiency which I am recommending for inclusion.
- 3.78 The numbering used in the policy is not consistent with that in other policies.

Recommendation 11: Revise Policy H10 as follows:

Revise point 1f) to read: “Northampton Golf Club Clubhouse.”

Revise paragraph 2. To read “....these village facilities...”

Add the following to the policy as point 3: “Development that seeks to improve or enhance these facilities will be supported where it accords with other policies in the Development Plan.”

Review the numbering used in the policy to ensure consistency with other policies.

Show the location of the facilities including the curtilages of the properties on the Policies Map.

Policy H11 – Rural Diversification

- 3.79 The policy supports proposals for appropriate rural diversification subject to four criteria. The term “appropriate rural diversification” is not defined in the policy or justification, other than that the use is appropriate to a rural area. It is therefore considered that the policy is vague and imprecise and would not be capable of being interpreted consistently by decision makers.
- 3.80 NPPF paragraph 84 states that planning policies should enable the sustainable growth and expansion of all types of business in the rural areas and the development and diversification of agricultural and land-based rural businesses. WNJCS Policy R2 sets out a number of factors that have to be taken into account in considering whether a proposal would be suitable in a rural area. A modification is recommended to replace criterion a) with a reference Policy R2 in Policy H11 to clarify how it should be interpreted. Criterion c) should also be clarified by including the word “unacceptable”.

Recommendation 12: Revise Policy H11 as follows:

“ i) Development proposals that sustain and enhance the diversification of the rural economy will be supported where they accord with Policy R2 of the WNJCS and where:

Delete criterion a)

Revise criterion c) to read “The development will not have an unacceptable adverse impact on”

Criteria b) and d) unchanged.

Policy H12 – Developer Contributions and Community Infrastructure

- 3.81 This policy sets out the priorities for investment in local community infrastructure by the Parish Council in using the local element of the Community Infrastructure Levy.
- 3.82 PPG states that neighbourhood plans may contain policies on the contributions expected from development, but these and any other requirements placed on development should accord with relevant strategic policies and not undermine the deliverability of the neighbourhood plan, local plan or spatial development strategy.
- 3.83 Policy INF1 and INF2 of the WNJCS set out the approach towards the provision of infrastructure for development. Paragraph 11.18 includes the types of infrastructure that may be funded through CIL and includes improvements to the transport system.
- 3.84 Representations have requested that reference to the improvement of cycle routes and bridleways should be included. I am recommending a modification to criterion b) to ensure these routes are also considered.
- 3.85 I am recommending a modification to improve the clarity of the policy.

Recommendation 13: Revise Policy H12 as follows:

“Any Community Infrastructure Levy raised by development within Harlestone parish and paid to Harlestone Parish Council will be used to improve the following local community infrastructure: criteria a), b), c).

Add the following to criterion b) “.... cycle routes and bridleways.”

Non-Land Use Actions

- 3.86 This section is inaccurately described as “Non-land use actions”. It includes a number of matters that the Parish Council wish to pursue which cannot be addressed through the neighbourhood planning policies and may be more appropriately termed “Community Actions”.
- 3.87 The text sets out the matters of concern arising from the results of the residents survey. Each section includes an action that the Parish Council intends to pursue to address the concerns. It is suggested that the text of these actions could be emboldened or they could be summarised in a table.

3.88 The QB has proposed a minor amendment to paragraph 5.8 in response to a representation to improve its clarity which I have included in the modifications.

Recommendation 14: Revise section 5 as follows:

Revise the title of section 5 to read: “Community Actions”.

Revise paragraph 5.1 as follows: “A few issues have been raised whilst preparing the HNDP that cannot be addressed through the neighbourhood plan policies. However, these are matters that are important to the residents of the Parish.....HNDP.

**Add the following at the end of the second sentence of paragraph 5.8:
“.....Statement) produced and maintained by WNC.**

Embolden those paragraphs of section 5 that set out the Community Aspirations or summarise them in a table.

Monitoring and Review of the Plan

3.89 The section summarises how the Plan will be monitored and reviewed.

Appendices

3.90 A representation has commented that the map of Public Rights of Way in Appendix 1 does not show all the routes. The QB has commented that the map was a representation of the numerous rights of way rather than an exhaustive list. They have indicated that they will produce a more detailed map.

4.0 Referendum

- 4.1 The Harlestone Neighbourhood Development Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributes to the achievement of sustainable development;
 - is in general conformity with the strategic policies contained in the Development Plan for the area; and
 - does not breach, and is otherwise compatible with, EU obligations and human rights requirements
- 4.3 **I am pleased to recommend to West Northamptonshire Council that the Harlestone Neighbourhood Development Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by West Northamptonshire Council on 24 June 2020.

5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents

- Harlestone Neighbourhood Development Plan to 2029 Submission Draft Version including Appendices
- Harlestone Neighbourhood Development Plan Basic Conditions Statement August 2022
- Harlestone Neighbourhood Development Plan Consultation Statement August 2022
- Harlestone Neighbourhood Development Plan Screening Report for SEA and HRA 7 February 2022
- Harlestone Conservation Area Appraisal and Management Plan, July 2017
- National Planning Policy Framework July 2021
- Planning Practice Guidance (as amended)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- West Northamptonshire Joint Core Strategy Local Plan (Part 1) adopted 2014
- Daventry Settlements and Countryside Local Plan (Part 2) 2011-2029
- Historic Environment Advice Note 7: Local Heritage Listing, (most recent edition 2021).

6.0 Summary of Recommendations

Recommendation 1: Include a Policies Map for the Plan area, including Inset Maps as necessary. Place the Policies Map and Inset Maps in a more prominent position in the HNBP. Show properties designated under Policies H3 and H10 on the Policies Map and in the key.

Include a key on all maps in the Appendices.

Include date of adoption of the Plan on the front cover.

Make any further minor editorial changes to the Plan necessary to address any factual and typographical errors and to reflect the fact that the document will be in its intended final form.

Recommendation 2: Revise the Vision, Issues and Objectives Section as follows:

Place the Issues in a separate section preceding the section on Vision and Objectives.

Amend the Issues section as follows:

Add the following to the final bullet point of Views, Open Spaces and Biodiversity “/growing space”.

Delete the first bullet point of Visitor Management “Majority of residents....”

Include a cross reference in the Visitor Management section to the importance of local identity founded on heritage and Local Green Space.

Revise the Vision to read:

“By 2030, Harlestone will be a thriving and sustainable rural community where the natural and built environment makes a positive contribution to agriculture, the landscape, conservation and the preservation of our heritage.”

Delete paragraphs 3.2, 3.3, 3.6 – 3.8.

Revised the objectives to read:

- a. **“To sustain and enhance Harlestone’s Conservation Area and the designated and non-designated heritage assets, to protect and improve the features which contribute positively to the historic environment.**
- b. **To support development which meets the community's needs and sustains and enhances Harlestone's character and rural setting.**
- c. **To protect the Local Green Spaces and distinctive settlement pattern, to ensure that Harlestone remains discreet from the urban area and surrounding villages.**
- d. **To sustain and enhance the distinctive rural landscape, surrounding countryside, special landscape area and important views for present and future generations.**

- e. To sustain and enhance the biodiversity of the area, the local wildlife with its habitat and trees, and conserve ecological corridors and sites of special interest.
- f. To ensure that Harlestone's roads, footpaths and bridleways are properly signposted and provide safer and more accessible routes for recreational pursuits so that access to existing open spaces in the village and to the surrounding landscape can be achieved without harming the natural and historic environment within the Parish.
- g. To sustain and enhance village amenities and encourage opportunities for all generations to participate in a range of educational, sporting, leisure activities and promote community cohesion.
- h. To support the local economy so that new and existing businesses and agriculture may flourish."

Revise the cross references to the objectives in the title to each policy.

Recommendation 3: Combine and revise parts (i) and (ii) of Policy H1 as follows:

"Development should be designed to be of a high quality and reflect the design of the buildings in the local area and should be integrated into the environment. Development will be supported that has regard to the Harlestone Design Guidelines, other design policies of the Development Plan, particularly Policy ENV10, and the following design principles where appropriate and proportionate to the development:"

Criteria a) to k) to be retained and revised as follows:

Revise b) to read: "sustain and enhance the significance of....."

Revise d) to read "...and scale of development and ensure that it is suitable for its location;"

Revise k) to read ".....lifestyles and technologies."

Revise the first two sentences of paragraph 4.4 to read: "Harlestone's special character is derived from its well landscaped and rolling countryside affording many varied and attractive views and interspersed with clusters of locally distinctive historic houses and agricultural buildings, connected by a network of bridleways and footpaths."

Recommendation 4: Revise Policy H2 as follows:

Revise the first paragraph of the policy to read: "To sustain and enhance the character or appearance of the Harlestone Conservation Area, development in or adjacent to the Conservation Area should be in accordance with the policies of the development plan, in particular Policy BN5 of the WNJCS and Policy ENV7 of the DSCLP and the following requirements: a) to d)

Add after point d): "Development proposals should have regard to the Harlestone CAAMP."

Recommendation 5: Revise Policy H3 as follows:

“The buildings and structures listed below and shown on the Policies Map are identified as Non-Designated Heritage Assets. Development proposals that affect them or their settings, should seek to conserve the significant features which make them important.”

Add the following after paragraph 4.15: “WNC has been asked to include the properties in the Local List when this is next reviewed and to protect the properties as non-designated heritage assets in the meantime.”

Revised the title of Policy H3 to “Additional Non-Designated Heritage Assets”

Show the properties and their curtilages on the Policies Map cross referenced to the number in the policy.

Correct the typographical error in paragraph 4.15 line 9: (2017)

Recommendation 6: Revise Policy H4 as follows:

“Important Public Views are listed below and shown on the Policies Map. Development proposals will not be supported that unacceptably harm the character, quality and integrity of these views or their viewpoints at publicly accessible locations. Development proposals should include appropriate mitigation measures to reduce any unacceptable impacts that may arise from the development. Measures to enhance and improve Important Public Views will be supported.”

Include the following text in the Technical Evidence section of the justification (after paragraph 4.20) to cross reference the policy to Policies ENV2 and ENV3 of the DSCLP to describe the purpose of the Green Wedge and Special Landscape Area.

“Policy ENV2 in the DSCLP identifies a Special Landscape Area (SLA) covering the western part of the parish. This policy pre-dates the NPPF; however, the designation recognises that although there are no national landscape designations in Northamptonshire, the county contains some distinctive landscapes that are of local importance.”

“Policy ENV2 aims to ensure that the protection of the special qualities of the SLAs is given priority when considering proposals which fall within them. The Policy requires the consideration of cumulative impacts of development, which includes existing development, allocations, permissions, and other extant applications, including those in adjacent authorities.

“Policy ENV3 of the DSCLP defines a Green Wedge over most of the south east part of the parish outside the conservation area. The focus of growth at the

urban areas of Daventry and Northampton has led to pressure on their fringes, which are predominantly agricultural areas and host to several settlements, including Upper and Lower Harlestone. Each settlement has a distinctive character, and it is important that this character is not harmed by urban expansion or coalescence. The Green Wedges therefore have the function of protecting the identity and setting of fringe villages and preventing coalescence of the villages with the nearby towns.

“The proximity of the Green Wedges to the urban areas means that they are also used for informal recreation and as part of the wider green infrastructure network, they also fulfil a biodiversity function. See inset map for Upper and Lower Harlestone of the DSCLP. (p58).

“The emphasis for Policy ENV3 is, therefore, to ensure that the areas are kept open around settlements and to prevent coalescence.”

Recommendation 7: Revise Policy H5 as follows:

Delete the following sites from Policy H5.

LGS1, LGS2, LGS3, LGS7, LGS8, LGS9, LGS10, LGS11, LGS12, LGS13, LGS15, LGS16, LGS17, LGS18.

Update the Local Green Space Assessment accordingly.

Recommendation 8: Revise Policy H6 as follows:

“Residential development will be supported where it meets the following criteria in addition to those in Policies RA3 and RA5 (for proposals in and adjacent to the village confines of Lower Harlestone), and RA4 and RA6 (for sites in the countryside) of the DSCLP:

“Criteria a) – d).

Add the following at the end of the first sentence of paragraph 4.28:

“....identified in a development plan i.e. a site which becomes available for development unexpectedly and is therefore not included as allocated land in a planning authority’s development plan. For example, a commercial or agricultural site that becomes obsolete which may provide a suitable location for housing.”

Add the following new paragraph in the Technical Evidence after 4.28: “Table 3 of the DSCLP sets out criteria to define locations within village confines of Other Settlements and areas outside them.”

Revise the title of the policy to “Windfall Housing Sites”.

Recommendation 9: Revise Policy H7 as follows:

Housing development that meets the needs of older people will be supported where it accords with other policies in the Development Plan, in particular through:

- a) The conversion or adaption of an existing building or dwelling, including the sub-division of a dwelling; and
- b) The provision of single storey accommodation or a residential annexe or residential adaptation to accommodate the needs of the resident.

Recommendation 10: Delete Policy H8.

Recommendation 11: Revise Policy H10 as follows:

Revise point 1f) to read: “Northampton Golf Club Clubhouse.”

Revise paragraph 2. To read “....these village facilities...”

Add the following to the policy as point 3: “Development that seeks to improve or enhance these facilities will be supported where it accords with other policies in the Development Plan.”

Review the numbering used in the policy to ensure consistency with other policies.

Show the location of the facilities including the curtilages of the properties on the Policies Map.

Recommendation 12: Revise Policy H11 as follows:

“ i) Development proposals that sustain and enhance the diversification of the rural economy will be supported where they accord with Policy R2 of the WNJCS and where:

Delete criterion a)

Revise criterion c) to read “The development will not have an unacceptable adverse impact on”

Criteria b) and d) unchanged.

Recommendation 13: Revise Policy H12 as follows:

“Any Community Infrastructure Levy raised by development within Harlestone parish and paid to Harlestone Parish Council will be used to improve the following local community infrastructure: criteria a), b), c).”

Add the following to criterion b) “.... cycle routes and bridleways.”

Recommendation 14: Revise section 5 as follows:

Revise the title of section 5 to read: “Community Actions”.

Revise paragraph 5.1 as follows: “A few issues have been raised whilst preparing the HNDP that cannot be addressed through the neighbourhood plan policies. However, these are matters that are important to the residents of the Parish.....HNDP.

Add the following at the end of the second sentence of paragraph 5.8:
“.....Statement) produced and maintained by WNC.

Embolden those paragraphs of section 5 that set out the Community Aspirations or summarise them in a table.