

Overstone Neighbourhood Development Plan 2019-2029

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

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Executive Summary

1. I was appointed by West Northamptonshire Council in May 2021 to carry out the independent examination of the Overstone Neighbourhood Plan.
2. The examination was undertaken by way of written representations. I visited the neighbourhood area on 19 May 2021.
3. The Plan 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 issues. The first is ensuring that the Northampton North Sustainable Urban Extension can be sensitively incorporated into the social and environmental fabric of the parish. The second ensuring that any new development takes account is its attractive and distinctive character
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
5 July 2021

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Overstone Neighbourhood Development Plan 2019-2029 ('the Plan').
- 1.2 The Plan was submitted to Daventry District Council (DDC) by Overstone Parish Council (OPC) 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 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 and 2019. 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 distinctiveness and identity.
- 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 OPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WNC and OPC. 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.
- the Parish Council'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 (February 2019).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 19 May 2021. 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 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.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the parish councils have prepared a Consultation Statement which is proportionate to the Plan area and its policies. It is a particularly 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 appendices.
- 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 (October to December 2020). It provides the details of the responses to that version of the Plan in Appendix 13. 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 comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan in Appendix 12. Within this wider context the following events were particularly important:
- the questionnaire sent to all households (July 2019);
 - the informal consultation meeting with local business/land owners (August 2019);
 - the informal consultation public meeting held in the Village Hall with residents, land owners and business people (September 2019);
 - the circulation of leaflets and e-mails to local residents and businesses (February 2020); and
 - the informal consultation with the residents and businesses within Overstone regarding the updated designated area (August 2020).
- 4.5 Appendix 13 of the Statement sets out a summary of the community publicity and surveys. It demonstrates the thorough way in which those responsible for the preparation of the Plan sought to address the expectations of the wider community. It also gives a degree of local flavour and distinctiveness to the

Statement. This analysis helps to describe how the Plan has progressed to its submission stage.

4.6 Consultation on the submitted plan was undertaken by Daventry District Council before it was incorporated into the newly-created West Northamptonshire Council. It ended on 22 March 2021. This exercise generated representations from the following organisations:

- Historic England
- Sport England
- Anglian Water
- Natural England
- National Grid
- Overstone Park Management Ltd
- Daventry District Council
- L&Q Estates and Davidsons Developments
- Northamptonshire County Council
- Moulton Parish Council

4.7 Representations were also received from 14 local residents.

4.8 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 Overstone. Its population in 2011 was 741 persons living in 377 households. It is located in the north-eastern part of the newly created West Northamptonshire Council and is contiguous with the Northampton urban fringe.
- 5.2 There have been three versions of the neighbourhood area. On 15 April 2014 OPC applied for southern part of the Parish surrounding Overstone Village (excluding the area allocated as the Northampton North Sustainable Urban Extension (SUE) and the area to the north, beyond the SUE), to be designated as a neighbourhood area. This was approved on 4 September 2014. On 18 July 2017 OPC applied to amend the neighbourhood area to include the area to the north of the SUE; this was approved on 12 October 2017. The current neighbourhood area which covers the entire parish, including the SUE and area to the north, was subject to an application by OPC on 27 July 2020 and was approved on 31 July 2020.
- 5.3 Overstone itself is a traditional linear village based along Sywell Road. The village has had a long association with Overstone Hall and the wooded area to the south of Sywell Road. It includes several interesting vernacular buildings in the village which relate to this heritage. The Overstone Park Resort is located to the south of the Hall at the southern edge of the parish.

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). The Plan allocates a series of sustainable urban extensions (SUEs) for Northampton as the most sustainable and sequentially preferable location for new development beyond its existing urban area. The Northampton North SUE is within the neighbourhood area. It is situated on the northern edge of Northampton and on the eastern side of the A43 between Moulton, and the village of Overstone and Overstone Park. It allocates land for 3500 dwellings and approximately 10 hectares of employment land.
- 5.5 As the Plan comments the development of the Northampton North SUE provides the opportunity to deliver a comprehensively integrated sustainable transport system. A focus of the development is the provision of a local multi-

modal interchange co-located with a local centre providing a high-quality bus service (connecting to the town centre and westward towards Moulton and Moulton Park employment area) together with car and cycle parking provision. Off-site highway improvements will be delivered including at Round Spinney roundabout, and improvements to the A43 Northampton to Kettering corridor.

- 5.6 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 Overstone as one of a series of 'Other villages' in the former Daventry District which perform a predominantly local role in providing a limited number of services and facilities for their residents. In addition to Policy RA3 the following policies have been particularly important in underpinning neighbourhood plan policies:

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 19 May 2021. I approached it from the A43 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. I saw the ongoing development of the Northampton North SUE and some of the highway-related works.

- 5.10 I looked initially at the village itself. I saw the variety of buildings including the popular shop and post office. I saw the importance of the school to the wider community and the way in which the new building had been designed to complement the traditional building. I also saw the importance of a range of trees to the character and appearance of the village.
- 5.11 I then looked at the two proposed Local Open Spaces. I saw their relationship with the area to the south of the village and their restricted accessibility.
- 5.12 I then looked at the Church. I saw that it was attractively-located to the south of the village. I saw the significance of the views to the south of the Church in general and into one of the identified views in the Plan (V5) in particular. I also saw the pleasant views to the north back into the village.
- 5.13 I then looked at the recreation area to the north of Sywell Road. I saw its significance and its relationship to the school. In doing so I saw the extensive countryside to the north with its footpath network and another of the Plan's identified views (V1).
- 5.14 I walked to the west to the ongoing development of the SUE. I saw the way in which it was separated from the village by the topography around the watercourse which crosses Sywell Road.
- 5.15 In doing so I saw the various cycle routes which had been created and the opportunities which they provided for informal recreation.
- 5.16 I then drove to Moulton so that I could see the relationship between the two communities. I saw that it offered the potential for residents in the neighbourhood area to access a more extensive range of retail and other services within relatively close proximity.

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 (7).

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 2019 (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 Overstone 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 housing and environmental matters. It has approached the plan-making in a positive fashion in general, and the ongoing development of the Northampton North SUE in particular. 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 in March 2014. 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 to me that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for residential development (Policy 6) and for employment development (Policy 12). In the social role, it includes policies on community facilities (Policies 3 and 4) and on affordable housing (Policy 7). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has a policy on open green spaces (Policy 8), on landscape and views (Policy 9), on heritage assets (Policy 10) and on biodiversity (Policy 11). 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. In particular it provides a positive context within which the Northampton North SUE can be sensitively accommodated into the parish. 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 and Habitat Regulations

- 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 October 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 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 submitted Plan does not require a full SEA to be undertaken.
- 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 (the Upper Nene Valley Gravel Pits SPA/Ramsar and the Rutland Water SPA/Ramsar).

- 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.
- 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 has 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. The Plan also includes a series of non-land use Actions.
- 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 3)

- 7.8 The Plan as a whole is very well-organised. It makes an appropriate distinction between the policies and their supporting text. The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.
- 7.9 The Introduction sets the scene for the remainder of the Plan. It comments about the way in which the Plan was prepared and how it is structured. It properly identifies both the Plan period and the neighbourhood area. It comments in detail about the planning policy context to the Plan, the nature of a neighbourhood plan, and how the community has been engaged in its production. The flow chart in Figure 2 is a very impressive summary of the process that has been followed.

- 7.10 Section 2 provides information about the neighbourhood area and its history. It provides details about population and housing, growth and the implications of the implementation of the Northampton North SUE and how planning applications have been submitted and approved to secure its ongoing delivery.
- 7.11 Section 3 sets out the vision, aims, key issues and objectives for the Plan. It makes a strong functional relationship between the various matters. In several cases the various matters feed into the resulting policies.
- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy 1 Promoting Sustainable Transport

- 7.13 The Plan seeks to promote sustainable transport in the parish. In this context the policy comments that development should deliver five objectives as follows:
- to encourage better access to and increased use of public transport;
 - to allow for good travel choices;
 - to ensure good connectivity through the village, and between the village and Northampton North SUE for walking and cycling;
 - to create and enhance 'safe routes to schools' schemes where appropriate; and
 - that new development should be located where services and facilities can be easily accessed by walking, cycling and public transport.
- 7.14 The policy has been well-developed in general terms. The five objectives are both comprehensive and locally-distinctive. However, policy has universal effect and would apply to all development. Plainly individual developments will have different implications on transport in general, and on their ability to promote sustainable transport in particular. I recommend a modification to the policy so that it can be applied proportionately. The wider effect of the recommended modification would be to remove elements of supporting text in the policy. Otherwise, it meets the basic conditions. Its delivery will assist significantly in delivering the environmental and the social dimensions of sustainable development.

In the opening part of the policy replace 'To promote sustainable transport, healthier lifestyles, improve air quality and minimise traffic congestion and on-street parking in Overstone, all development should' with: 'Development proposals should promote sustainable transport, healthier lifestyles, improve air quality and minimise traffic congestion

and on-street parking. As appropriate to their scale, nature and location development proposals should:'

Policy 2 Adapting to Climate Change

- 7.15 This policy sets out to respond to climate change. It requires that all new development should seek to achieve the highest standards of sustainable design and, in particular, demonstrate in proposals how layout, design, construction and operation are arranged to meet such an objective.
- 7.16 The policy takes a positive approach to this important matter. As with Policy 1 I recommend that it is applied proportionately. I also recommend modifications to the second part of the policy so that it has the clarity required by the NPPF. Otherwise, it meets the basic conditions.

Replace 'All new development' with 'As appropriate to their scale, nature and location development proposals'

Replace the second part of the policy with: 'Proposals which would retain or enhance existing green infrastructure networks and take the opportunity to fill gaps in and around Overstone will be supported'

Policy 3 Provision of Community Infrastructure

- 7.17 This policy seeks to ensure that community infrastructure is delivered in the parish to match the expected rate of housing growth. It comments that new developments will be expected to make provision for, or contribution towards, relevant local community infrastructure where appropriate. The following local community projects are identified as priorities:
- the enhancement of footways with improved surfaces and lighting;
 - the improvement of facilities at the existing playing field;
 - the implementation of improved traffic management and parking within the village;
 - the enhancement of community facilities such as the Village Hall and Playing Fields; and
 - improvements to communications infrastructure;
- 7.18 Paragraph 4.4.1 of the Plan explains the purpose of the policy. Its ambition is to mitigate the impact of new housing, and to ensure that new developments should contribute to strengthening and/or improving the capacity of the village infrastructure and/or preserving relevant existing assets within the village.
- 7.19 This approach is understandable given the scale and nature of new development which will come forward on the Northampton North SUE. In particular the identified priorities are both appropriate and distinctive to the

circumstances in the parish. However, I recommend two modifications to ensure that the policy meets the basic conditions. The first provides a proportionate link to the scale and nature of the development proposed. The second ensures that developer contributions have a direct link to the development concerned and the required infrastructure. Such an approach would meet the three tests in Regulation 122 of the Community Infrastructure Levy Regulations. I also recommend a modification to secure a direct connection between the five priority areas and the proceeds of developer contributions. As submitted the policy simply describes the priorities without ensuring their delivery.

Replace the policy with:

‘As appropriate to their scale, nature and location development proposals should make provision for, or contribution towards, relevant local community infrastructure.

The following local community projects have been identified as priorities for the enhancement of community facilities in the neighbourhood area:

- **the enhancement of footways within the Parish with improved surfaces and lighting;**
- **the improvement of facilities at the existing playing field;**
- **the implementation of improved traffic management and parking within the village;**
- **the enhancement of community facilities such as the Village Hall and Playing Fields;**
- **improvements to communications infrastructure.**

Development contributions should be focused on these identified priority areas where it practicable to do so’

At the end of paragraph 4.4.1 add: ‘Policy 3 has been designed to have regard to the Community Infrastructure Levy Regulations. In particular Regulation 122 requires that any developer contributions should be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development’

Policy 4 Local Services and Community Facilities

- 7.20 This policy celebrates the importance of existing local facilities to the community. It identifies four important facilities and how any development proposals which would affect their longer-term retention would be determined. The policy takes appropriate account of viability issues and opportunities for the delivery of alternative or replacement facilities.

- 7.21 In its response to the clarification note OPC commented that the four identified facilities are the existing key facilities in the parish and that more such facilities could be added in the plan period. I recommend that the supporting text clarifies this point.
- 7.22 As submitted the policy does not directly relate to the development management process in the way in which it simply comments that the existing facilities should be retained. I recommend a modification to remedy this matter. Otherwise, it is an excellent policy which meets the basic conditions. It will do much to deliver the social dimension of sustainable development.

Replace the opening part of the policy with:

‘Development proposals which would result either in the loss of local services and community facilities or which would detract from their attractiveness and accessibility will not be supported unless it can be demonstrated that:’

At the end of paragraph 4.4.5 add ‘The facilities listed above are the most significant existing facilities. As the Northampton North SUE develops within the Plan period other community facilities may become available in the parish. In these circumstances the policy has been designed to apply to any community facilities which may exist at any time within the Plan period’

Policy 5 Village Confines

- 7.23 This policy identifies Village Confines (VCs). Paragraph 4.5.12 sets out the criteria against which the VCs have been identified and defined. Thereafter a spatial approach is set out where development will be concentrated within the VCs. Development outside the VCs will be tightly controlled in accordance with national and local policies. The third part of the policies has a more general effect in seeking to ensure that any new development is associated with mitigation measures to address any environment implications.
- 7.24 In general terms the policy’s approach takes account of national and local policies. I recommend detailed modifications to the three elements of the policy and to the supporting text to bring the clarity required by the NPPF. In particular they make a connection between the policy and the details in strategic policies, clarify the relevant countryside policies in the Settlements and Countryside Local Plan (Part 2) for Daventry and identify that mitigation measures should be applied as applicable to any particular proposal.

In the first part of the policy replace ‘(Figure 5)’ with ‘as shown on the Policies Map and in Figure 5’

Replace the second part of the policy with: ‘Land outside the Village Confines is identified open countryside where development will be

controlled in accordance with national and local planning policies. Only development proposals which meet the provision of Policy RA3 and RA6 of the Settlements and Countryside Local Plan (Part 2) will be supported outside of the Village Confines'

Replace the third part of the policy with: 'Where it is practicable to do so, development proposals should mitigate any impacts which they may have on important views (as defined in figure 8 and on the Policies Map), landscape features and heritage assets and their settings'

In paragraph 4.5.9 delete the final sentence.

At the end of paragraph 4.5.11 add 'and takes account of the identification of Overstone as one of a series of Other Villages in the Settlements and Countryside Local Plan'

Policy 6 Residential Development

- 7.25 This policy sets out a series of planning and design principles with which developments within the VCs should comply. It is a very comprehensive and well-designed policy.
- 7.26 In its response to the clarification note OPC clarified that its intention was that the principles should apply to each and every development. This may be the case on the larger proposals. However, it would not be so for smaller proposals which will represent most of the applications in the Plan period. I recommend that the policy is modified so that it can be applied in a proportionate way on a case-by-case basis.
- 7.27 I also recommend detailed modifications to some of the criteria. In most cases they ensure that the criteria have a more natural flow from the initial part of the policy. In the case of the fifth criteria, it ensures that the approach has regard to national policy.
- 7.28 Otherwise the policy meets the basic conditions. It will assist significantly in the delivery of the environmental dimension of sustainable development and in securing high-quality designs.

At the beginning of the policy add: 'As appropriate to their scale, nature and location'

In criterion c) replace 'affecting' with 'affect'

In criterion e) replace 'Preserve or enhance' with 'Conserve or enhance the significance of'

In criterion h) replace 'to' with 'should'

In i) replace ‘Promoting’ with ‘promote’ and delete ‘equally’

In criterion j) replace ‘to’ with ‘should’

In criterion k) delete ‘Should’

Policy 7 Provision of Affordable Housing

7.29 This policy comments about the delivery of affordable housing. It draws attention to Policy H2 of the WNJCS. It includes the following related elements:

- new developments should meet identified local housing needs;
- the delivery of affordable housing should be based on the most recent local housing surveys;
- affordable housing should be delivered in accordance with Policy H2 of the WNJCS;
- affordable housing should be an integral part of any new development;
- affordable housing should meet the needs of older people and the vulnerable; and
- the potential for off-site provision of affordable housing in exceptional circumstances.

7.30 In general terms I am satisfied that the policy addresses an important issue to the local community. I recommend two modifications to ensure that it meets the basic conditions. The first removes the reference to the equivalent policy in the WNJCS from the policy and repositions it to the supporting text. There is no need for a neighbourhood plan policy to repeat or restate an existing development plan policy. The second deletes the fifth element of the policy which seeks to deliver affordable housing specifically to meet the needs of the elderly and vulnerable groups. Plainly this is an important matter. However, the allocation of any delivered affordable housing is a separate non-land use matter for either WNC in its capacity as the housing authority or for registered social housing providers.

Delete the third and fifth parts of the policy

At the end of paragraph 4.5.17 add: ‘Policy 7 of this Plan has been designed to complement the policy approach already included in the WNJCS’

Policy 8 Local Open Space

7.31 This policy addresses a series of issues. It draws attention to three Local Green Spaces designated in the Settlements and Countryside Local Plan and then proposes the designation of two local open spaces.

7.32 Paragraphs 4.6 2 and 4.6.3 provide the context to the approach in the Plan as follows:

‘There are various areas of local space that are highly valued by the local community. They are valued for their amenity use and in some cases their biodiversity/nature conservation value. Open Spaces may not have public access but offer visual amenity, are part of or contribute to the setting of the historic landscape or contribute to the character and distinctiveness of the village. Overstone has a marked lack of permanent open access land (such as, parkland, common land or Rights of Way). The Rights of Way are very highly valued but small in number and limited in their scope to provide extensive amenity use’

7.33 The two proposed local open spaces are largely access tracks, avenues of trees and wide verges leading from the village in the north into the Overstone Park area to the south. Their designation has attracted overlapping representations from local residents and the Overstone Park Management Limited. I looked at the two proposed local open spaces carefully during the visit. I saw their attraction and their significance in the local environment. However, I saw that in their different ways that public access was restricted.

7.34 In its response to the clarification note OPC indicated that it was content for the proposed designations to be removed from the Plan. I recommend accordingly. The policy has sought to conflate private rights of access with a policy on safeguarding open spaces which are not directly accessible to the public. In any event the objectives of the policy are largely addressed in the identification of some of the important views in Policy 9.

7.35 I also recommend consequential modifications to the supporting text. In the wider context of the development plan, it is appropriate for the Plan to reference the three LGSs already designated in the development plan. However, I recommend that this process is more fully expressed.

Delete the policy

Delete paragraph 4.6.4

Replace paragraph 4.6.5 with: ‘Three Local Green Space were designated in the Settlement and Countryside Local Plan. They are detailed in Figure 6 and shown for reference purposes on the Policies Map. Defined Local Green Spaces with public access are important for residential and open space amenity use, for health and well-being, and the role they play as part of the character of the village’

Delete the text in paragraph 4.6.6 (whilst retaining Figure 6)

Delete Figure 7

Policy 9 Landscape and Sensitive Views

- 7.36 This policy seeks to safeguard the overall character of the local landscape. In particular it identifies six sensitive views which should be preserved and possibly enhanced by new development. I looked at the identified views during my visit. Their selection and importance were self-evident.
- 7.37 I recommend modifications to the policy and the supporting text so that they have the clarity required by the NPPF. They incorporate the following matters:
- the removal of supporting text from the policy;
 - the more explicit identification of the important views;
 - the incorporation of mitigation measures into the main part of the policy;
 - an indication of the implications of development proposals which do not comply with the policy;
 - the repositioning of the details about the Daventry Landscape Study to the supporting text; and
 - a reconfiguration of paragraph 4.6.10

Otherwise, the policy meets the basic conditions. It will do much to deliver the environmental dimension of sustainable development.

Replace the policy with:

‘The Plan identifies the following important views (and as shown on Figure 8):

- **V1 - View from the public footpath behind Overstone Primary School to Cow Pasture Spinney;**
- **V2 - View from the Track behind Lavender Hill Farm;**
- **V3 - View from Pytchley Gates towards Overstone Hall;**
- **V4 - View from the ‘Car Boot field’ through Overstone Park towards Overstone Hall;**
- **V5 - Views from and to St Nicholas church along Church Lane and through Overstone Park towards Overstone Hall;**
- **V6 - Views from the track straddling Court Farm;**

As appropriate to their scale, nature and location development proposals should preserve and wherever practicable enhance affected views and mitigate any adverse impacts on the view concerned by sensitive design and layout, materials and landscaping.

Development proposals which would have an unacceptable impact on an important view will not be supported'

Replace paragraph 4.6.10 with:

'Taking into account the importance of the parish's landscape and historical character which emerged through the consultation process the most valued, sensitive and important views are shown on the Policies Map(s) and detailed in Figure 8. Policy 9 sets out the approach to this important matter. It provides the opportunity for appropriate mitigation to be incorporated into development proposals where there is a degree of harm to the identified views.

In addition to this specific approach proposed developments should have regard to the details included Daventry Landscape Study – Landscape Character Appraisal (and in particular LCT4 Rolling Ironstone Valley Slopes) insofar as its findings may inform the details of development proposals'

Policy 10 Protection of Heritage Assets

- 7.38 This policy comments about both designated and non-designated heritage assets. The three policies maps (Appendices 1-3) have been designed to show the relevant assets. Appendix 4 lists the assets and identifies which are designated and which are non-designated.
- 7.39 The policy seeks to apply the approach in the NPPF to the local environment and its heritage assets. It does so generally to good effect.
- 7.40 I recommend that the order of the policy is modified so that the first and third parts have a closer functional relationship one to the other. I also recommend detailed modifications to the submitted second part of the policy which deals with archaeological matters. The recommended modification has regard to paragraph 189 of the NPPF.
- 7.41 DDC/WNC make detailed comments on the order and structure of the supporting text. The suggested amendments were accepted by OPC in its response to the clarification note. I recommend accordingly.

Reverse the order of Sections 2 and 3 of the policy

In the submitted third part of the policy replace 'Proposals for change to designated and non-designated heritage assets should demonstrate that:' with 'In particular development proposals which would involve alterations to designated and non-designated heritage assets should demonstrate that:'

Replace the submitted second part of the policy with:

‘Development proposals which would affect sites where there is a likelihood of archaeological remains should:

- **undertake pre-application evaluation and investigation to establish the nature, extent and significance of any remains,**
- **submit an appropriate desk-based assessment and, where necessary, a field evaluation; and**
- **incorporate any detailed mitigation measures within the scheme.**

Reorder the supporting text to follow the revised format below:

- First sentence of paragraph 4.7.1
- Paragraph 4.7.2
- Paragraph 4.7.4
- The second sentence of paragraph 4.7.1
- Paragraph 4.7.3

Policy 11 Biodiversity

7.42 The policy addresses biodiversity. It has two elements. The first sets out an approach such that development should not adversely affect identified sites of biodiversity interest. The second comments that new developments should secure a net gain in biodiversity.

7.43 I recommend two detailed modifications to the policy to bring the clarity required by the NPPF. The first is grammatical. The second reflects that the protected sites are already designated and are simply referenced in the policy. Otherwise, it meets the basic conditions. It will assist in the delivery of the environmental dimension of sustainable development.

In the opening part of the policy replace ‘species. Including: with ‘species, including’

In a) and b) replace ‘designated’ with ‘shown’

Policy 12 Jobs and the Local Economy

7.44 This policy comments that development proposals will be supported that allow existing and suitable new, small-scale businesses to grow. In particular it offers support to proposals which would:

- provide premises suitable for use by start-up or ‘incubator’ businesses;
- develop new businesses or expanding existing businesses, provided they are appropriate to their rural setting and reflect the character of the village, and/or the countryside within the parish;

- minimise additional local traffic movements and contribute to traffic efficiency and safety; and
- protect the amenity of neighbouring uses.

7.45 The policy takes a positive approach to this matter. I recommend modifications to its format so that it has the clarity required by the NPPF. In particular the modifications highlight the specific support which will be given to the five identified employment uses. I also recommend that the supporting text acknowledges that the SUE has the ability to broaden the employment base on the parish.

Replace the first part of the policy with: ‘Development proposals for the alterations to existing employment uses and for the development of suitable new, small-scale businesses will be supported’

Replace the initial element of the second part of the policy with: ‘In particular support will be given to development proposals:’

At the end of paragraph 4.9.2 add: ‘The development of the Northampton North SUE will deliver some employment land which may generate economic benefits for the wider parish’

Non land use Actions

7.46 The Plan includes a series of non-land use matters which have naturally arisen during the preparation of the Plan. The approach follows that in national policy which is that such Actions should be contained in a separate section of the Plan to distinguish them from the land use policies.

7.47 I am satisfied that the three actions are distinctive to the parish. In some cases, they complement the approach taken in the policies.

Other Matters – General

7.48 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 the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.

Other Matters – Specific

- 7.49 DDC 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.
- 7.50 In its response to the clarification note OPC comments that it is content to incorporate the more general elements of DDC's representations into the Plan. This will make the Plan more rounded and provide a stronger relationship to the wider development plan. This would be appropriate and I recommend accordingly

Modification of general text to incorporate the DDC representations into the Plan.

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, to promote sensitive new residential development and to protect its community facilities and rural setting.
- 8.2 Following my independent examination of the Plan I have concluded that the Overstone 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 Overstone 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 31 July 2020.
- 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
5 July 2021