

# **REPRESENTATIONS TO THE EARLS BARTON NEIGHBOURHOOD PLAN (REGULATION 16) CONSULTATION**

**ON BEHALF OF REDROW HOMES (SOUTH MIDLANDS)**

## **Pegasus Group**

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**1. List of Appendices:**

- 1.1 A Number of documents referred to in these representations relate to a site promoted by Redrow Homes (South Midlands) which is currently the subject of a recovered appeal (APP/H2835/A/14/2213617).
- 1.2 The appeal has been recovered on the basis of the submission of the Earls Barton Neighbourhood Plan (reversing an earlier decision declining to recover).
- 1.3 The table below provides the appendix numbers for this representation and the corresponding appeal appendix/ document reference.

<b>Appendix</b>	<b>Appeal Reference</b>	<b>Description</b>
1	-	Legal Opinion of Mr Ian Dove QC and Mr James Corbet Burcher (27 <sup>th</sup> August 2014)
2	-	Letter from the Planning Inspectorate in reference to Secretary of State Recovery
3	-	Earls Barton Neighbourhood Plan production timeline
4	-	Table of Proposed Modifications

**Appeal Documents:**

5	Proof of Evidence- Mr Robert Barber	Proof of Evidence- Mr Robert Barber
6	Proof of Evidence- Mr Julian Clarke	Proof of Evidence- Mr Julian Clarke
7	Proof of Evidence- Mr John Turner	Proof of Evidence- Mr John Turner
8	Core Documents B2 and B3	Planning Agenda (29 <sup>th</sup> January 2014) <i>Officer's report</i> and Minutes
9	Core Document L1	Statement of Common Ground (Planning)
10	Inquiry Document	Ian Dove QC Closing Submissions- written
11	Core Document M1	Land off Compton Way, Appeal Decision APP/H2835/A/12/2168915
12	N/A	List of Core Documents

## **2. Introduction**

- 2.1 These representations have been prepared by Pegasus Group, on behalf of Redrow Homes (South Midlands). They provide additional detail in respect of the broad objections raised during the Regulation 14 (pre-submission) consultation of April 2014; a copy of this letter is contained within the Proof of Mr Robert Barber at his appendix 2.2.
- 2.2 This representation is accompanied by a legal opinion prepared by Mr Ian Dove QC and Mr James Corbet Burcher, which addresses matters concerning legal compliance of the proposed Neighbourhood Plan with the statutory basic conditions, including the relevant legislative framework, including EU legislation, national planning policy and practice guidance, by reference to recent case law.
- 2.3 The Earls Barton Neighbourhood Plan was submitted to the Borough Council on the 27<sup>th</sup> July 2014 and publicised thereafter under Regulation 16 of the Neighbourhood Planning (General) Regulations (2012). The submission included those documents required by the regulations, in addition to a number of additional documents and evidence base documents including "Determining a Rural Housing Target", the "Equalities Assessment", a "Sustainability Appraisal" and a "Parking Survey", which the plan identifies as having influenced the decision. Comments on these documents form an integral part of these representations.
- 2.4 Redrow Homes (South Midlands) has an active interest in the village of Earls Barton both through a consented scheme for 65 units on Land off Compton Road<sup>1</sup>, which is presently under construction, and a site which is subject to an appeal decision on Land off Station Road. This appeal was heard between the 12<sup>th</sup> and 14<sup>th</sup> August 2014, via an Inquiry for 85 units on Land off Station Road (Ref: APP/H2835/A/14/2213617), and subsequently recovered by the Secretary of State on the 15<sup>th</sup> August 2014 for his determination, thus reversing an earlier position set out in the letter from the Planning Inspectorate dated 3<sup>rd</sup> June 2014 (see Appendix 2).

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<sup>1</sup> Appeal Reference APP/H2835/A/12/2168915 (Appendix 10)

2.5 This representation is structured as follows:

- Firstly, a summary of the site, currently subject to an undetermined appeal, is provided;
- Secondly, the representation addresses each basic condition in turn;
- Thirdly a commentary of the consultation process is provided;
- Finally, an overall conclusion is offered.

### **3. Summary:**

- 3.1 The NPPF makes numerous references to the primary importance of having an 'up-to-date' Local Plan and its importance for Neighbourhood Planning, particularly at paragraph 16 and paragraph 184. It is the intention within the Framework that Neighbourhood Planning has the capacity to shape the strategic policies already contained within an *up-to-date* Local Plan. In such circumstances it can provide a valuable layer of localised policy. The absence of an up-to-date Local Plan and the early stage of preparation of any replacement was a matter discussed during the Inquiry. A copy of the relevant appeal documentation, including the Planning Proof of Evidence and closing submissions of the appellant (Redrow Homes) are provided with this representation, as listed in Section 1.
- 3.2 There remains a significant dispute between Redrow Homes, the Borough Council and the Parish Council, and indeed across the planning sector, as to the type of policies that can be included within a neighbourhood plan when the Local Plan, here the North Northamptonshire Joint Core Strategy (2008), is acknowledged by the Borough Council to be out-of-date in respect of strategic policies that would direct and distribute development.
- 3.3 The difficulties of producing a Neighbourhood Plan in an area where such policies are not current is the matter of a number of current judicial reviews. This notably includes the judicial review brought by Gladman Developments to the Winslow Neighbourhood Plan, which was approved for referendum by Aylesbury Vale District Council on 16<sup>th</sup> July 2014 and a further judicial review to the Uppingham Neighbourhood Plan which was recently granted permission by Singh J. These disputes, in simple terms, centre on the correct interpretation of the Basic Conditions and the requirement for general conformity with both National and Local Planning policy and the application of policies that seek to restrict the supply of housing. This matter is addressed in more detail under the response to Basic Condition 8(2)(a) and within the legal submissions.
- 3.4 This representation identifies issues in respect of compliance with national policies and the "advice" (to use the statutory wording) contained within the online Planning Practice Guidance, which goes to the heart of the Basic Conditions. This includes issues with the presentation of the plan and its attempts to place a straightforward constraint on development through the

imposition of a tightly drawn, and thus highly restrictive village boundary, rather than provide positive policies to shape what is at present a completely unknown quantum of development during a 15 year plan period.

- 3.5 The policies with which the plan is considered to be 'in conformity' with are out-of-date and no longer meet the needs and priorities of the wider local area. As such, the plan has sought to rely upon emerging evidence. This evidence was not made available during the Pre-Submission (Regulation 14) stage, a matter acknowledged within the footnote of Appendix 3 to the Pre-Submission Neighbourhood Plan. Had it been available, Redrow Homes would have used this opportunity to comment in more detail on how the overall housing requirement had been calculated allowing time for such matters to be rectified prior to submission and examination.
- 3.6 Due to the restrictive nature of the policies contained within the plan, a persistent failure of the Borough Council of Wellingborough to meet their housing needs and the uncertainty in respect of the robustness of the underlying local evidence base, the outcome of the examination for this Neighbourhood Plan has long-term planning and housing implications both for the village of Earls Barton and the Borough of Wellingborough for the short, medium and long-term.
- 3.7 The legal submission, which forms Appendix 1, identifies significant weaknesses in the Earls Barton Neighbourhood Plan's approach to discharging the requirements of the Basic Conditions through the failure of the *qualifying body* and the Borough Council of Wellingborough to properly consider reasonable alternatives or assess the wider implications of implementing a restrictive village boundary. The inclusion of a restrictive boundary would limit development for the next 20 years, having a negative impact on the socio-economic context of the village and exacerbating a continual failure by the Borough Council of Wellingborough to meet its housing needs.
- 3.8 The long term implications of the chosen strategy in respect of the sustainability appraisal (8(2)(f)), compliance with national policy (8(2)(a)) or demonstrating that the plan represents sustainable development (8(2)(e) are not explicit within either the plan, the accompanying Sustainability Statement nor are they addressed within the Basic Conditions Statement. Should the Examiner agree with the propositions presented within the legal submission,

then the plan would fail to be in compliance with the basic conditions and cannot proceed to referendum.

3.9 Should the examiner disagree with the primary legal submission that the matters raised constitute a failure to meet the basic conditions, a schedule of proposed modifications has been prepared to assist the examiner. It should be emphasised that these suggested modifications do not overcome the significant objections set out in these representations, but are presented on a “without prejudice” basis. The purpose behind these modifications is to attempt to remove the constraint on housing delivery and enable the levels of flexibility required to ensure that the plan goes some way to meet the needs of both Earls Barton and the wider local area not prejudice the preparation of an up-to-date Local Plan which can properly deal with matters of housing distribution in the Borough, which is likely to come forward in 2016. Proposed modifications include:

- The removal of the village boundary
- The deletion of Policy EB.DG2
- The amendment of references to ‘limited’ or ‘local need’ to incorporate wider Borough needs in accordance with the role of Earls Barton in the settlement hierarchy; and
- The allocation of Land off Station Road, which has been subject to scrutiny by the Borough Council’s officers and found to be suitable for development through the development management process<sup>2</sup>.

3.10 However, as noted above, these modifications will not solve the significant and fundamental flaws in the Neighbourhood Plan which are fully rehearsed in these representations. For instance, they will not address the failure of the Neighbourhood Plan Working Group to appraise individual sites, as required by the Planning Practice Guide.

3.11 Whilst it is a general rule for the examination of Neighbourhood Plans to proceed by way of written representations, due to the seriousness of the matters raised by Redrow Homes, which go to the heart of the basic conditions and have implications for the passage of the current appeal, it is formally requested that an oral examination be held to ensure that matters, particularly in respect of the overall housing requirements for the village, the legality, and purpose of those policies seeking to constrain housing, can be properly

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<sup>2</sup> See Appendix 8: Officer’s Report  
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discussed. Further requests as to procedure are set out in the final section of the legal submissions, by reference to paragraph 9 of Schedule 4B.

#### **4. The Site:**

4.1 Redrow Homes presently has an active interest in the future of Earls Barton. They are the developer of the site for 65 dwellings on 'Land off Compton Way', which was granted permission on appeal in 2012. Their second interest relates to "Land off Station Road" [the site], a site presently subject to an appeal recovered by the Secretary of State on the 15<sup>th</sup> August 2014 (after the close of the Inquiry). The relevant appeal documents have been provided as part of this representation.

##### Application History:

4.2 An outline application, with all matters reserved except for access, (WP/2013/0457/OM) was submitted to the BCW on the 3<sup>rd</sup> September 2013 and validated on the 3<sup>rd</sup> October 2013.

4.3 Prior to submitting the application, the Client met with both the BCW (12th June 2013) and the Parish Council (13th June 2013) as part of pre-application discussions. Consultation was carried out in July 2013 using a range of different methods including a dedicated project website and a public exhibition. The exhibition was attended by 322 visitors.

4.4 At the same time as the application was progressing a further application for 39 dwellings, further to the south of the village was also submitted on 'Land off Thorpe Road' by Bowbridge Land.

4.5 During the publicity stage, the application received a number of objections from residents. This included a petition of 601 names and 191 letters (3.5% of the village population), predominantly from addresses in the southernmost areas of the village, and from a village population of around 5,387. A significant number of comments related to the cumulative impact of traffic on Station Road. The appellants submitted a range of information on this issue and there were no technical objections made by the Highway Authority.

4.6 To address residents' concerns, and to assist in drafting the Officer's recommendations, the Borough Council of Wellingborough also instructed an independent consultant to review the cumulative impact of traffic. The study found that there was sufficient capacity on Station Road to accommodate the site promoted by Redrow Homes and the additional site of 39 dwellings. Northamptonshire Highways responded to the report indicating that they were satisfied that there were no grounds for objection in respect of highway safety

or capacity; confirmation was included within the Late Letters List, made available to members prior to their deliberations<sup>3</sup>. This matter was not contested during the appeal.

### **The Decision**

- 4.7 Redrow Homes proposed scheme was considered alongside two (2) other outline planning applications for residential development in Earls Barton at a specially convened committee on the 29th January 2014. The other proposals considered were for 280 dwellings (David Wilson Homes) to the north of the village [The Grange] and 39 dwellings (Bowbridge Land) to the South-west of Station Road. All schemes received a positive recommendation from the officers of BCW, which identified no technical reasons why the schemes could not proceed whether individually or collectively. No cumulative impact was identified a result of the development of all sites at the same time, and all matters such as highways, education and health provision were considered capable of being dealt with by way of contributions
- 4.8 At the committee members resolved unanimously to approve the scheme for 280 units to the north of the village and to subsequently to refuse the Redrow Homes application and the proposal for 39 dwellings<sup>4</sup>. The minutes quote the application was to be refused on grounds of sustainability, over development, accumulative effect, environmental issues, traffic problems, flooding and noise- all of which had no reasoned justification. Accordingly, the decision notice cites four grounds for refusal, which are in summary:
- Unacceptable development in the countryside
  - Conflict with the emerging Neighbourhood Plan
  - Impact on the amenity of local residents
  - Absence of a completed planning obligation agreement

### **The Appeal**

- 4.9 At the appeal, only two reasons were contested. An email from an Officer of the Borough Council reveals that the reason for refusal on transportation grounds is 'weak and indefensible'<sup>5</sup> (further underscoring that residents' concerns in respect of highways matters have no basis in objective assessment

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<sup>3</sup> See Agenda for the 29<sup>th</sup> January Committee; Appendix 8

<sup>4</sup> See Minutes of the Meeting 29<sup>th</sup> January Committee; Appendix 8

<sup>5</sup> See email at Appendix 1 of the Statement of Common Ground; Appendix 9

and that the Council's view, in conventional appeal terms, is clearly that a reason for refusal would be "unreasonable" if subjected to scrutiny at inquiry).

4.10 A case against the remaining two reasons was presented by Pegasus Group. It is summarised as follows:

- The Borough Council of Wellingborough is unable to demonstrate a five-year supply of land to meet its housing needs.
- The appeal site is located, by virtue of the Local Planning Authorities' own evidence base, within a sustainable settlement;
- The site, promoted by Redrow Homes, is well located to the village of Earls Barton and its services. It will not have a significant impact on landscape nor the character of the village
- There are no technical reasons for the site not to come forward, a matter addressed within the Officer's report of the 29th January 2014.
- It is acknowledged that the Earls Barton Neighbourhood Plan is currently being prepared and is at Submission (Regulation 15) stage<sup>6</sup>.

4.11 The principal arguments within the case presented at the Inquiry were drawn from the current and emerging plan-making evidence base for Wellingborough. The matters raised in the documentation are considered relevant to the Neighbourhood Plan examination as they seek to highlight:

- 1) The long-term, on-going failure of the Borough Council of Wellingborough to adopt an up-to-date Local Plan under which Neighbourhood Plans could be progressed, be this an up-to-date Local Plan, or the Rural Areas Development Plan which was abandoned in 2010;
- 2) The inability to demonstrate a robust five-year supply of housing land, against their own calculated housing need thus rendering relevant policies relating to the supply and distribution of housing out-of-date;
- 3) A failure to respond to the provisions of the National Planning Policy Framework's instructions to plan positively and significantly boost the supply of housing; and
- 4) An acknowledgement by the plan making authorities that Earls Barton is a sustainable settlement and a location in which growth should be accommodated.

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<sup>6</sup> Between submitting the Proofs of Evidence and the Inquiry, the Neighbourhood Plan was published under regulation 16.

4.12 It is asserted that the site, Land off Station Road, should be allocated within the Earls Barton Neighbourhood Plan for approximately 85 dwellings, for the following reasons:

- There has been no demonstration by the Neighbourhood Plan Working Group (through written evidence) that the site is unsuitable for development to depart from the Borough Council Officers' advice within the committee report of the 29<sup>th</sup> January 2014 or depart from the conclusions of the technical evidence such as the SHLAA (May 2013) or Rural Background paper;
- Based on plan making evidence, the site is located within a sustainable location being within easy walking distance of facilities and services in Earls Barton, the second largest settlement outside of Wellingborough. The village has a wide range of local facilities including access to a high quality bus service; and
- The site delivers significant benefits in the form of open market and affordable housing in a borough that is failing to meet its five-year housing supply targets. Through planning obligations, it will deliver improvements to existing bus facilities serving the village, which will benefit existing and future and existing residents.

4.13 These matters are set out in further detail within Mr Barber's proof of evidence which provides a detailed insight into the national and Local Planning framework, and the overall sustainability of the Station Road site, as originally assessed by the Borough's own officers.

## 5. The Basic Conditions

- 5.1 In order to be 'made' (i.e. successfully adopted following majority support at referendum), Neighbourhood Plans must meet the basic conditions established within the Localism Act (8(2)). The basic conditions are not the same as the tests of soundness, in the sense that they derive from different statutory origins.
- 5.2 However, it is submitted that they are closely aligned to soundness and the different statutory basis does not diminish the importance of the conditions nor the examiner's role in testing the plan against these requirements. Should a plan not meet the basic conditions (either as submitted or through modifications proposed by the Examiner), then the plan may not proceed to referendum or be 'made' by the Local Planning Authority.
- 5.3 The basic conditions are each inextricably linked. For example, under 8(2)(a) the National Planning Policy Framework (NPPF), when taken as a whole, is envisaged to achieve sustainable development (8(2)(d)). Furthermore, the NPPF places a significant emphasis on the production of an up-to-date Local Plan to guide development (8(2)(e)). However, in order for the plan to be able to proceed to referendum, it is necessary for a qualifying body demonstrate clearly how the conditions have been met. The Basic Conditions Statement sets out how Earls Barton Parish Council believes that they have met the conditions. This Basic Conditions Statement is however seriously deficient in respect of its reference to applicable legislative and policy requirements.
- 5.4 It is our position that the plan fails to comply with national guidance in relation to strategic policies and the assessment of sites for allocation (Condition 8(2)(a)). It is clear, based on the evidence presented by the Neighbourhood Plan Working Group, that any such site assessment as was undertaken was founded on a single preferred option and the assessment which followed was highly artificial and limited: it was based on a predetermined opposition to development outside the existing (Local Plan) settlement boundary, save for a single allocation, and a general opposition to providing for any growth higher than what has been *assumed* to be sufficient for local need.
- 5.5 In setting out a constraint-based strategy, without consideration for alternatives and in the absence of any robust evidence, the plan fails to appreciate the wider implications on sustainability, both in the Neighbourhood Area, but also across the Borough due to the increased likelihood that

development to meet wider needs will be directed to less sustainable locations (given the village's primary role in the settlement hierarchy). The plan is therefore in conflict with the overall distribution policy of the adopted Development Plan (Condition 8(2)(e)), the achievement of sustainable development (Condition 8(2)(d)) and being able to demonstrate compliance with relevant EU policy on Strategic Environmental Assessments (8(2)(f)).

- 5.6 In summary, whilst the Neighbourhood Plan seeks to frame itself as pro-development, the reality is that it seeks to preserve a narrow interest in terms of meeting the needs of the village. The Plan fails to take account of persistent under-delivery of housing within Wellingborough and the unequivocal direction of national policy to ensure a robust supply of housing.
- 5.7 Furthermore, the Plan overlooks evidence which suggests that the site promoted by Redrow Homes, on Land off Station Road, is sustainable by virtue of its location, access to the facilities in the village, the positive Case-Officer recommendation and negligible environmental or landscape impacts. Therefore, in its present form, the Neighbourhood Plan should not be recommended to proceed to referendum.

**6. Basic Condition 8(2)(A): Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan);**

6.1 This condition refers to the National Planning Policy Framework and the Planning Practice Guidance. We are not aware of any other formal guidance that has been produced to date and Ministerial Statements that have been produced are of an informal character, pointing to the PPG. The Planning Practice Guidance suggests that the content of the plan will dictate which elements of the National Planning Policy Framework that will form a relevant consideration<sup>7</sup>, and these are set out in detail below. However, it should be noted that the NPPF must be read as a whole and not selectively, (NPPF, paragraph 2, 6, 14, 16, 17 and 184). As such we strongly disagree with conclusions that the Basic Conditions Statement reaches in respect of national policy and guidance.

6.2 It is observed that the statement does not set out how the plan has had regard to the extensive guidance set out as part of the Online Planning Practice Guidance; the Basic Conditions Statement therefore fails to comply with the requirements of Basic Condition 8(2)(a) as it has not ostensibly had regard to this guidance at all.

**Regard to National Planning Policy Framework Section 6: Delivering a Wide Choice of high-quality homes**

6.3 The Earls Barton Neighbourhood Plan is being brought forward in advance of an up-to-date Local Plan which will set out the levels of new housing required and the distribution of this housing. The Neighbourhood Plan is very ambitious, seeking to allocate a large, single site and restrict all other development outside the settlement boundary, save in exceptional circumstances.

6.4 An unequivocal aim of the Framework is to deliver sustainable development. It is clear that meeting housing needs is an important policy imperative, contributing to social sustainability, economic sustainability and, when located appropriately, assisting to ensure that patterns of growth contribute to longer term economic sustainability.

6.5 Paragraph 47 requires Local Planning Authorities to '*significantly boost the supply of housing*'. This includes:

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<sup>7</sup> Paragraph: 070 Reference ID: 41-070-20140306

- Using their evidence base to meet the full objectively assessed needs for market and affordable housing; and
- Identifying and updating annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements, plus an appropriate buffer, to provide choice and competition in the market.

6.6 The need to provide for housing is not limited to Section 6 of the Framework. Paragraph 16 states that Qualifying Bodies should:

*"plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.";*

6.7 Paragraph 184 of the National Planning Policy Framework states that neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies<sup>8</sup>."

6.8 It is acknowledged that paragraph 47 refers to Local Planning Authorities. However, the *Basic Conditions Statement* at paragraph 5.8.1 contends that the approach within the Neighbourhood Plan meets this wider objective. This important element of the Framework cannot exist in isolation and it was a matter acknowledged during the Inquiry that the Local Planning Authority has taken no reasonable, proactive steps through the planning policy process to address its historic shortfall<sup>9</sup>. In the current situation, this vital function of the Local Authority, to plan to meet its housing needs, is being delegated to local communities through Neighbourhood Planning, resulting in a piecemeal approach.

6.9 The Basic Conditions statement makes no attempt to grapple with the policy requirement of meeting further housing need. Paragraph 50 (referenced at 5.8.1) states the supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities. This is not an exclusive option for meeting needs. It is further noted that, in planning for a village extension, the Neighbourhood Plan group has failed to apply this final clause in Policy EB.G1 (The Grange Allocation).This

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<sup>8</sup> see also NPPF Paragraphs 12, 14, 16, 17 (bullet 1).

<sup>9</sup> See proof of Mr Robert Barber and Closing Statement of the Appellant

attempt to force the policy into inapplicable categories of the NPPF is characteristic of the Plan's wilful blindness with respect to the full implications of paragraph 47 and 49 on implementing a housing constraint policy. As such, the proposed modifications (provided without prejudice) seek to introduce flexibility through the removal of clauses that restrict development and the inclusion of additional sites (including Land off Station Road) to provide a wider range of options for meeting the needs of the wider area.

The Housing Requirement:

- 6.10 Given the timing of the plan, paragraphs 158 and 159 of the Framework are engaged. These paragraphs indicate the importance of basing plan on robust and up-to-date evidence which takes into account the social and environmental characteristics of the area (paragraph 158), and plans which cater for housing demand and the scale of housing necessary to meet this demand.
- 6.11 The Pre-Submission Neighbourhood Plan<sup>10</sup> observes:

*"The Earls Barton Housing Needs Survey was published in October 2012. A rural housing paper 'Identifying a Rural Housing Target for the Joint Core Strategy' was produced by the Borough Council of Wellingborough in February 2013 to assist Neighbourhood Plan areas within the Borough determine **a justifiable basis** on which to project housing targets for the Principal Villages undertaking plans. **This was to feed into the evidence basis for the Core Spatial Strategy however to date this work has not been published or consulted on. The Earls Barton Neighbourhood Plan Group determined to utilise an extrapolation of the Housing Needs Survey as the basis for the future housing target for the village.** The Borough Council's housing paper is published as part of the evidence base for the Earls Barton Neighbourhood Plan."*  
(Emphasis added)

- 6.12 It is acknowledged that the Neighbourhood Plan will not be tested against the 'emerging' plan or evidence. However, we make the following observations in respect of the housing evidence base used to underpin the strategy:

- 1) The Housing Needs Survey is local to Earls Barton, providing a snap-shot of housing needs *within the village* in October 2012. This approach does not seek to address any wider housing needs within Wellingborough (or

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<sup>10</sup> Earls Barton Neighbourhood Plan Appendix 3, footnotes

indeed the wider Housing Market Area). The evidence does not meet the requirements of the Framework<sup>11</sup>

2) Appendix 1 to the *Earls Barton Determining a Housing Target* paper sets out the Borough Council of Wellingborough's analysis of a series of options for identifying a rural housing target for the principal villages of Wellingborough. The Parish Council's preferred Option is Scenario E, as confirmed in a letter dated the **6<sup>th</sup> February 2013**. This option extrapolates the most recent housing needs surveys over the plan period. It should be noted that the North Northamptonshire Joint Planning Unit express issues with this option namely: (a) It assumes needs will follow existing trends and (b) that housing needs surveys relate principally to affordable needs. This paper suggests that "*Scenarios D and E give the best indication of local needs using local evidence*". This would give a range of between **256-372** units. However, this is before the wider needs of the area are taken into consideration<sup>12</sup>.

6.13 The Report suggests at Paragraph 3.4 that the evidence set out within the Strategic Housing Market Assessment has been dismissed as it will only "*provide a picture of housing need at the district level*". Scenario C looks at the consequence for this option, which delivers a hypothetical working figure of 460 units for each of the principal villages. It is interesting that this scenario is dismissed as it "*would not fit the strategy of urban orientated growth*". However, this scenario would leave 68% of the growth (based on the minimum requirement) directed to the town of Wellingborough, and some 76% of growth should the Strategic Opportunity Figure (which accounts for additional growth in the town beyond natural change) be used.

6.14 The assertion of Option C not meeting the strategy of the CSS is, therefore, made on the basis of the current Joint Core Strategy distribution which is the product of the now revoked East Midlands Regional Plan and its strong emphasis on growth in the towns to deliver an urban renaissance. This presented an apportionment of growth unreflective of past trends and housing needs. As a supporting evidence base, this cannot be considered robust.

6.15 The Neighbourhood Plan self-professedly seeks to restrict development beyond the single allocation (EB.G1), and to the housing figures set out within

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<sup>11</sup> See: NPPF 47, 158, 159, 184

<sup>12</sup> As required by NPPF Paragraph 184

Appendix 3 e.g. sites within the village boundary. The text within section 6.2, although phrased in such a way as to appear to be “shaping” development, is clearly intended to *restrict* any further development. The Objective seeks to “*allow limited housing...to meet local needs*”, with the justification referring to “*some housing*” and “*meeting local needs*”.

6.16 The Framework states that Neighbourhood Plans may be powerful tools to shape development; however when one reads the NPPF as a whole, that role in shaping development is entirely dependent upon the existence of up-to-date strategic policies at the Local Plan level<sup>13</sup>. It is contended that the Neighbourhood Plan for Earls Barton is instead seeking to prematurely restrict strategic planning decisions that must be taken first at a Borough-wide level and be subject to independent examination for soundness through the Local Plan process.

6.17 Moreover, a strong element of the housing evidence, including that contained within Appendix 1 of the housing report submitted by the Neighbourhood Plan Working Group, is founded on consultation with those organisations progressing a plan. The letter, sent by Mr James Wilson strongly advocates option E (the option taken forward in the plan). From this, it can be inferred that, rather than policies and evidence relating to housing supply being prepared by the Local Planning Authority under the relevant legislation taking into account matters such as the *duty-to-cooperate* and other strategic matters that could affect the distribution of development, they are being pre-determined through the preferences of those preparing Neighbourhood Plans with localised interests.

6.18 Such an approach is inconsistent with National Policy, which clearly sets out that Local Authorities should set the strategic policies<sup>14</sup> through Local Plans (which are subject to the tests of soundness). The approach being undertaken in Wellingborough has the potential to undermine the sustainability of the strategic plan-making process set out within the Framework, a matter raised on behalf of Redrow Homes in respect of the Borough Council’s Local Plan consultation.

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<sup>13</sup> See: NPPF 14, 16, 17, 184, and PPG Guidance on “strategic policies”: Paragraph: 070 Reference ID: 41-070-20140306, Paragraph: 075 Reference ID: 41-075-20140306, Paragraph: 076 Reference ID: 41-076-20140306, Paragraph: 077 Reference ID: 41-077-20140306

<sup>14</sup> NPPF 14, 16, 17, 184

6.19 There are a number of discrepancies and deliberations in respect of the distribution of development to meet wider needs of the Borough that must be resolved. Until such time as the distribution of development within the rural area has been firmly established and subject to the rigours of examination, the Neighbourhood Plan should not seek to constrain itself to a particular dwelling requirement. In doing so, the Neighbourhood Plan cannot be in general conformity with the clear direction of National Policy and therefore fails to meet the requirement of basic condition 8(2)(A). Furthermore, it also runs the risk of being 'out of date' as soon as more up-to-date plans are adopted (should it proceed to referendum).

The Village Boundary:

6.20 The plan provides for a single, large extension for *up to* 280 homes through policy EB.G1. The Grange is the only sizeable contribution to meeting housing needs that the plan makes until 2031. Beyond this allocation, the Neighbourhood Plan restricts development that falls outside of a tightly drawn village boundary, shown in Figure 3, Key Diagram, save in exceptional circumstances. To be clear, the changing of this wording to *approximately* or *at least* within EB.G1 will not, in isolation, address the significant restriction placed on development by the boundary given the likely density of development on the site. Although not a policy in itself, the village boundary is critical to the wording and intended implementation of Policies EB.GD1 and EB.GD2. These policies are related to infill development and exceptions sites respectively. Having reviewed the village boundary, in the context of the Strategic Housing Land Availability Assessment published by the North Northamptonshire Joint Planning Unit, the contribution that sites within the village could make are severely limited.

6.21 The evidence for the village boundary is very limited indeed and appears to have been essentially based on the 1999 adopted Local Plan, with a simple extension to include the land under construction on Land off Compton Road and the allocation (now permitted) to the north. The Criteria set out in section 6.1 highlights the restrictive and inflexible nature of the boundary, which only includes the curtilage of a dwelling "*unless the land has the capacity to extend the built form of the village*" and the exclusion of land with unimplemented planning permission. Nowhere is it suggested (either within the plan or freestanding evidence) that the boundary is based on landscape evidence, setting or the character of the area. As such, it is contended that the

Neighbourhood Plan has not undertaken a thorough review of a housing constraint policy which has been in place in the Borough since the mid-1990s and is therefore seriously out of date.

6.22 Redrow Homes consider that a restrictive boundary could be permissible **if there was an up-to-date adopted Local Plan in place** where matters such as housing allocations to the principal villages and rural area, which are considered strategic, had been subject to the rigours of public examination. However, at the present time the Neighbourhood Plan risks being out-of-date by virtue of the Borough Council's failure to maintain an up-to-date supply of land to meet wider housing needs. **Such an approach does not accord with National Planning Policy, and therefore fails to meet the requirements of basic condition (8)(2)(A)**

6.23 In the absence of an up-to-date Local Plan, the approach set out within these two policies and the use of a settlement boundary does not accord with the provisions of paragraph 47 and the need to *significantly boost the supply of housing*<sup>15</sup>, nor the flexibility to meet changing circumstances implicit within paragraph 14<sup>16</sup>. Furthermore, based on the current land supply position within Wellingborough, the boundary is likely to be considered out of date and of little weight when applying Paragraph 49<sup>17</sup>. The modifications propose that section 6.1 of the Earls Barton Neighbourhood Plan should be deleted in its entirety, thus enabling suitable, sustainable sites to come forward through the Development Management process.

#### Assessment of Alternative Sites

6.24 Section 4 of the Neighbourhood Plan asserts that the Working Group explored a number of strategic options for growth together with existing sites and those evaluated through the SHLAA (May 2013) and the local call for sites. The supporting evidence provided is notably reticent about how this selection was actually undertaken.

6.25 Having examined the *consultation statement* and the Sustainability Appraisal, it appears that no assessment of individual sites has been undertaken. This is contrary to the advice set out in the Planning Practice Guidance which states<sup>18</sup>:

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<sup>15</sup> See NPPF paragraph 17, bullet 1 and paragraphs 49 and 159

<sup>16</sup> See also NPPF paragraph 16 and 184

<sup>17</sup> A principle established in Broughton Astely

<sup>18</sup> Paragraph: 042 Reference ID: 41-042-20140306

*"A neighbourhood plan can allocate sites for development. **A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.**"*

6.26 The Core Outputs expected from the exercise are<sup>19</sup>:

- *a list of all sites or broad locations considered, cross-referenced to their locations on maps;*
- *an assessment of each site or broad location, in terms of its suitability for development, availability and achievability (including whether the site/broad location is viable) to determine whether a site is realistically expected to be developed and when;*
- *contain more detail for those sites which are considered to be realistic candidates for development, where others have been discounted for clearly evidenced and justified reasons;*
- *the potential type and quantity of development that could be delivered on each site/broad location, including a reasonable estimate of build out rates, setting out how any barriers to delivery could be overcome and when;*
- *an indicative trajectory of anticipated development and consideration of associated risks.*

6.27 Paragraph 4.4 of the Sustainability Appraisal (submitted with the plan) specifically acknowledges this weakness it stating:

- "The Neighbourhood Plan has been an iterative process. Its direction of travel has been informed by extensive public consultation and a clear vision about how the Parish should develop. An exhaustive process of identifying, exploring and testing options has therefore not been appropriate or necessary in this instance".

6.28 However, the above is a misleading description. There is no evidence of this 'exhaustive' process which has been provided and the last objective assessment of additional development sites within Earls Barton was that of the Development Management Officers through the committee report. These plans identified no technical or other reasons, such as cumulative impact, to justify refusal for development, as set out above and in Mr Barber's evidence to the inquiry.

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<sup>19</sup> Paragraph: 028 Reference ID: 3-028-20140306

6.29 Therefore, the Neighbourhood Plan fails to meet the Secretary of State's guidance as:

- 1) The criteria have not been clearly identified nor published as part of the housing (or other) evidence. There are a number of 'good practice' examples in respect of site evaluation, including Broughton Astley, which the working group could have used as a template as part of the wider evidence.
- 2) The 'issues and options' leaflet did not provide an opportunity to gather comments on individual sites. Rather, consultees were asked to comment on levels of growth linked to broad development areas. Whilst the Issues and Options leaflet goes some way to meeting the 'appraisal of options', it does not provide an assessment of *individual sites against clearly identified criteria*.

6.30 The failure to adhere to the online guidance at paragraph 042, and the associated guidance on Housing and Economic Land Assessments<sup>20</sup> goes to the heart of the strategy of the Neighbourhood Plan. It is a matter of fact that Redrow Homes site (Land off Station Road) has been assessed by the Borough Council's Officers and found to be suitable for development as recently as January 2014<sup>21</sup>, and that this is consistent with additional plan making evidence (such as the SHLAA) which identified the site as 'Category 2', a more suitable category for meeting development needs than the final allocated option.

6.31 However, it is the failure of the Neighbourhood Plan Working Group to clearly set out the site assessment criteria, and then to undertake an assessment of individual sites which means that the Neighbourhood Plan cannot comply with Basic Condition 8(2)(a) and cannot proceed to referendum; this fundamental weakness cannot be addressed through the modifications. Furthermore, the site assessment is directly linked to conditions 8(2)(D) and 8(2)(F) and is integral to being able to demonstrate that the chosen strategy represents Sustainable Development and is compliant with EU Legislation in respect of the Strategic Environmental Assessment Directive<sup>22</sup>. The Legal Submissions address this last matter in further detail.

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<sup>20</sup> Paragraph: 001 Reference ID: 3-001-20140306

<sup>21</sup> See the Committee Report, Appendix 8

<sup>22</sup> Directive 2001/42/EC

### **Other Matters:**

6.32 The Basic Conditions Statement highlights a number of additional policy areas that the Neighbourhood Plan has taken into account. These are addressed below:

**Promoting Sustainable Transport:** The justification of policy EB.T1 cites evidence collected in May 2014. This follows the publication of the Pre-Submission document. Therefore, it appears that the policy contained within the pre-submission was not 'evidence-based' in the traditional sense. It is noted that the plan makes a number of references to car parking and no support for developments that will increase congestion within the village. Many of the conditions attached to the policies are somewhat subjective and, in the recent appeal case, there was a clear matter of disagreement between the technical evidence and the views of local people<sup>23</sup>. Words such as 'adequately' are without additional clarity, the policies as drafted are likely to create antagonism in addition to being in conflict with NPPF.

The third bullet point of NPPF paragraph 32 explicitly states that "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*".

It is considered that conflict with the Framework can be addressed through the modifications proposed.

**Building a Strong, Competitive Economy:** The Neighbourhood Plan contains a number of policies that are directed at supporting businesses within the village, including two allocations: one within 'The Grange' and another as part of EB.E2. Paragraph 21 of the Framework states "*investment in business should not be over-burdened by the combined requirements of planning policy expectations*". Throughout the plan policies seeking to support development are restrictive in relation to standards to address local concerns in respect of car parking. The text of Policy EB.E2 is particularly restrictive and would be particularly challenging to meet to the satisfaction of local residents. This policy wording is also in conflict with Paragraph 32 which states that "development should only be

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<sup>23</sup> See proof of Evidence of Mr Julian Clarke  
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prevented where the residual cumulative impacts of development are severe.”

It is considered that this particular conflict with the Framework can be addressed through the modifications proposed.

**Supporting a Prosperous Rural Area:** A matter raised in our previous representation was the lack of policies or attention given to the rural hinterland of the village. In our view, this conflicts with the advice of paragraph 28 which seeks to *support sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings*. Whilst Policy EB.E2 is stated within the Conditions Statement as encouraging rural enterprise, this is not set out within the policy itself.

It is considered that this particular conflict with the Framework can be addressed through the modifications proposed.

### **Conclusions- Basic Condition 8(2)(A)**

- 6.33 The Neighbourhood Plan seeks to frame itself as a pro-development plan, counting existing commitments to deliver some 397 units over a 20 year plan period. This equates to 20 dwellings p.a. compared to a historic delivery rate of approximately 23 dwellings p.a. However, historic delivery levels, which have contributed to an undersupply of homes within the Borough, cannot be a convincing guide. A lower planned delivery rate for the second most sustainable settlement within Wellingborough has the potential to undermine and exacerbate wider issues of under-delivery across the Borough at a time when a large number of homes for the town are considered to be undeliverable<sup>24</sup>. Close reading of the text, shows that the Neighbourhood Plan is not taking into account the wider needs of the Borough of Wellingborough, with numerous references to ‘limited’ or ‘local need’. This approach does not accord with the approach of National Planning Policy in respect of boosting housing and delivering sustainable development and nor is it consistent with the appeal decision in Cheshire where an undersupply of housing is a ‘Borough wide issue, which must be considered on a borough wide basis’<sup>25</sup>

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<sup>24</sup> See proof of Mr John Turner and correspondence of Cllr Robert Gough (Appendix 2)

<sup>25</sup> See Proof of Evidence of Mr Barber, appendix 3.2

6.34 A fundamental matter, going to the heart of the *basic conditions*, is the failure to take account of national guidance. Tellingly, national guidance not addressed at all within the Basic Conditions Statement. The approach of the Neighbourhood Plan Working Group, taken in the statement, conflicts directly with the clear instruction of the Planning Practice Guide, which states:

*"A qualifying body is advised to set out in its basic conditions statement **how they have had regard to national policy and considered whether a particular policy is or is not relevant. A qualifying body is encouraged to set out the particular national policies that it has considered, and **how the policies in a draft neighbourhood plan or the development proposals in an Order take account of national policy and advice.**"***<sup>26</sup>

6.35 Given that the Pre-Submission plan was not published until April 2014, there was opportunity to have regard to this advice, which had been published in draft form for almost a year prior to the March 2014 launch. It cannot be contended that the Parish Council were unaware of the guidance as it is cited in response to observations made in respect of the Pre-Submission Document regarding the absence of up-to-date guidance<sup>27</sup>.

6.36 It is clear that no site assessment as was undertaken for the Neighbourhood Plan, rather the strategy was founded on a single preferred option and any assessment that was undertaken was highly artificial and limited. It was based on a predetermined opposition to development, particularly in the south of the village, and falling outside of the 1999 village boundary, and a general opposition to providing for any growth higher than what has been *assumed* to be sufficient for local need, events that have occurred prior to the examination for soundness at the Local Plan level. It is therefore concluded that the assessment did not properly inform the strategic options that were subject to consultation.

6.37 Based on the above analysis, the Neighbourhood Plan is far from meeting the aspirations of the Framework in respect of housing supply. The plan is simply seeking to allocate an estimated level of local housing need through a single allocation and limit further development through the imposition of an inflexible village boundary, which has not been comprehensively reviewed since the

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<sup>26</sup> Paragraph: 070 Reference ID: 41-070-20140306

<sup>27</sup> See response to representation PC154 in the Earls Barton Neighbourhood Plan Consultation Statement

Local Plan was adopted in 1999. Based on recent case law, in Barwood Homes, South Northamptonshire<sup>28</sup>, Mr Justice Ouseley held that village boundaries are the counterparts to policies that dictate the level of development. As such, they are considered to be restrictive. Under the provision of Paragraph 49 of the Framework, and established through the Secretary of State Recovered appeal at Broughton Astley, such policies can become out-of-date instantaneously should the Borough not be able to demonstrate a five-year supply of land; an up-to-date Local Plan, which will provide the correct reference figure, is unlikely to be adopted prior to 2016.

- 6.38 It is not considered that it is appropriate to make the Neighbourhood Plan, in its current form. A number of modifications are offered on a without prejudice basis as set out above. However, these modifications will not address concerns in respect of how sites were selected or the assessment process and will not overcome significant reservations in respect of how the Plan has taken into account the Planning Practice Guidance.

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<sup>28</sup> See Robert Barber's Proof of Evidence- Appendix 4.1  
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**7. Basic Condition 8(2)(D): the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.**

7.1 Basic Condition 8(2)(d) interlocks with that of 8(2)(a) in that the National Planning Policy Framework and online Guidance seek to promote sustainability through the three dimensions of economic, social and environmental sustainability. Paragraph 6 of the Framework states:

*"...the policies in paragraphs 18-219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system".*

7.2 Paragraph 14 sets out that at the heart of the Framework is the presumption in favour of sustainable development and that policies within plans should follow the approach so that sustainable development can be approved without delay, guiding how this should be applied locally.

7.3 The Earls Barton Neighbourhood Plan at Chapter 3 sets out what Sustainable Development means for Earls Barton. In the opening paragraph, the Neighbourhood Plan concedes that the shaping and direction of sustainable development is subject to conformity with strategic policies. It goes on to contend that *'this Neighbourhood Plan is about directing and positioning growth'*. However, the implementation of this overall aim is frustrated by the application of a restrictive village boundary, which restricts development beyond the allocation at EB.G1 (up to 280 homes) and to that of infill development and sites of fewer than 10 (to meet local needs). This matter has been addressed in detail under Basic Condition 8(2)(A).

7.4 The opening paragraphs move on to say:

- *"it [the plan] is not against development, however, in order that development does not erode the very qualities that Earls Barton has or diminish it as an attractive place to live, it needs to be delivered in a way that does not undermine this or the sustainability of the village".*

7.5 As noted under Condition 8(2)(a), the Parish Council sought to undertake a consultation on the Issues and Options, linking levels of growth to broad options. This method of appraisal fails to recognise that there may be reasonably options to deliver "medium growth" in the "south" (or any other combination). No option consulted on included the Redrow Homes (Land off Station Road). As such, it is considered that the assessment of the options, in

demonstrating that the strategy chosen is the most sustainable, is flawed. The approach to assessing the options, even if they were not to be subject to the rigour of a full SEA process, is at odds with the Planning Policy Guidance for the reasons set out in Condition 8(2)(a).

- 7.6 National Policy and guidance requires a clear demonstration of how the strategy arrived at is one that can deliver the most sustainable options for Earls Barton, contributing to the three strands of sustainable development and the clear journey of the plan from inception to submission. The Sustainability Appraisal fails to consider the sustainability of selecting any higher or lower level of growth than that which was predetermined on the basis of the very limited evidence base (See Condition 8(2)(a)). The reference in the consultation statement and plan to an “exhaustive process” ignores the fact that there has been no genuine attempt to set out the Options in any full or balanced manner.
- 7.7 Evidence presented to the Inquiry on the 12<sup>th</sup>-14<sup>th</sup> August sets out the sustainability of the settlement and the site (Land off Station Road, as promoted by Redrow Homes). This evidence is not the assertion of the appellant but has been drawn from the Local Planning Authorities’ own evidence base. This shows that the village is a sustainable location for development, when considered against alternatives. Such evidence includes the scoring of the village as the most sustainable, after Wellingborough; and the sustainability of the site through the SHLAA (2013)<sup>29</sup>.
- 7.8 Through only seeking to provide for the village’s needs through a single extension the *wider* implications of imposing a restrictive boundary on broader sustainability objectives has not been considered. The Borough Council of Wellingborough acknowledges that it has *persistently failed to deliver* homes to meet its needs<sup>30</sup>, in part due to the reliance on a number of single large schemes, e.g. a lack of flexibility. This matter has not been addressed since the appeal in Compton Way, Earls Barton in 2012. The under-delivery of housing has a number of implications for sustainable development, not least creating displacement of families having an adverse impact on social sustainability, putting pressure on the local economy through a lack of homes to accommodate appropriately skilled workers and longer or skewed commuting patterns.

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<sup>29</sup> See Robert Barber’s Proof of Evidence- Appendix 5.3 and 5.4

<sup>30</sup> See Proof of Evidence of Mr Robert Barber

- 7.9 Based on this evidence, there is no clear justification for not allocating the site on Station Road for approximately 85 dwellings to provide flexibility in the chosen strategy, upon which there have been no objections on grounds of landscape, ecology, transport impacts, and positive recommendations relating to access to the village services and contributions towards infrastructure and meeting wider housing needs in respect of market and affordable dwellings.

**8. Condition E the making of the order (or 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).**

- 8.1 In the absence of an up-to-date Local Plan in place for the Borough of Wellingborough from which Neighbourhood Plans can be developed, the Neighbourhood Plan may use evidence from emerging plans. It should be noted that this evidence is either (a) extremely dated or (b) itself at an emergent stage, having not been subjected to consultation beyond the 'issues stage'. However, the Neighbourhood Plan is not assessed against emerging policies. Therefore, compliance with this basic condition is focused on compliance with the North Northamptonshire Core Spatial Strategy.
- 8.2 The North Northamptonshire Core Spatial Strategy (NNCSS) sets out the spatial strategy for North Northamptonshire, which covers the administrative areas of: Corby, Kettering, Wellingborough and East Northamptonshire. The Core Strategy reflects policy of the now-revoked East Midlands Regional Plan. The North Northamptonshire area was identified as part of the Milton Keynes South Midlands (MKSM) as one of four growth areas for the south east. North Northamptonshire was a key component of the MKSM growth area and was expected to accommodate some 52,100 new dwellings, of which 34,100 incorporated at the growth towns of Wellingborough, Kettering and Corby to meet the wider growth ambitions of the MKSM-SRS and, leaving a remaining 18,000 dwellings to be accommodated across the Rural Area according to the hierarchy. The level of housing directed to the growth towns is therefore in excess of local need. However, to meet the wider needs of the district, development within the rural area is required.
- 8.3 Following the strict hierarchy, set out in the NNCSS, all development that falls outside of the current village policy lines is considered to be within the rural area. Paragraph 3.14 of the CSS seeks to restrain development at rural settlements, stating: "*given the need for overall rural restraint of development, village boundaries will closely relate to the main built up area*". The Core Strategy does not distribute development beyond the principal growth town of Wellingborough and a broad apportionment to the 'Rural Areas'; this covers the whole of the Borough and does not distinguish between the more sustainable settlements, such as Earls Barton, and small hamlets and villages with very limited services.

- 8.4 The current strategy, set out within the Neighbourhood Plan, is considered to supersede the distribution policies within the NNCSS through the inclusion of a 280 dwelling village extension. This is in conformity with the wider aims of the Framework where communities may deliver levels of development above that set out in the Strategic Policies of the Local Plan.

**Suitability of Earls Barton:**

- 8.5 Earls Barton is considered to be the most sustainable location within the Borough of Wellingborough, after the town itself<sup>31</sup>. This is a matter highlighted within the Borough Council's plan-making evidence base, namely the 2009 "Rural Hierarchy Background Paper". More recent plan making evidence, including the "Settlement Hierarchy Background Paper" (2012), produced by the North Northamptonshire Joint Planning Unit acknowledges the levels of services in Earls Barton to be greater than some of the rural service centres. The various options presented in the background paper consistently identify Earls Barton as having a wider than local role.
- 8.6 Whilst a review of the NNCSS plan is underway, which includes a more detailed village hierarchy, it has yet to reach a stage capable of being given material weight by virtue of paragraph 216 of the Framework for the following reasons:
- It remains at an early stage, having not progressed beyond 'Issues' consultation in 2012 for various reasons;
  - Elements of the plan, pertinent to shaping Neighbourhood Plans, are also the subject of significant material objection. This includes the level of development across North Northamptonshire as a whole, the distribution between the constituent Local Authorities and the rural hierarchy itself; and
  - The degree of consistency with the Framework is, at this stage, unknown.
- 8.7 At a more local level, the Wellingborough Local Plan was adopted in 1999, with evidence to support the village boundaries (G4, G6) prepared during the early 1990s and presently unrevised. In 2010 Wellingborough sought to prepare a Development Plan Document (DPD) to provide greater certainty to the rural hierarchy within the town. This document was abandoned, and the Borough Council issued an Issues consultation in 2014 to seek views on a number of

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<sup>31</sup> See Proof of Evidence of Mr Robert Barber  
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different matters. Due to its stage of preparation, this document does not carry any weight for decision taking.

Compliance with CSS Policy C1:

- 8.8 Adopted Policy CSS1 seeks to strengthen the network of settlements within Northamptonshire, to achieve greater self-sustainability. Due to the failure to deliver the required level of housing, this policy is considered to be out of date. The *Basic Conditions Statement* states that the Neighbourhood Plan “*has set a level of growth that can provide for its own needs and contribute to the wider housing supply of Wellingborough as a ‘Principal Village’ as designated in the emerging Core Strategy*”, it goes on to say that it, “*does not promote itself as a location for excessive growth*”. For the reasons set out in 8(2)(A), there are significant questions around the levels of development being promoted and the range of different figures.
- 8.9 Due to the embryonic stage of the Wellingborough Local Plan and the level of objection to the emerging Joint Core Strategy Review, it is questionable how reliable this emerging evidence is upon which to base a plan that will set out the development framework for the village for 20 years (or until such as time as the Local Plan is adopted).

Compliance with policy CS9 and CS10

- 8.10 These policies are considered to be out of date and of little material weight. In the *Basic Condition Statement* the Parish Council contends,
- “The focus of housing development in the CSS is on the main growth towns; however, a level of housing allocation is directed to the rural areas. As Earls Barton is the largest settlement in the Borough apart from Wellingborough it is consistent to consider this location along with other sustainable rural locations as areas to accommodate future housing delivery”*
- 8.11 The Proof of Evidence of Mr Robert Barber presented to the Inquiry deals with the provision of these policies in further detail. However, it is a matter of contention as to how they operate in an environment where the housing needs assessed against the adopted plan stands at some 1.5 years.

**Policy CS7:**

8.12 In assessing compliance with policies CS9 and CS10, the Parish Council have failed to take into account the provision of policy CS7 which indicates that, in a failure to deliver the levels of housing required, additional sites should be brought forward through the Development Management process. Through the implication of a restrictive policy line and an overall limit to development, the Neighbourhood Plan is preventing the provisions of this policy from being implemented. Such a policy, in respect of maintaining a supply of sites, is considered broadly consistent with the NPPF

Summary:

8.13 Whilst there are some concerns in respect of the overall development plan and how this basic condition can be fulfilled (a matter addressed in the Legal Submission), it is considered that the modifications proposed within the schedule (Appendix 4) will contribute to overcoming issues in respect of meeting basic condition 8(2)(e) from a planning perspective. However, this does not prejudice our overall position in respect of comments in relation to other conditions that the plan cannot proceed to referendum.

**9. Basic Condition 8(2)(F): the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.**

9.1 The delivery of sustainable development has been addressed under basic condition 8(2)(d). This condition deals principally with the fulfilment of the obligations of EU law and, as such this basic condition has been addressed in detail through the Legal Submission (Appendix 1), which deals primarily with the application of the EU obligation in respect of sustainability appraisal.

9.2 For the avoidance of doubt, we do not consider that the plan breaches the European Convention on Human Rights and the Human Rights Act 1998, in substance, although the principles of an Article 6 ECHR fair hearing do extend to the examination process.

Sustainability Appraisal:

9.3 The Planning Practice Guidance<sup>32</sup> states:

*"There is no legal requirement for a neighbourhood plan to have a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. A sustainability appraisal may be a useful approach for doing this and the guidance on sustainability appraisal of Local Plans should be referred to."*

9.4 The Guidance on Sustainability Appraisal on Local Plans<sup>33</sup> sets out the process for preparing an appraisal. This indicates that work should start at the beginning of the process and show iteratively how the plan develops. However, a key principle is the assessment of alternative, reasonable options on the baseline information.

9.5 Prior to issuing the draft plan in April 2014, three applications for development in Earls Barton were presented to the Planning Committee (January 2014). At this stage, it is considered that the plan as a minimum, should have appraised the proposed strategy against both 'do nothing' in addition to a scenario where all development was permitted. Without such an assessment, the impact on the village remains unknown and the impact of additional development, which

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<sup>32</sup> Paragraph: 026 Reference ID: 11-026-20140306

<sup>33</sup> Paragraph: 005 Reference ID: 11-005-20140306 to Paragraph: 025 Reference ID: 11-025-20140306

may come forward on appeal, is not assessed as part of the planning framework.

- 9.6 However, the Earls Barton Sustainability Appraisal at 4.4 dismisses the need to assess options through the statement that, *"its direction of travel has been informed by extensive public consultation and a clear vision about how the Parish should develop"*. Such a statement does little to refute the concern of Redrow Homes that the Neighbourhood Plan, and its options, has been promoted with a closed mind, irrespective of technical evidence or a fair assessment of reasonable alternatives.

**10. Basic Condition 8(2)(G): Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan);**

- 10.1 The prescribed regulations are set out within the Neighbourhood Planning (General) 2012 Regulations. For the avoidance of doubt, we believe that the plan has complied with the procedural requirements (Paragraph 8(2)(g)) of Schedule 4B of the Town and Country Planning Act 1990) and therefore concur with the findings of the Borough Council of Wellingborough that the plan may be progressed to independent examination.

## **11. Consultation Process:**

11.1 The process of consultation is not a basic condition and the plan will not be tested against the quality of the engagement process. However, we briefly set out a number of observations below:

- There is no doubt that the Parish Council has sought to keep members of the public informed about the process through the website, Facebook and the newsletter. However, the stages of community-wide consultation have been restricted to short leaflets and questionnaires that provide limited scope to explore alternative policies or approaches the plan may have considered.
- It is interesting to note that one of the highest return rates (33%) was to the Housing Needs Survey, where all forms of rent or home ownership within the village are unaffordable on lower incomes, whereas the consultation leaflets achieved a return rate of around 20% of households.
- No spatial analysis or profiling of the respondents has taken place to enable an assessment of particular groups that have been over-represented within the process. However the consultation statement reveals the preparation of the plan based on a strategy of restraint and the ability of those who are opposed to a particular development to prepare a plan that serves their needs, regardless of the wider requirements of the Borough.

## **12. Conclusion**

- 12.1 As presently drafted, we do not believe that the plan may not proceed to referendum as it does not meet the Basic Conditions. The plan is in conflict with National Policy and the unequivocal need to boost the supply of housing. Moreover, the Neighbourhood Plan Working Group have failed to have regard to the extensive guidance in respect of site selection and appraisal, leading to the premature exclusion of realistic alternatives that could assist in meeting the need for housing within the wider local area.
- 12.2 This representation has highlighted weaknesses within the emerging evidence base, upon the plan is predicated. Whilst it is acknowledged that there is no condition which tests this evidence (plans are tested against adopted Local Plans), the stage of preparation of the Core Strategy Review and Local Plan, taken together with the significant objections raised in respect of the objectively assessed needs and distribution of development, must weigh heavily against a plan which seeks to restrict development in the second most sustainable location within the Borough.
- 12.3 The restriction of development, through a village boundary, is a significant matter of contention. No assessment has been made of the wider sustainability implications of restricting housing in this location, nor of the potential impacts of the line being 'out of date' by virtue of Paragraph 49 of the Framework upon the longevity of the Neighbourhood Plan. Robert Barber's Proof of Evidence seeks to highlight the shortfall in the Borough's housing supply. The line does not allow any flexibility within the chosen strategy, and by virtue of the High Court Decision in South Northamptonshire, together with the Secretary of State's decision in Broughton Astley, should the village boundary remain within the plan, then it will simply become out-of-date instantaneously.
- 12.4 The Neighbourhood Plan does not justify the exclusion of sites, including land off Station Road. This site benefits from a positive officer recommendation for approval (January 2014) and is consistent with the wider aims and objectives of the plan, should the boundary and section 6.1 be deleted. The site will not detract from the village 'feel' and is a logical infill bounded on three sides by existing development with a mature hedgerow on the fourth. It will support shops and facilities by being in close proximity to the village centre and provide contributions for school places and other infrastructure. The proposal

would have no impact on on-street parking in the village (as demonstrated in the Transport Assessment, which accompanied the application).

- 12.5 The proposal would comply with policy EB.GD1, with a scale appropriate to the village in terms of infill development. The Officer's report finds no issues with loss of amenity and the visual impacts are negligible (see Robert Barber's Appendix 1). The site will, overall, provide a beneficial net contribution to meeting market and affordable housing needs of current and future households in Earls Barton and the wider Borough. Matters such as design can be addressed through the Development Management process.
- 12.6 In conclusion, the only element of the plan which prevents allocation is the village boundary which is, in our view, contrary to National Policy. Both this representation and the accompanying legal submissions highlight significant shortcomings in respect of plan preparation, and in particular the SEA process and the transparency of site selection, scoping and screening of the Neighbourhood Plan. Should the Examiner agree with the propositions of the Legal Submission and the conflicts with National Policy identified, then it is our position that the plan cannot be modified to address such shortcoming and thus, may not proceed to referendum.

**Appendix 1: Legal Submissions**

(Under separate cover)

**Appendix 2: Letter from the Planning Inspectorate in respect of Secretary of State Recovery**

(Under Separate cover)

### Appendix 3: Plan Production Timeline

**P**= publicity, **M**= Earls Barton Neighbourhood Plan Working Group Minutes,  
**E**=evidence, **D**= Decision

	<b>Document</b>	<b>Comments</b>	<b>Date</b>
<b>P</b>	<b>Initial consultation and launch</b> EBNP	Early stages of Neighbourhood Plan – initial consultation on local priorities.	June 2012 onwards
<b>M</b>	<b>Minutes</b> EBNP	<ul style="list-style-type: none"> <li>Housing Needs Survey required as part of evidence base.</li> <li>Sports and leisure provision considered key part of Neighbourhood Plan.</li> </ul>	19 July 2012
<b>E</b>	<b>Housing Needs Survey</b> BCW/EBNP	Based upon a survey of EB residents – assesses the overall need for housing within the village including for affordable and open-market housing. Suggests 52 affordable/shared-ownership dwellings, and 12 market dwellings are required.	October 2012
<b>P</b>	<b>Vision, Objectives, Strategic Options consultation</b> EBNP	<p>Gives three main options. 1 – dispersed and little development, 2 – medium-scale development to north of Earls Barton (Grange site), 3 – large-scale development to south. Result of consultation suggested option 2 was best-preferred by respondents.</p> <p>Leaflet style consultation- did not cover individual site assessments.</p>	closed 21 <sup>st</sup> Jan 2013
<b>M</b>	<b>Minutes</b> EBNP	<ul style="list-style-type: none"> <li>Review of recent consultation – most popular option was the Grange site – plan to be based around this preferred option of the majority of respondents.</li> <li>105 dwellings is minimum amount supported by the Housing Needs Survey; BCW calculated it at 300, agreed at meeting to lobby for 250 dwellings.</li> <li>Meeting sought with landowners of Grange site.</li> </ul>	31 Jan 2013
<b>M</b>	<b>Minutes</b> EBNP	<ul style="list-style-type: none"> <li>Work to start on basing the Neighbourhood Plan around the Grange site as indicated as preferred option at consultation. Policies to be fleshed out based around issues raised. Specific issues need to be backed up by an evidence base.</li> <li>BCW housing figure for Earls Barton now put at 150</li> </ul>	7 May 2013
<b>M</b>	<b>Minutes</b> EBNP	<ul style="list-style-type: none"> <li>Redrow exhibition to be held 16<sup>th</sup> July, proposals not considered in line with the Neighbourhood Plan.</li> <li>Meeting to be held 8<sup>th</sup> July with developers re. Grange site</li> </ul>	20 June 2013
<b>M</b>	<b>Minutes</b> EBNP	<ul style="list-style-type: none"> <li>Meetings with DWH took place to discuss options to bring Grange scheme forward – EBNP would like it to come forward concurrently with the Neighbourhood Plan.</li> <li>Viability consultants appointed to assess the viability of the DWH scheme.</li> </ul>	18 <sup>th</sup> July 2013
<b>M</b>	<b>Minutes</b> EBNP	<ul style="list-style-type: none"> <li>Meetings taking place with DWH re. sports provision, comments to be taken on board at masterplanning stage.</li> </ul>	15 <sup>th</sup> August 2013
<b>M</b>	<b>Minutes</b>	<ul style="list-style-type: none"> <li>On-going negotiation with DWH re. sports</li> </ul>	3 <sup>rd</sup> Sept 2013

**Redrow Homes (South Midlands)  
Representations to the Earls Barton Neighbourhood Plan- Reg. 16**

	<b>Document</b>	<b>Comments</b>	<b>Date</b>
	EBNP	<p>provision.</p> <ul style="list-style-type: none"> <li>Meeting to be requested with BCW to ask how they will defend against speculative development with no Neighbourhood Plan in place.</li> </ul>	
<b>M</b>	<b>Minutes</b> EBNP	<ul style="list-style-type: none"> <li>On-going negotiation with DWH re. sports provision.</li> <li>Clerk to Council spoke to BCW Resources Committee regarding unlocking of Wellingborough SUE</li> </ul>	24 <sup>th</sup> Sept 2013
<b>P</b>	<b>Preferred Option consultation</b> EBNP	Intended to establish whether preferred option (option 2, Grange site) is the correct approach.	closed 15 <sup>th</sup> Oct 2013
<b>M</b>	<b>Minutes</b> EBNP	<ul style="list-style-type: none"> <li>Workshop held with BCW / NNJPU / EBNP. 4 options put forward by councils for rural housing options, option 1 (250 dwellings) preferred, but considered that Wellingborough SUEs should be growth focus</li> </ul>	19 <sup>th</sup> Nov 2013
<b>D</b>	<b>Development Management Committee, Borough Council of Wellingborough</b>	Positive Officer recommendation for 3x applications (404 dwellings in total). Members resolved to approve 280 dwellings and refuse Land off Station Road (85 dwellings) and Land off Thorpe Road (39 dwellings) on conflict with Local Plan policies, conflict with Neighbourhood Plan, S106 matters and Traffic impact.	29 <sup>th</sup> January 2014
<b>P</b>	<b>Draft Neighbourhood Plan</b> EBNP	Plan released with strategic allocation for 280 dwellings at David Wilson site, and overall target of ~400 taking into account existing permissions.	March 2014
<b>P</b>	<b>Pre-Submission Neighbourhood Plan</b> EBNP	Released alongside other evidence base documents, retains allocation and target from draft plan.	26 <sup>th</sup> June 2014
<b>E</b>	<b>Determining a Housing Target report</b> EBNP	Sets a minimum target of 280 dwellings based upon findings of <i>Identifying a Rural Housing Target</i> . Considers Scenario E (affordable housing led, extrapolated over 20 years) to be most appropriate target (170 dwellings) but considers that a higher target should be adopted to facilitate sports facility improvements. Also considers finding of <i>Rural Housing Targets for Wellingborough's Principal Villages and Housing Needs Survey</i> .	June 2014
<b>E</b>	<b>Identifying a Rural Housing Target for the Joint Core Strategy</b> BCW	Sets out six scenarios for basing housing targets upon, including SHMA-derived targets, past trends, meeting affordable housing needs.	Published June 2014 (prepared December 2012)
<b>E</b>	<b>Rural Housing Targets for Wellingborough's Principal Villages</b> BCW/NNJPU	Assesses potential housing targets for Wellingborough's villages based on a number of criteria and scenarios. Sets out target for Earls Barton of 250 dwellings as derived from a combination of <i>Identifying a Rural Housing Target</i> scenarios, extrapolated requirement from <i>Housing Needs Survey</i> , past trends, outcome of EBNP consultations thus far.	Published June 2014 (?)
<b>?</b>	<b>Sustainability</b>	SA completed at same time as EBNP – states	June 2014

	<b>Document</b>	<b>Comments</b>	<b>Date</b>
	<b>Appraisal</b> EBNP	at para 4.4 the methodology behind strategic proposals, saying an exhaustive process of testing the options is not appropriate in this case.	

#### **Appendix 4: Proposed Modifications**

12.7 The proposed modifications have been provided should the examiner disagree with the primary submission that the matters raised constitute a failure to meet the basic conditions. These suggested modifications do not overcome the significant objections set out in these representations, but are presented on a “without prejudice” basis. The purpose is to attempt to remove the constraint on housing delivery and enable the levels of flexibility required to ensure that the plan goes some way to meet the needs of both Earls Barton and the wider local area and not prejudice the preparation of an up-to-date Local Plan (which is likely to come forward in 2016) and which can properly deal with matters of housing distribution in the Borough.

Page No.	Section	Current Text	Action	Comments
4	Foreword	<i>"It identifies the future housing needs for Earls Barton, to ensure that we support the growth of the village but in a way that makes sure important services and infrastructure are not overstretched and are protected"</i>	<i>"It identifies the future housing needs for Earls Barton <u>and the Borough of Wellingborough</u>, to ensure that we support the growth of the village <u>and Borough</u> but in a way that makes sure important services and infrastructure are not overstretched and are protected"</i>	Ensure that plan is consistent between stated aims (within the plan) and opening text.
6	1	"The Neighbourhood Plan will cover a 20 year period (2011-2031) and should be reviewed approximately every five years. The Plan has been developed and based on significant research and robust community engagement and consultation and therefore forms a reference point for stakeholders wishing to promote development within the village. The Plan forms part of the statutory development plan and provides a basis for the determination of planning applications and influencing where and how development takes place within the village."	"The Neighbourhood Plan will cover a 20 year period (2011-2031) and <del>should</del> <u>will</u> be reviewed <del>approximately</del> every five years. The Plan has been developed and based on <del>significant</del> research and <del>robust</del> community engagement and consultation and therefore forms a reference point for stakeholders wishing to promote development within the <u>village Parish</u> .  The Plan forms part of the statutory development plan <u>for the Borough Council of Wellingborough</u> and provides a basis for the determination of planning applications and influencing where and how development takes place within the <u>village Neighbourhood Area (Parish)</u> ."	Change to accord with Paragraph 1.4 of the NH Plan, plus factual correction.
8	1.3	"must be appropriate having regard to national policy"	"must be appropriate having regard to national policy <u>and guidance</u> "	Factual correction

Page No.	Section	Current Text	Action	Comments
8	1.3	“Emerging policy is also a material consideration for the Neighbourhood Plan to evaluate and consider. The North Northamptonshire Core Spatial Strategy, which is currently under review and the Neighbourhood Plan has had full regard to this and the evidence base underpinning this work. The Wellingborough Local Plan is at the first stages of development, however previous work including Preferred Options Site Specific Proposals Development Plan Document and the Saved Policies of the Wellingborough Local Plan 1999 as amended in 2004 have been fully considered”	“Emerging policy is also a material consideration for the Neighbourhood Plan to evaluate and consider. <u>The North Northamptonshire Core Spatial Strategy and Wellingborough Local Plan are at an early stage of development. The Neighbourhood Plan will be required to be updated following the adoption of these plans, which will set out strategic policy. The Neighbourhood Plan has had regard to the current evidence produced by the Borough Council and the North Northamptonshire Joint Planning Unit, although this has not been independently tested, which is currently under review and the Neighbourhood Plan has had full regard to this and the evidence base underpinning this work. The Wellingborough Local Plan is at the first stages of development, however previous work including Preferred Options Site Specific Proposals Development Plan Document and the Saved Policies of the Wellingborough Local Plan 1999 as amended in 2004 have been fully considered”</u>	Factual correction
8	1.3	“While planning applications are still determined by the Borough Council of Wellingborough, once made the Neighbourhood Plan provides the local framework to guide where development should go and how it should be delivered according to the community’s wishes”	“While planning applications are still determined by the Borough Council of Wellingborough, once made the Neighbourhood Plan provides the local framework to guide <del>where</del> development <del>should go</del> and how it should be delivered according to the <del>community’s wishes</del> <u>policies within the Neighbourhood Plan</u> ”	Factual correction for purposes of clarity.

Page No.	Section	Current Text	Action	Comments
8	1.5	"They do have to be in general conformity with the development plan which will have been subject to a sustainability appraisal in terms of the scale and distribution of growth planned"	<del>"They do have to be in general conformity with the development plan which will have been subject to a sustainability appraisal in terms of the scale and distribution of growth planned"</del>	The Sustainability Appraisal for the adopted North Northamptonshire CSS has not appraised the scale and distribution of development proposed within the Neighbourhood Plan. Therefore, no higher level appraisal has been undertaken and this sentence is misleading.
8/9	1.5	"It is important that sustainable development can be achieved and the Earls Barton Neighbourhood Plan can contribute towards this. It can do this by ensuring that its development policies and proposals will meet the needs of people living and working within the parish."	"It is important that sustainable development can be achieved and the Earls Barton Neighbourhood Plan can contribute towards this. It can do this by ensuring that its development policies and proposals will meet the needs of people living and working within the parish <u>and the Borough of Wellingborough.</u> "	Acknowledge wider role of Earls Barton in the settlement hierarchy. Ensure consistency in text,
9	1.5	"The Earls Barton Neighbourhood Plan identifies...to determine the plan's detailed policies and proposals"	<del>"The Earls Barton Neighbourhood Plan identifies...to determine the plan's detailed policies and proposals"</del>	Delete. No evidence to support this claim
12	3	"It is not against development, however, in order that development does not erode the very qualities that Earls Barton has or diminish it as an attractive place to live, it needs to be delivered in a way that does not undermine this or the sustainability of the village"	<del>"It is not against development, however, in order that development does not erode the very qualities that Earls Barton has or diminish it as an attractive place to live, it <u>development</u> needs to be delivered in a way that does not undermine this or the sustainability of the village"</del>	Clarity of text.
12	3	"It also requires that any plan should be aligned with the strategic needs and priorities of the wider area that it 'should not promote less development than set out in the Local Plan"		Unclear in respect of which needs that plan has been aligned with. Requires additional clarity

Page No.	Section	Current Text	Action	Comments
12	3	The Earls Barton Neighbourhood Plan seeks to positively provide for the needs of its existing residents while also allowing a limited amount of expansion to provide for the wider needs and priorities of the local area. The emerging North Northamptonshire Joint Core Strategy will eventually confirm the strategic approach to housing growth in the plan area. In advance of the completion of the Core Strategy the task set for the Parish Council was to objectively identify and meet the development needs of Earls Barton through a positively prepared neighbourhood plan.	The Earls Barton Neighbourhood Plan seeks to positively provide for the needs of its existing residents while also allowing a <del>limited amount of</del> expansion to provide for the wider needs and priorities of the local area. The emerging North Northamptonshire Joint Core Strategy will eventually confirm the strategic approach to housing growth in the plan area. In advance of the completion of the Core Strategy the task set for the Parish Council was to objectively identify and meet the development needs of Earls Barton through a positively prepared, <u>flexible</u> neighbourhood plan.	The levels of growth directed to Earls Barton may increase as a result of the Joint Core Strategy or Wellingborough Local Plan and the Neighbourhood Plan will need to be reviewed to accommodate wider needs. The NH Plan will need to be able to flexibly accommodate additional development.
12	3	A total housing target of 397 (see appendix 3) including completions and existing commitments will result in a 17% increase in the size of the village which is similar, in absolute housing completions, to the previous 20 year period. While accommodating significant objectively identified housing need the plan also seeks to balance the effects of the of growth and maintain the rural character of the village which many residents greatly cherish	A total housing target of 397 (see appendix 3) including completions and existing commitments will result in a 17% increase in the size of the village which is <del>similar</del> <u>63 dwellings fewer</u> , in absolute housing completions, to the previous 20 year period. While accommodating <del>significant objectively</del> <u>locally</u> identified housing need the plan also seeks to balance the effects of growth and maintain the rural character of the village which many residents greatly cherish.	Factual correction. Minor improvements to clarity of text.
13	Earls Barton Parish Council Approach to Sustainable Development	Will work proactively with applicants to find joint solutions which mean that proposals can be supported whenever possible, where they accord with the plan; and to secure development that improves the economic, social and environmental conditions in the area.	Will work proactively with applicants to find joint solutions which mean that proposals <del>can</del> <u>will</u> be supported <del>whenever possible</del> , where they accord with the plan <u>or there are other material considerations that indicate development should go ahead</u> ; and to secure development that improves the economic, social and environmental conditions in the area.	Ensure positive plan and greater consistency with requirements of the National Planning Policy Framework.

Page No.	Section	Current Text	Action	Comments
13	4	Promoting a level of housing and employment growth to provide for the local needs of the community to help deliver additional facilities, including expanded sports and leisure provision	Promoting a level of housing and employment growth to provide for the local <u>and Borough</u> needs of the community to help deliver additional facilities, including expanded sports and leisure provision	Change to accord with Paragraph 1.4 of the NH Plan, plus factual correction.
13	4	Supporting appropriately located development of a scale which is proportionate to the future needs of the village and will not create adverse pressure on local facilities	Supporting <del>appropriately</del> <u>sustainably</u> located development of a scale <del>which is</del> proportionate to the future needs of the village <u>and the Local Area,</u> <del>which and will not create place</del> adverse pressure on local facilities <u>that cannot be mitigated,</u>	Change to accord with Paragraph 1.4 of the NH Plan and clarity of wording to provide positive wording.
14	Development	<p>Allow limited housing and commercial development to meet local needs and increasing local employment opportunity while providing some degree of expansion.</p> <ul style="list-style-type: none"> <li>• Allocate 280 new dwellings</li> <li>• Focus growth of the village around 'The Grange'</li> <li>• Promote in-fill development where appropriate- within the defined village envelope</li> <li>• provide a greater range of affordable and shared ownership housing</li> <li>• provide a range of different housing types across all tenures</li> <li>• Maintain opportunities for small businesses within the village centre- promote a business centre for small and start-up businesses.</li> </ul>	<p>Allow <del>limited</del> housing and commercial development to meet local <u>and Borough</u> needs and increasing local employment opportunity while providing some degree of expansion.</p> <ul style="list-style-type: none"> <li>• Allocate 280 new dwellings</li> <li>• Focus growth of the village around 'The Grange' <u>and other sustainable locations</u></li> <li>• Promote in-fill development <del>where appropriate- within the defined village envelope</del></li> <li>• provide a greater range of affordable and shared ownership housing</li> <li>• provide a range of different housing types across all tenures</li> <li>• Maintain opportunities for small businesses within the village centre- promote a business centre for small and start-up businesses.</li> </ul>	<p>Change to accord with Paragraph 1.4 of the NH Plan.</p> <p>Remove reference to the village boundary as this is a restriction on growth.</p>

Page No.	Section	Current Text	Action	Comments
15	Access	<p>Increase accessibility within Earls Barton and to other areas through improved transport links and provide better parking and access to the centre of Earls Barton</p> <ul style="list-style-type: none"> <li>• Ensure that major new development has direct access to main roads to minimise traffic congestion</li> <li>• Integrate new housing into Earls Barton and the surrounding area with good pedestrian, cycle and bus connections</li> <li>• Ensure that car parking within the village supports the vitality and viability of the village centre</li> <li>• Enhance public transport links promotion smarter choices as alternative modes of travel to better meet people's needs.</li> </ul>	<p>Increase accessibility within Earls Barton and to other areas through improved transport links and provide better parking and access to the centre of Earls Barton</p> <ul style="list-style-type: none"> <li>• Ensure that major new development has <u>direct appropriate access to main suitable roads to minimise traffic congestion</u></li> <li>• Integrate new housing into Earls Barton and the surrounding area with good pedestrian, cycle and bus connections</li> <li>• Ensure that car parking within the village supports the vitality and viability of the village centre</li> <li>• Enhance public transport links promotion smarter choices as alternative modes of travel to better meet people's needs.</li> </ul>	Minor change to improve clarity/ provide flexibility within the policy
16	5. The Strategy & Key Proposals	Key Diagram- Fig 3	<ul style="list-style-type: none"> <li>• Delete village boundary.</li> <li>• Allocate Land off Station Road and other suitable sites to meet wider housing needs.</li> </ul>	Village boundary deleted to remove overall constraint to meeting development needs in the absence of an up-to-date or emerging Local Plan for North Northamptonshire/ Wellingborough
18	6.1	"Settlement boundaries are a well utilised planning tool [...].A Review of the village boundary line will be undertaken at the time that the plan is reviewed"	<del>"Settlement boundaries are a well utilised planning tool [...].A Review of the village boundary line will be undertaken at the time that the plan is reviewed"</del>	Delete entire section; see reasons under 5 (pg.16)
19	6.2	Allow limited housing and commercial development to meet local needs and increase local employment opportunity while providing some degree of expansion.	Allow <del>limited</del> housing and commercial development to meet local <u>and Borough</u> needs and increase local employment opportunity while providing <u>certainty for some</u> degree of expansion.	Remove reference to 'limited'- ensure that Borough needs are recognised in absence of up-to-date strategic policies

Page No.	Section	Current Text	Action	Comments
19	6.2	Residents of Earls Barton accept that some housing development over the next 20 years is required to provide for local needs and also to accommodate for limited growth of people moving into the area as the village has done over previous plan periods.	Residents of Earls Barton accept that some housing development <del>over the next 20 years</del> is required to provide for local needs and also to accommodate <del>for limited</del> growth of people moving into the area as the village has done over previous plan periods.	Ensure consistency with previous paragraphs.
19	6.2	Through consultation on different growth options the community has clearly indicated that an allocation of one medium sized development area to the North of the village with access directly onto the A4500 would be the preferred growth scenario. This comprehensively planned infill site will enable and facilitate a holistic sustainable development that will create high quality places to live...the location of this development will also minimise the impact and pressure on existing road capacity and on-street parking within the village centre and surrounding housing areas..	Through consultation on different growth options <del>the community has clearly those responding to the consultation</del> indicated that an allocation of one medium sized development area to the North of the village with access directly onto the A4500 would be the preferred growth scenario. This <del>comprehensively planned infill site- village extension</del> will enable and facilitate a holistic sustainable development that will create high quality places to live... <del>the location of this development will also minimise the impact and pressure on existing road capacity and on-street parking within the village centre and surrounding housing areas..</del>	Factual changes.  Final sentence cannot be demonstrated via evidence presented and is not the most sustainably located when considered against the emerging evidence to support the Local Plan reviews.
19	6.2	...it is the unanimous view of the Parish Council and residents that this increase in the number of dwellings accords with the policies of the CSS through proactively identifying and then meeting local needs and that fulfils the village's obligation as a Principal Village in the draft Core Strategy. Accordingly, no further significant expansion will be supported.	...it is the unanimous view of the Parish Council and residents that this increase in the number of dwellings accords with the policies of the CSS through proactively identifying and then meeting local needs and that fulfils the village's obligation as a Principal Village in the draft Core Strategy. <del>Accordingly, no further significant expansion will be supported.</del>	Delete final sentence.
20	EB.G1		<u>Add final bullet point:</u> <ul style="list-style-type: none"> <li><u>The development will be supported by a Travel Plan.</u></li> </ul>	

Page No.	Section	Current Text	Action	Comments
N/A	New Policy-Additional Allocations	N/A	<p><u>Proposals for residential development as shown on the proposals map will be permitted provided that all the following criteria are met:</u></p> <ul style="list-style-type: none"> <li><u>It is of a scale, massing, density and design in keeping with the local character of neighbouring building and the village generally</u></li> <li><u>it provides a beneficial net-contribution, through the provision of a mix of dwelling types and sizes, towards meeting both the market and affordable housing needs of current and future households in Earls Barton and the Borough of Wellingborough in accordance with an up-to-date demonstration of need</u></li> <li><u>it provides an on-site proportion of affordable housing or an off-site contribution, in line with other policies of the development plan where the is practical or financially viable;</u></li> </ul>	Wording may be altered to reflect specific allocations-current wording drawn from EB.DG2.
22	6.3	Allow limited housing and commercial development to meet local needs and increase local employment opportunity while providing some degree of expansion.	Allow <del>limited</del> housing and commercial development to meet local <u>and Borough</u> needs and increase local employment opportunity while providing some degree of expansion.	<p>Remove reference to limited, to provide flexibility and consistency in text.</p> <p>Add reference to Borough to ensure consistency with stated aims.</p>

Page No.	Section	Current Text	Action	Comments
22	Justification (6.3)	The Neighbourhood Plan acknowledges the requirement to provide for the needs of Earls Barton residents and contribute towards the overall housing supply for the Borough. Policy G1 provides for a significant and sufficient level of new housing for the village, however, small scale residential development within the village boundary has and will continue to provide windfall development and will contribute towards housing needs and improve amenity for neighbours of derelict or redundant sites. These developments will be supported subject to the potential loss of amenity of neighbouring properties; through the loss of privacy, loss of daylight, visual intrusion by a building or structure, loss of car parking and additional traffic resulting from the development.	The Neighbourhood Plan acknowledges the requirement to provide for the needs of Earls Barton residents and contribute towards the overall housing supply for the Borough. Policy G1 provides for a <del>significant and sufficient level</del> <u>the majority</u> of new housing for the village, <u>in addition to other allocated sites.</u> <del>however,</del> <u>Additional</u> small scale residential development within <u>or adjacent to the built edge</u> the village <del>boundary</del> has and will continue to provide windfall development and will contribute towards housing needs and improve amenity for neighbours of derelict or redundant sites. These developments will be supported, <u>unless material considerations indicate otherwise.</u> <del>subject to the potential loss of amenity of neighbouring properties; through the loss of privacy, loss of daylight, visual intrusion by a building or structure, loss of car parking and additional traffic resulting from the development.</del>	Factual changes and text clarity.
22	6.2	...As such, in exceptional circumstances, the plan will consider the ability to deliver affordable housing through exception sites subject to them meeting criteria to protect the character of the village and amenity of neighbouring properties.	...As such, <del>in exceptional circumstances,</del> the plan will consider the ability to deliver affordable housing through <del>exception</del> <u>additional</u> sites subject to them meeting criteria to protect the character of the village and amenity of neighbouring properties.	Clarity and consistency.

<b>Page No.</b>	<b>Section</b>	<b>Current Text</b>	<b>Action</b>	<b>Comments</b>
23	EB.GD1	<p>Any proposal for residential development on infill sites within the village boundary, including redevelopments, will be permitted provided that all the following criteria are met:</p> <ul style="list-style-type: none"> <li>• It is of a scale, massing, density and design in keeping with the local character of neighbouring building and the village generally</li> <li>• ...</li> <li>• ...</li> <li>• ...</li> <li>• it provides a beneficial net-contribution, through the provision of a mix of dwelling types and sizes, towards meeting both the market and affordable housing needs of current and future households in Earls Barton in accordance with an up-to-date demonstration of need</li> <li>• it provides an on-site proportion of affordable housing or an off-site contribution, in line with other policies of the development plan where the is practical or financially viable;</li> <li>• development that does not meet this criteria will not be supported.</li> </ul>	<p>Any proposal for residential <u>infill</u> development <del>on infill sites within the village boundary</del>, including redevelopments, will be permitted provided that all the following criteria are met:</p> <ul style="list-style-type: none"> <li>• It is of a scale, massing, density and design in keeping with the local character of neighbouring building and the village generally</li> <li>• ...</li> <li>• ...</li> <li>• ...</li> <li>• it provides a beneficial net-contribution, through the provision of a mix of dwelling types and sizes, towards meeting both the market and affordable housing needs of current and future households in Earls Barton <u>and the Borough of Wellingborough</u> in accordance with an up-to-date demonstration of need</li> <li>• it provides an on-site proportion of affordable housing or an off-site contribution, in line with other policies of the development plan where the is practical or financially viable;</li> <li>• <del>development that does not meet this criteria will not be supported.</del></li> </ul>	Clarity and consistency.
23	EB.GD2	Whole Policy	Delete. Not required if village boundary deleted.	See separate representations/ response to Section 5.
26	6.5	Earls Barton has grown significantly over the last few decades and many previously open sites have been built upon through in fill and more major development	Earls Barton has grown <del>significantly</del> over the last few decades and many previously open sites have been built <del>upon</del> <u>on</u> through in-fill and more major development.	Factual changes.

Page No.	Section	Current Text	Action	Comments
29	EB.LB1	<p>Proposals within the village centre shopping and business area (as defined on the Proposal Plan inset Fig.4) that diversity and enhance the range of local shops and services (A1-A5 Use Classes) and a variety of local community facilities will be supported, subject to the following criteria being met:</p> <ul style="list-style-type: none"> <li>Individual schemes will not generate unacceptable noise, fumes, smell or other disturbance to neighbouring residential properties</li> <li>proposal will not lead to traffic congestion or adversely affect the free-flow of traffic on the adjoining highway</li> <li>access arrangements and off-street parking can be satisfactorily provided without impacting on adjoining residential and non-residential uses</li> <li>proposal that result in the loss of local retail, service provision, community assets and change of use will be resisted.</li> </ul>	<p>Proposals within the village centre shopping and business area (as defined on the Proposal Plan inset Fig.4) that diversity and enhance the range of local shops and services (A1-A5 Use Classes) and a variety of local community facilities will be supported, <u>where they:</u> <del>subject to the following criteria being met:</del></p> <ul style="list-style-type: none"> <li>Individual schemes will <u>do not</u> generate unacceptable noise, fumes, smell or other disturbance to neighbouring residential properties</li> <li><del>proposal will not lead to traffic congestion or adversely affect the free-flow of traffic on the adjoining highway</del></li> <li><u>can provide suitable access and parking arrangements and off-street parking can be satisfactorily provided without impacting on adjoining residential and non-residential uses</u></li> <li><del>proposal that result in the loss of local retail, service provision, community assets and change of use will be resisted.</del></li> </ul> <p><u>Proposals that result in the loss of local retail, service provision, community assets and change of use will be resisted.</u></p>	Re-word to ensure plan reads positively.
31	EB.E2	<p>The plan supports development of a small business centre in appropriate accommodation either upon the 0.64ha of land allocated under policy EB.G1 as part of the main development allocation or on an appropriate site elsewhere within the settlement policy area, subject to the following criteria being met:</p> <ul style="list-style-type: none"> <li>the traffic generation and parking impact generated by the proposal does not result in an unacceptable direct or cumulative impact on congestion or road and pedestrian safety.</li> </ul>	<p>The plan supports development of a small business centre <del>in appropriate accommodation</del> either upon the 0.64ha of land allocated under policy EB.G1 as part of the main development allocation or on an appropriate site elsewhere <u>within or adjoining</u> the settlement <del>policy area</del>, subject to the following criteria being met:</p> <ul style="list-style-type: none"> <li>the traffic generation and parking impact generated by the proposal does not result in an unacceptable direct or cumulative impact on congestion or road and pedestrian safety.</li> </ul>	Amend wording to ensure consistency.

Page No.	Section	Current Text	Action	Comments
31	6.8	New development which potentially exacerbates the problems of congestion and parking, especially in areas where the road width is narrow and parking is an issue, will need to clearly demonstrate that this problem is not increased.	New development <del>which that could potentially</del> exacerbates the problems of congestion and parking, especially in areas where the road width is narrow and parking is an issue, will need to clearly demonstrate <del>that this problem is not increased</del> <u>suitable mitigation measures, agreed with the relevant Highway Authority.</u>	Proposed changes to improve clarity.
32	EB.T1	Proposals that comprise a traffic generating use and are located within the 'areas of constrained access' both listed below and identified on the proposal map will be permitted provided that they can adequately demonstrate that they will not create any additional requirement for on-street parking. The 'areas of constrained access are' • ...	Proposals that comprise a traffic generating use and are located within the 'areas of constrained access' both listed below and identified on the proposal map will be permitted provided that they can <del>adequately</del> demonstrate that they will not create any additional requirement for on-street parking. The 'areas of constrained access are' • ...	Proposed changes to improve clarity.
Page Number	Section	Current Text	Action	Comments
4	Foreword	<i>"It identifies the future housing needs for Earls Barton, to ensure that we support the growth of the village but in a way that makes sure important services and infrastructure are not overstretched and are protected"</i>	<i>"It identifies the future housing needs for Earls Barton <u>and the Borough of Wellingborough</u>, to ensure that we support the growth of the village <u>and Borough</u> but in a way that makes sure important services and infrastructure are not overstretched and are protected"</i>	Ensure that plan is consistent between stated aims (within the plan) and opening text.

Page No.	Section	Current Text	Action	Comments
6	1	"The Neighbourhood Plan will cover a 20 year period (2011-2031) and should be reviewed approximately every five years. The Plan has been developed and based on significant research and robust community engagement and consultation and therefore forms a reference point for stakeholders wishing to promote development within the village. The Plan forms part of the statutory development plan and provides a basis for the determination of planning applications and influencing where and how development takes place within the village."	"The Neighbourhood Plan will cover a 20 year period (2011-2031) and <del>should</del> <u>will</u> be reviewed <del>approximately</del> every five years. The Plan has been developed and based on <del>significant</del> research and <del>robust</del> community engagement and consultation and therefore forms a reference point for stakeholders wishing to promote development within the <del>village</del> <u>Parish</u> .  The Plan forms part of the statutory development plan <u>for the Borough Council of Wellingborough</u> and provides a basis for the determination of planning applications and influencing where and how development takes place within the <del>village</del> <u>Neighbourhood Area (Parish)</u> ."	Change to accord with Paragraph 1.4 of the NH Plan, plus factual correction.
8	1.3	"must be appropriate having regard to national policy"	"must be appropriate having regard to national <u>policy and guidance</u> "	Factual correction
8	1.3	"Emerging policy is also a material consideration for the Neighbourhood Plan to evaluate and consider. The North Northamptonshire Core Spatial Strategy, which is currently under review and the Neighbourhood Plan has had full regard to this and the evidence base underpinning this work. The Wellingborough Local Plan is at the first stages of development, however previous work including Preferred Options Site Specific Proposals Development Plan Document and the Saved Policies of the Wellingborough Local Plan 1999 as amended in 2004 have been fully considered"	"Emerging policy is also a material consideration for the Neighbourhood Plan to evaluate and consider. <u>The North Northamptonshire Core Spatial Strategy and Wellingborough Local Plan are at an early stage of development. The Neighbourhood Plan will be required to be updated following the adoption of these plans, which will set out strategic policy. The Neighbourhood Plan has had regard to the current evidence produced by the Borough Council and the North Northamptonshire Joint Planning Unit, although this has not been independently tested, which is currently under review and the Neighbourhood Plan has had full regard to this and the evidence base underpinning this work. The Wellingborough Local Plan is at the first stages of development, however previous work including Preferred Options Site Specific Proposals Development Plan Document and the Saved Policies of the Wellingborough Local Plan 1999 as amended in 2004 have been fully considered"</u>	Factual correction

Page No.	Section	Current Text	Action	Comments
8	1.3	"While planning applications are still determined by the Borough Council of Wellingborough, once made the Neighbourhood Plan provides the local framework to guide where development should go and how it should be delivered according to the community's wishes"	"While planning applications are still determined by the Borough Council of Wellingborough, once made the Neighbourhood Plan provides the local framework to guide <del>where development should go</del> and how it should be delivered according to the <del>community's wishes</del> <u>policies within the Neighbourhood Plan</u> "	Factual correction for purposes of clarity.
8	1.5	"They do have to be in general conformity with the development plan which will have been subject to a sustainability appraisal in terms of the scale and distribution of growth planned"	<del>"They do have to be in general conformity with the development plan which will have been subject to a sustainability appraisal in terms of the scale and distribution of growth planned"</del>	The Sustainability Appraisal for the adopted North Northamptonshire CSS has not appraised the scale and distribution of development proposed within the Neighbourhood Plan. Therefore, no higher level appraisal has been undertaken and this sentence is misleading.
8/9	1.5	"It is important that sustainable development can be achieved and the Earls Barton Neighbourhood Plan can contribute towards this. It can do this by ensuring that its development policies and proposals will meet the needs of people living and working within the parish."	"It is important that sustainable development can be achieved and the Earls Barton Neighbourhood Plan can contribute towards this. It can do this by ensuring that its development policies and proposals will meet the needs of people living and working within the parish <u>and the Borough of Wellingborough.</u> "	Acknowledge wider role of Earls Barton in the settlement hierarchy. Ensure consistency in text,
9	1.5	"The Earls Barton Neighbourhood Plan identifies...to determine the plan's detailed policies and proposals"	<del>"The Earls Barton Neighbourhood Plan identifies...to determine the plan's detailed policies and proposals"</del>	Delete. No evidence to support this claim

Page No.	Section	Current Text	Action	Comments
12	3	"It is not against development, however, in order that development does not erode the very qualities that Earls Barton has or diminish it as an attractive place to live, it needs to be delivered in a way that does not undermine this or the sustainability of the village"	"It is not against development, however, in order that development does not erode the very qualities that Earls Barton has or diminish it as an attractive place to live, it <u>development</u> needs to be delivered in a way that does not undermine this or the sustainability of the village"	Clarity of text.
12	3	"It also requires that any plan should be aligned with the strategic needs and priorities of the wider area that it 'should not promote less development than set out in the Local Plan"		Unclear in respect of which needs that plan has been aligned with. Requires additional clarity
12	3	The Earls Barton Neighbourhood Plan seeks to positively provide for the needs of its existing residents while also allowing a limited amount of expansion to provide for the wider needs and priorities of the local area. The emerging North Northamptonshire Joint Core Strategy will eventually confirm the strategic approach to housing growth in the plan area. In advance of the completion of the Core Strategy the task set for the Parish Council was to objectively identify and meet the development needs of Earls Barton through a positively prepared neighbourhood plan.	The Earls Barton Neighbourhood Plan seeks to <del>positively</del> provide for the needs of its existing residents while also allowing a <del>limited amount of</del> expansion to provide for the wider needs and priorities of the local area. The emerging North Northamptonshire Joint Core Strategy will eventually confirm the strategic approach to housing growth in the plan area. In advance of the completion of the Core Strategy the task set for the Parish Council was to objectively identify and meet the development needs of Earls Barton through a positively prepared, <u>flexible</u> neighbourhood plan.	The levels of growth directed to Earls Barton may increase as a result of the Joint Core Strategy or Wellingborough Local Plan and the Neighbourhood Plan will need to be reviewed to accommodate wider needs. The NH Plan will need to be able to flexibly accommodate additional development.

Page No.	Section	Current Text	Action	Comments
12	3	A total housing target of 397 (see appendix 3) including completions and existing commitments will result in a 17% increase in the size of the village which is similar, in absolute housing completions, to the previous 20 year period. While accommodating significant objectively identified housing need the plan also seeks to balance the effects of the of growth and maintain the rural character of the village which many residents greatly cherish	A total housing target of 397 (see appendix 3) including completions and existing commitments will result in a 17% increase in the size of the village which is <del>similar</del> <u>63 dwellings fewer</u> , in absolute housing completions, to the previous 20 year period. While accommodating <del>significant</del> <u>objectively locally</u> identified housing need the plan also seeks to balance the effects of growth and maintain the rural character of the village which many residents greatly cherish.	Factual correction. Minor improvements to clarity of text.
13	Earls Barton Parish Council Approach to Sustainable Development	Will work proactively with applicants to find joint solutions which mean that proposals can be supported whenever possible, where they accord with the plan; and to secure development that improves the economic, social and environmental conditions in the area.	Will work proactively with applicants to find joint solutions which mean that proposals <del>can</del> <u>will</u> be supported <del>whenever possible</del> , where they accord with the plan <u>or there are other material considerations that indicate development should go ahead</u> ; and to secure development that improves the economic, social and environmental conditions in the area.	Ensure positive plan and greater consistency with requirements of the National Planning Policy Framework.
13	4	Promoting a level of housing and employment growth to provide for the local needs of the community to help deliver additional facilities, including expanded sports and leisure provision	Promoting a level of housing and employment growth to provide for the local <u>and Borough</u> needs of the community to help deliver additional facilities, including expanded sports and leisure provision	Change to accord with Paragraph 1.4 of the NH Plan, plus factual correction.
13	4	Supporting appropriately located development of a scale which is proportionate to the future needs of the village and will not create adverse pressure on local facilities	Supporting <del>appropriately</del> <u>sustainably</u> located development of a scale <del>which is</del> proportionate to the future needs of the village <u>and the Local Area, which and</u> will not create <u>place</u> adverse pressure on local facilities <u>that cannot be mitigated</u> ,	Change to accord with Paragraph 1.4 of the NH Plan and clarity of wording to provide positive wording.

Page No.	Section	Current Text	Action	Comments
14	Development	<p>Allow limited housing and commercial development to meet local needs and increasing local employment opportunity while providing some degree of expansion.</p> <ul style="list-style-type: none"> <li>• Allocate 280 new dwellings</li> <li>• Focus growth of the village around 'The Grange'</li> <li>• Promote in-fill development where appropriate- within the defined village envelope</li> <li>• provide a greater range of affordable and shared ownership housing</li> <li>• provide a range of different housing types across all tenures</li> <li>• Maintain opportunities for small businesses within the village centre- promote a business centre for small and start-up businesses.</li> </ul>	<p>Allow <del>limited</del> housing and commercial development to meet local and <u>Borough</u> needs and increasing local employment opportunity while providing some degree of expansion.</p> <ul style="list-style-type: none"> <li>• Allocate 280 new dwellings</li> <li>• Focus growth of the village around 'The Grange' <u>and other sustainable locations</u></li> <li>• Promote in-fill development <del>where appropriate- within the defined village envelope</del></li> <li>• provide a greater range of affordable and shared ownership housing</li> <li>• provide a range of different housing types across all tenures</li> <li>• Maintain opportunities for small businesses within the village centre- promote a business centre for small and start-up businesses.</li> </ul>	<p>Change to accord with Paragraph 1.4 of the NH Plan.</p> <p>Remove reference to the village boundary as this is a restriction on growth.</p>
15	Access	<p>Increase accessibility within Earls Barton and to other areas through improved transport links and provide better parking and access to the centre of Earls Barton</p> <ul style="list-style-type: none"> <li>• Ensure that major new development has direct access to main roads to minimise traffic congestion</li> <li>• Integrate new housing into Earls Barton and the surrounding area with good pedestrian, cycle and bus connections</li> <li>• Ensure that car parking within the village supports the vitality and viability of the village centre</li> <li>• Enhance public transport links promotion smarter choices as alternative modes of travel to better meet people's needs.</li> </ul>	<p>Increase accessibility within Earls Barton and to other areas through improved transport links and provide better parking and access to the centre of Earls Barton</p> <ul style="list-style-type: none"> <li>• Ensure that major new development has <u>direct appropriate</u> access to <u>main suitable</u> roads <del>to minimise traffic congestion</del></li> <li>• Integrate new housing into Earls Barton and the surrounding area with good pedestrian, cycle and bus connections</li> <li>• Ensure that car parking within the village supports the vitality and viability of the village centre</li> <li>• Enhance public transport links promotion smarter choices as alternative modes of travel to better meet people's needs.</li> </ul>	<p>Minor change to improve clarity/ provide flexibility within the policy</p>

Page No.	Section	Current Text	Action	Comments
16	5. The Strategy & Key Proposals	Key Diagram- Fig 3	<ul style="list-style-type: none"> <li>Delete village boundary.</li> <li>Allocate suitable sites to meet wider housing needs.</li> </ul>	Village boundary deleted to remove overall constraint to meeting development needs in the absence of an up-to-date or emerging Local Plan for North Northamptonshire/ Wellingborough
18	6.1	"Settlement boundaries are a well utilised planning tool [...].A Review of the village boundary line will be undertaken at the time that the plan is reviewed"	<del>"Settlement boundaries are a well utilised planning tool [...].A Review of the village boundary line will be undertaken at the time that the plan is reviewed"</del>	Delete entire section; see reasons under 5 (pg.16)
19	6.2	Allow limited housing and commercial development to meet local needs and increase local employment opportunity while providing some degree of expansion.	Allow <del>limited</del> housing and commercial development to meet local <u>and Borough</u> needs and increase local employment opportunity while providing <u>certainty</u> for some degree of expansion.	Remove reference to 'limited'- ensure that Borough needs are recognised in absence of up-to-date strategic policies
19	6.2	Residents of Earls Barton accept that some housing development over the next 20 years is required to provide for local needs and also to accommodate for limited growth of people moving into the area as the village has done over previous plan periods.	Residents of Earls Barton accept that some housing development <del>over the next 20 years</del> is required to provide for local needs and also to accommodate <del>for limited</del> growth of people moving into the area as the village has done over previous plan periods.	Ensure consistency with previous paragraphs.

Page No.	Section	Current Text	Action	Comments
19	6.2	Through consultation on different growth options the community has clearly indicated that an allocation of one medium sized development area to the North of the village with access directly onto the A4500 would be the preferred growth scenario. This comprehensively planned infill site will enable and facilitate a holistic sustainable development that will create high quality places to live...the location of this development will also minimise the impact and pressure on existing road capacity and on-street parking within the village centre and surrounding housing areas..	Through consultation on different growth options <del>the community has clearly those responding to the</del> <u>consultation</u> indicated that an allocation of one medium sized development area to the North of the village with access directly onto the A4500 would be the preferred growth scenario. This <del>comprehensively planned infill site- village extension</del> will enable and facilitate a holistic sustainable development that will create high quality places to live... <del>the location of this development will also minimise the impact and pressure on existing road capacity and on-street parking within the village centre and surrounding housing areas..</del>	Factual changes.  Final sentence cannot be demonstrated via evidence presented and is not the most sustainably located when considered against the emerging evidence to support the Local Plan reviews.
19	6.2	...it is the unanimous view of the Parish Council and residents that this increase in the number of dwellings accords with the policies of the CSS through proactively identifying and then meeting local needs and that fulfils the village's obligation as a Principal Village in the draft Core Strategy. Accordingly, no further significant expansion will be supported.	...it is the unanimous view of the Parish Council and residents that this increase in the number of dwellings accords with the policies of the CSS through proactively identifying and then meeting local needs and that fulfils the village's obligation as a Principal Village in the draft Core Strategy. <del>Accordingly, no further significant expansion will be supported.</del>	Delete final sentence.
20	EB.G1		<u>Add final bullet point:</u> <ul style="list-style-type: none"> <li><u>The development will be supported by a Travel Plan.</u></li> </ul>	
22	6.3	Allow limited housing and commercial development to meet local needs and increase local employment opportunity while providing some degree of expansion.	Allow <del>limited</del> housing and commercial development to meet local <u>and Borough</u> needs and increase local employment opportunity while providing some degree of expansion.	Remove reference to limited, to provide flexibility and consistency in text.  Add reference to Borough to ensure consistency with stated aims.

Page No.	Section	Current Text	Action	Comments
22	Justification (6.3)	The Neighbourhood Plan acknowledges the requirement to provide for the needs of Earls Barton residents and contribute towards the overall housing supply for the Borough. Policy G1 provides for a significant and sufficient level of new housing for the village, however, small scale residential development within the village boundary has and will continue to provide windfall development and will contribute towards housing needs and improve amenity for neighbours of derelict or redundant sites. These developments will be supported subject to the potential loss of amenity of neighbouring properties; through the loss of privacy, loss of daylights, visual intrusion by a building or structure, loss of car parking and additional traffic resulting from the development.	The Neighbourhood Plan acknowledges the requirement to provide for the needs of Earls Barton residents and contribute towards the overall housing supply for the Borough. Policy G1 provides for a <del>significant and sufficient level</del> <u>the majority</u> of new housing for the village, however, small scale residential development within the village <del>boundary</del> has and will continue to provide windfall development and will contribute towards housing needs and improve amenity for neighbours of derelict or redundant sites. These developments will be supported, <u>unless material considerations indicate otherwise.</u> <del>subject to the potential loss of amenity of neighbouring properties; through the loss of privacy, loss of daylights, visual intrusion by a building or structure, loss of car parking and additional traffic resulting from the development.</del>	Factual changes and text clarity.
22	6.2	...As such, in exceptional circumstances, the plan will consider the ability to deliver affordable housing through exception sites subject to them meeting criteria to protect the character of the village and amenity of neighbouring properties.	...As such, <del>in exceptional circumstances</del> , the plan will consider the ability to deliver affordable housing through <del>exception</del> <u>additional</u> sites subject to them meeting criteria to protect the character of the village and amenity of neighbouring properties.	Clarity and consistency.

Page No.	Section	Current Text	Action	Comments
23	EB.GD1	<p>Any proposal for residential development on infill sites within the village boundary, including redevelopments, will be permitted provided that all the following criteria are met:</p> <ul style="list-style-type: none"> <li>• It is of a scale, massing, density and design in keeping with the local character of neighbouring building and the village generally</li> <li>• ...</li> <li>• ...</li> <li>• ...</li> <li>• it provides a beneficial net-contribution, through the provision of a mix of dwelling types and sizes, towards meeting both the market and affordable housing needs of current and future households in Earls Barton in accordance with an up-to-date demonstration of need</li> <li>• it provides an on-site proportion of affordable housing or an off-site contribution, in line with other policies of the development plan where the is practical or financially viable;</li> <li>• development that does not meet this criteria will not be supported.</li> </ul>	<p>Any proposal for residential <u>infill</u> development <del>on infill sites within the village boundary</del>, including redevelopments, will be permitted provided that all the following criteria are met:</p> <ul style="list-style-type: none"> <li>• It is of a scale, massing, density and design in keeping with the local character of neighbouring building and the village generally</li> <li>• ...</li> <li>• ...</li> <li>• ...</li> <li>• it provides a beneficial net-contribution, through the provision of a mix of dwelling types and sizes, towards meeting both the market and affordable housing needs of current and future households in Earls Barton <u>and the Borough of Wellingborough</u> in accordance with an up-to-date demonstration of need</li> <li>• it provides an on-site proportion of affordable housing or an off-site contribution, in line with other policies of the development plan where the is practical or financially viable;</li> <li>• <del>development that does not meet this criteria will not be supported.</del></li> </ul>	Clarity and consistency.
23	EB.GD2	Whole Policy	Delete. Not required if village boundary deleted.	See separate representations/ response to Section 5.
26	6.5	Earls Barton has grown significantly over the last few decades and many previously open sites have been built upon through in fill and more major development	Earls Barton has grown <del>significantly</del> over the last few decades and many previously open sites have been built <del>upon</del> <u>on</u> through in-fill and more major development.	Factual changes.

Page No.	Section	Current Text	Action	Comments
29	EB.LB1	<p>Proposals within the village centre shopping and business area (as defined on the Proposal Plan inset Fig.4) that diversity and enhance the range of local shops and services (A1-A5 Use Classes) and a variety of local community facilities will be supported, subject to the following criteria being met:</p> <ul style="list-style-type: none"> <li>Individual schemes will not generate unacceptable noise, fumes, smell or other disturbance to neighbouring residential properties</li> <li>proposal will not lead to traffic congestion or adversely affect the free-flow of traffic on the adjoining highway</li> <li>access arrangements and off-street parking can be satisfactorily provided without impacting on adjoining residential and non-residential uses</li> <li>proposal that result in the loss of local retail, service provision, community assets and change of use will be resisted.</li> </ul>	<p>Proposals within the village centre shopping and business area (as defined on the Proposal Plan inset Fig.4) that diversity and enhance the range of local shops and services (A1-A5 Use Classes) and a variety of local community facilities will be supported, <u>where they: subject to the following criteria being met:</u></p> <ul style="list-style-type: none"> <li><del>Individual schemes will not</del> <u>do not</u> generate unacceptable noise, fumes, smell or other disturbance to neighbouring residential properties</li> <li><del>proposal will not lead to traffic congestion or adversely affect the free-flow of traffic on the adjoining highway</del></li> <li><u>can provide suitable access and parking arrangements and off-street parking can be satisfactorily provided without impacting on adjoining residential and non-residential uses</u></li> <li><del>proposal that result in the loss of local retail, service provision, community assets and change of use will be resisted.</del></li> </ul> <p><u>Proposals that result in the loss of local retail, service provision, community assets and change of use will be resisted.</u></p>	Re-word to ensure plan reads positively.
31	EB.E2	<p>The plan supports development of a small business centre in appropriate accommodation either upon the 0.64ha of land allocated under policy EB.G1 as part of the main development allocation or on an appropriate site elsewhere within the settlement policy area, subject to the following criteria being met:</p> <ul style="list-style-type: none"> <li>the traffic generation and parking impact generated by the proposal does not result in an unacceptable direct or cumulative impact on congestion or road and pedestrian safety.</li> </ul>	<p>The plan supports development of a small business centre in <del>appropriate accommodation</del> either upon the 0.64ha of land allocated under policy EB.G1 as part of the main development allocation or on an appropriate site elsewhere within <u>or adjoining</u> the settlement <del>policy area</del>, subject to the following criteria being met:</p> <ul style="list-style-type: none"> <li>the traffic generation and parking impact generated by the proposal does not result in an unacceptable direct or cumulative impact on congestion or road and pedestrian safety.</li> </ul>	Amend wording to ensure consistency.

Page No.	Section	Current Text	Action	Comments
31	6.8	New development which potentially exacerbates the problems of congestion and parking, especially in areas where the road width is narrow and parking is an issue, will need to clearly demonstrate that this problem is not increased.	New development <del>which that could potentially</del> exacerbates the problems of congestion and parking, especially in areas where the road width is narrow and parking is an issue, will need to clearly demonstrate <del>that this problem is not increased</del> <u>suitable mitigation measures, agreed with the relevant Highway Authority.</u>	Proposed changes to improve clarity.
32	EB.T1	Proposals that comprise a traffic generating use and are located within the 'areas of constrained access' both listed below and identified on the proposal map will be permitted provided that they can adequately demonstrate that they will not create any additional requirement for on-street parking. The 'areas of constrained access are' <ul style="list-style-type: none"> <li>• ...</li> </ul>	Proposals that comprise a traffic generating use and are located within the 'areas of constrained access' both listed below and identified on the proposal map will be permitted provided that they can <del>adequately</del> demonstrate that they will not create any additional requirement for on-street parking. The 'areas of constrained access are' <ul style="list-style-type: none"> <li>• ...</li> </ul>	Proposed changes to improve clarity.