

Report of the Director of Place and Strategic Growth

STRATEGIC POLICIES

1 Purpose of report

The report seeks a determination on which development plan policies should be considered 'strategic policies' for the purposes of preparing Neighbourhood Plans.

2 Executive summary

A Neighbourhood Plan as a basic condition must be in general conformity with the strategic policies contained in the development plan. In order to be able to demonstrate this, the local planning authority needs to be able to advise neighbourhood planning bodies which policies are considered to be strategic. This report seeks to set out the council's formal position on the policies it considers to be strategic.

3 Appendices

Appendix A – An assessment of whether policies from the Plan for the Borough of Wellingborough are strategic.

4 Proposed action:

4.1 The committee is invited to RESOLVE that the following policies are 'strategic policies'; all the policies contained within the North Northamptonshire Joint Core Strategy and those policies in the Plan for the Borough of Wellingborough as set out in appendix A.

5 Background

5.1 All neighbourhood plans (and Neighbourhood Development Orders) must meet the 'basic conditions' before they can proceed to referendum and this is tested by the independent examination. The basic conditions are set out in planning legislation and cover:

- General conformity with the strategic policies in the local plan;
- Regard to national policies;
- Contributing to the achievement of sustainable development; and
- Compatibility with EU obligations and human rights legislation.

5.2 The National Planning Policy Framework (NPPF, February 2019, Paragraph 21) says that, 'Plans should make explicit which policies are strategic policies.'

These should be limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any non-strategic policies that are needed. Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies’.

- 5.3 The NPPF paragraphs 20-23 (page 9) describe strategic policies. Strategic policies set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:
- a) housing (including affordable housing), employment, retail, leisure and other commercial development;
 - b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - c) community facilities (such as health, education and cultural infrastructure); and
 - d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
- 5.4 The online national planning practice guidance (NPPG) advises how a strategic policy is determined (Paragraph: 076 Reference ID: 41-076-20140306). It says strategic policies will be different in each local planning authority area. When reaching a view on whether a policy is a strategic policy the following are useful considerations:
1. whether the policy sets out an overarching direction or objective
 2. whether the policy seeks to shape the broad characteristics of development
 3. the scale at which the policy is intended to operate
 4. whether the policy sets a framework for decisions on how competing priorities should be balanced
 5. whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan
 6. in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan
 7. whether the Local Plan identifies the policy as being strategic
- 5.5 Advice from Locality¹ says that a judgement needs to be made on which local policies are strategic in nature. Such policies are likely to be those that deal with key principles and relate to the overall development and growth of an area. Some policy areas may include strategic and non-strategic elements. For example a general design policy may be strategic, as it is related to things like economic growth, quality of life, movement and safety. However, more

¹ Neighbourhood Plans, General Conformity with Strategic Local Policy: A toolkit for neighbourhood planners, Locality

detailed design requirements may be non-strategic or, even if strategic, may be capable of modification whilst still being in general conformity.

- 5.6 The neighbourhood plan will need to be in general conformity with strategic local policies. This suggests that a neighbourhood plan may differ to some extent even from strategic local policies, yet still meet the basic conditions. The NPPG (Paragraph: 074 Reference ID: 41-074-20140306) advises that, when considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:
- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with
 - the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy
 - whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy
 - the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach
- 5.7 The development plan for the borough currently comprises:
- The North Northamptonshire Joint Core Strategy (JCS) 2011-2031 (adopted July 2016)
 - The Plan for the Borough of Wellingborough (PBW) (adopted February 2019)
 - Earls Barton Neighbourhood Plan (made January 2016)
 - Wollaston Neighbourhood Plan (made December 2016)
 - Irchester, Knuston and Little Irchester Neighbourhood Plan (made October 2018)
 - Northamptonshire Minerals and Waste Local Plan (MWLP) (adopted July 2017)

6 Discussion

- 6.1 Ecton Parish Council is in the process of preparing a neighbourhood plan for the parish. A Neighbourhood Area was agreed on 15 December 2014 covering the entire parish area. A request has been made to the borough council to set out the policies which are strategic to enable them to demonstrate compliance with the basic conditions as set out in paragraph 5.1 above.
- 6.2 All of the development plan documents covering the borough were prepared before the revised NPPF, which requires plans to make explicit which policies are strategic, they are therefore all silent on this matter. It is therefore necessary to make a determination to aid the preparation of Ecton Neighbourhood Plan and any other subsequent plans. Neighbourhood plans have already been prepared for the parishes of Earls Barton, Wollaston and Irchester. During the preparation of these plans the groups were advised that

all the policies in the JCS were strategic. The PBW has been adopted since the preparation of the other neighbourhood plans and introduces other policies which could affect the preparation of subsequent neighbourhood plans.

- 6.3 All policies in the JCS are considered to be strategic – the plan sets the strategic vision for the area including the spatial strategy, it sets out the overall strategy for the pattern, scale and quality of development across the whole of North Northamptonshire. It sets out the requirements for housing, employment, retail and leisure as well as infrastructure, community facilities and conservation and enhancement of the environment. The policies meet the criteria set out in paragraphs 5.3 and 5.4 above.
- 6.4 Northamptonshire County Council as the minerals and waste planning authority is responsible for determining whether any policies in the MWLP should be considered strategic. Neighbourhood plans cannot however include any provisions relating to county matters such as minerals and waste.
- 6.5 Appendix A is an assessment of all of the policies within the PBW against the criteria in the NPPF and NPPG which are set out in paragraphs 5.3 and 5.4 above. It concludes that the following policies are strategic:
- Policy SS 1 (Villages)
 - Policy GI 1 (Local Green Infrastructure Corridors)
 - Policy GI 4 (Enhancement and Provision of Open Space)
 - Policy GI 5 (Enhancement and Provision of Sport and Recreation Facilities)
 - Policy E 3 (Employment Outside Established Employment Estates)
 - Policy H 1 (Urban Housing Allocations)
 - Policy H 3 (Housing Needs of Older People)
 - Policy H 4 (Retirement Housing, Supported Housing and Care Homes)
 - Policy H 5 (Self-Build and Custom Housebuilding)
 - Policy H 6 (Single Plot Exception Sites for Self-Build)
 - Policy R 1 (Retail Hierarchy)
 - Policy R 2 (Neighbourhood Shops)
 - Policy R 3 (Local Impact Threshold)
 - Policy TC 1 (Town Centre Boundary)
 - Policy TC 2 (Primary Shopping Area)
 - Policy Site 1 (Wellingborough East)
 - Policy Site 2 (Wellingborough North)
 - Policy Site 5 (Park Farm Way/Shelley Road)
 - Policy Site 9 (Sywell Aerodrome)
- 6.6 It is recommended that all the policies contained within the North Northamptonshire Joint Core Strategy and those policies in the Plan for the Borough of Wellingborough as set out in paragraph 6.5 above are determined as 'strategic'. Should the committee agree this, those preparing the Ecton Neighbourhood Plan will be informed of the decision and the council's website will be updated to clarify which development plan policies in the borough are considered to be strategic.

7 Legal powers

Para 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) sets out the requirement for Neighbourhood Plans to meet basic conditions and other legal requirements.

Section 19 (1B-1E) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to include strategic policies to address priorities for the development and use of land in its area within the development plan.

8 Financial and value for money implications

None identified

9 Risk analysis

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Not identifying strategic policies	Neighbourhood plans could seek to undermine the strategic approach to development in the area.	Low	Identify strategic policies
Not identifying strategic policies	Neighbourhood plans would find it impossible to prepare basic conditions statements to support submission of their plans	Low	Identify strategic policies

10 Implications for resources

None identified

11 Implications for stronger and safer communities

None identified

12 Implications for equalities

None identified

13 Author and contact officer

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14 Consultees

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15 Background papers

None

An assessment of whether policies from the Plan for the Borough of Wellingborough are strategic

Reference:	Policy Name / Description	NPPF Guidance (Para 20)	NPPG Guidance (Para 76) ¹	Comments	Strategic?
Policy SS 1	Villages	a	1,3	The identification of Restraint Villages sets a strategic approach to the distribution of development across the borough. Village boundaries, however are a local interpretation of JCS policies 11 & 13 and may be identified/revised in Neighbourhood Plans. Additional development could be identified in Neighbourhood Plans.	Partial
Policy GI 1	Local Green Infrastructure Corridors	d	1,2,3,4	The policy operates at a town wide level to protect and enhance a green infrastructure framework.	Yes
Policy GI 2	Local Open Space			LOS may be identified/revised in Neighbourhood Plans	No
Policy GI 3	Local Green Space			LGS may be identified/revised in Neighbourhood Plans.	No
Policy GI 4	Enhancement and Provision of Open Space	a	1,2,3,4,5	The policy sets out a requirement for all residential developments over 10 dws in the borough to contribute to the provision or enhancement of open space based on identified standards.	Yes
Policy GI 5	Enhancement and Provision of Sport and Recreation Facilities	a,c	1,2,3,4,5	The policy sets a framework for providing enhanced sports provision across the borough.	Yes
Policy E 1	Established Industrial Estates			The policy relates to specific locally identified employment sites.	No
Policy E 2	Non-Employment Uses (Non-B) in Established Industrial Estates			The policy relates to specific locally identified employment sites.	No

Reference:	Policy Name / Description	NPPF Guidance (Para 20)	NPPG Guidance (Para 76) ¹	Comments	Strategic?
Policy E 3	Employment Outside Established Employment Estates	a	1,3,4	The policy seeks to retain employment sites across the borough, but supports redevelopment in specific circumstances. It sets an overarching approach to employment land.	Yes
Policy H 1	Urban Housing Allocations	a	1,3,5,6	The policy allocates sites for housing within the town which are central to achieve the scale of growth identified for the borough.	Yes
Policy H 2	Finedon Housing Allocation			The policy identifies a local allocation in Finedon to meet the needs identified in the JCS. The site could be identified/revised in a Neighbourhood Plan	No
Policy H 3	Housing Needs of Older People	a	1,2,3,4,5	On sites of 50dws or more the policy seeks to negotiate housing to meet the needs of older people. Adds detail to JCS Policy 30 to meet an identified specialist housing need. The policy is intended to operate across the whole borough to ensure sufficient provision to meet a specialist housing need.	Yes
Policy H 4	Retirement Housing, Supported Housing and Care Homes	a	1,2,3,5	The policy supports suitable specialist housing across the borough.	Yes
Policy H 5	Self-Build and Custom Housebuilding	a	1,2,3,4,5	On sites of 50dws or more the authority will seek the provision of 5% of plots for self-build or custom build. Adds detail to JCS Policy 30 to meet an identified specialist housing need, identified through the Self Build Register. The policy is intended to operate across the whole borough to ensure sufficient provision to meet housing need.	Yes
Policy H 6	Single Plot Exception Sites for Self-Build	a	1,2,3	Whilst the policy deals with individual plots, which is a local scale of development, the policy is intended to apply across the whole rural area in the borough. It sets an overarching approach to encourage appropriate self-build.	Yes

Reference:	Policy Name / Description	NPPF Guidance (Para 20)	NPPG Guidance (Para 76) ¹	Comments	Strategic?
Policy R 1	Retail Hierarchy	a	1,3,4	The policy sets the retail hierarchy for the town for the application of the sequential approach set out in the NPPF.	Yes
Policy R 2	Neighbourhood Shops	a	1,3,4	The policy sets an overall approach for dealing with neighbourhood and village shops across the borough.	Yes
Policy R 3	Local Impact Threshold	a	1,3,4,5	The policy sets a local impact threshold for determining retail impact within the borough.	Yes
Policy TC 1	Town Centre Boundary	a,c	1,3,4,5	The policy identifies the extent of the town centre which will be used for the interpretation of the sequential test for main town centre uses other than retail in the town.	Yes
Policy TC 2	Primary Shopping Area	a,c	1,2,4,5	The policy sets the overarching approach for development within the town centre. It sets the framework for how decisions will be made. The vitality and viability of the town centre is vital to the economy of the borough and provides for retail and community facilities to serve the borough.	Yes
Policy TC 3	The Market			The policy is site specific and relates to the small area covered by the market.	No
Policy TC 4	Shop Fronts			The policy is a detailed design policy which only relates to the town centre. The overarching policy is JCS Policy 8.	No
Policy TC 5	Public Realm			The policy is a detailed design policy which only relates to the town centre. The overarching policy is JCS Policy 8.	No
Policy TC 6	Town Centre Car Parking			The policy is a local parking policy which only relates to the town centre. The overarching policy is JCS Policy 8.	No
Policy TC 7	Town Centre Opportunity Sites			The policy only relates to sites within the town centre.	No
Policy TC 8	Former Post Office Sorting Depot/BT			This is a site specific policy which is not central to achieving the visions and aspirations of the	No

Reference:	Policy Name / Description	NPPF Guidance (Para 20)	NPPG Guidance (Para 76) ¹	Comments	Strategic?
	Exchange, Midland Road			plan.	
Policy TC 9	High Street/Jacksons Lane			This is a site specific policy which is not central to achieving the visions and aspirations of the plan.	No
Policy TC 10	Alma Street/Cambridge Street			This is a site specific policy which is not central to achieving the visions and aspirations of the plan.	No
Policy Site 1	Wellingborough East	a,b,c,d	2,3,4,6	The policy sets the overall development principles for one of the sites key to delivering the overall housing and employment requirements for North Northamptonshire. The site is identified as a strategic site on the key diagram of the JCS. It is anticipated to deliver 3650 dws and 21.8ha of employment land. The policy seeks to shape the broad characteristics of the development. The requirements relate to delivery of housing, infrastructure, community facilities and conservation and enhancement of the environment	Yes
Policy Site 2	Wellingborough North	a,b,c,d	2,3,4,6	The policy sets the overall development principles for one of the sites key to delivering the overall housing requirement for North Northamptonshire. The site is identified as a strategic site on the key diagram of the JCS. It is anticipated to deliver 3265 dws and 6.69ha of employment land. The policy seeks to shape the broad characteristics of the development. The requirements relate to delivery of housing, infrastructure, community facilities and conservation and enhancement of the environment	Yes
Policy Site 3	Windsor Road			This is a site specific policy which sets development principles, it is not central to	No

Reference:	Policy Name / Description	NPPF Guidance (Para 20)	NPPG Guidance (Para 76) ¹	Comments	Strategic?
				achieving the visions and aspirations of the plan. Overarching development principles are covered by JCS Policy 8.	
Policy Site 4	Land Between Finedon Road and Nest Lane			This is a site specific policy which sets development principles, it is not central to achieving the visions and aspirations of the plan. Overarching development principles are covered by JCS Policy 8.	No
Policy Site 5	Park Farm Way/Shelley Road	a,b,d	2,3,4,6	The policy sets the overall development principles for one of the sites key to delivering the overall housing requirement for North Northamptonshire. The site is identified as a strategic site on the key diagram of the JCS. It is anticipated to deliver 600 dws. The policy seeks to shape the broad characteristics of the development. The requirements relate to delivery of housing, infrastructure, and conservation and enhancement of the environment	Yes
Policy Site 6	East of Eastfield Road			This is a site specific policy which sets development principles, it is not central to achieving the visions and aspirations of the plan. Overarching development principles are covered by JCS Policy 8.	No
Policy Site 7	Leys Road/Highfield Road			This is a site specific policy which sets development principles, it is not central to achieving the visions and aspirations of the plan. Overarching development principles are covered by JCS Policy 8.	No
Policy Site 8	Milner Road, Finedon			This is a site specific policy which sets development principles, it is not central to achieving the visions and aspirations of the plan. Overarching development principles are covered by JCS Policy 8.	No

Reference:	Policy Name / Description	NPPF Guidance (Para 20)	NPPG Guidance (Para 76) ¹	Comments	Strategic?
Policy Site 9	Sywell Aerodrome	a,b	1,2,3,4	The policy supports aviation related uses and employment. It also seeks to protect the aerodrome from any development which would prejudice the aviation use of the site. The policy relates to a site which covers 24ha, plays an important role in the borough's economy and is Northamptonshire's only significant operational airfield. It is considered to be of strategic importance.	Yes

¹ For criterion 3 of the NPPG guidance, the scale at which the policy is intended to operate should be either borough wide or town wide to be considered strategic