

Report to North Northamptonshire Council

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Date: 31 July 2023

Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the East Northamptonshire Local Plan Part 2, 2011-2031

The Plan was submitted for examination on 29 March 2021

The examination hearing was held between 6 April 2022 and 5 May 2022

File Ref: PINS/G2815/429/5

Contents

| | |
|-------------------------------------------------------|----------|
| Abbreviations used in this report | 3 |
| Non-Technical Summary | 4 |
| Introduction..... | 5 |
| Context of the Plan | 6 |
| Public Sector Equality Duty | 7 |
| Assessment of Duty to Co-operate | 7 |
| Assessment of Other Aspects of Legal Compliance | 7 |
| Assessment of Soundness | 9 |
| Issue 1 – Spatial Strategy..... | 9 |
| Issue 2 – Housing requirement and provision..... | 13 |
| Issue 3 – Meeting Other Housing Need..... | 21 |
| Issue 4 – Housing Allocations..... | 28 |
| Issue 5 – Employment | 36 |
| Issue 6 – Town Centres..... | 38 |
| Issue 7 – Social Capital | 43 |
| Issue 8 – Natural Capital | 45 |
| Issue 9 – Viability..... | 47 |
| Issue 10 - Monitoring | 48 |
| Overall Conclusion and Recommendation..... | 49 |
| Schedule of Main Modifications | Appendix |

Abbreviations used in this report

| | |
|---------------|-----------------------------------------------------------|
| Dpa | Dwellings per annum |
| DPD | Development Plan Document |
| The Framework | National Planning Policy Framework (2021) |
| GI | Green Infrastructure |
| The Guidance | National Planning Practice Guidance |
| GTAA | Gypsy and Traveller Accommodation Assessment |
| HRA | Habitats Regulation Assessment |
| JCS | North Northamptonshire Joint Core Strategy |
| VA | Local Plan Viability Assessment |
| LDS | Local Development Scheme |
| MFD | Masterplan Framework Document |
| MM | Main Modification |
| NP | Neighbourhood Plan |
| ORS | Opinion Research Services |
| The Plan | East Northamptonshire Local Plan Part 2 |
| PPTS | National Planning Policy for Traveller Sites (March 2012) |
| RNOTP | Rural North, Oundle and Thrapston Plan (2011) |
| SA | Sustainability Appraisal |
| SANG | Strategic Accessible Natural Greenspace |
| SCBH | Self and Custom Build Housing |
| SCI | Statement of Community Involvement |
| SHLAA | Strategic Housing Land Availability Assessment |
| SPD | Supplementary Planning Document |
| SFRA | Strategic Flood Risk Assessment |
| SPA | Special Protection Area |
| SUE | Sustainable Urban Extension |
| The Council | North Northamptonshire Council |

Non-Technical Summary

This report concludes that the Plan provides an appropriate basis for the planning of the East Northamptonshire area of North Northamptonshire Council (the Council), provided that a number of main modifications [MMs] are made to it. The Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the MMs and, where necessary, carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs were subject to public consultation over a 6-week period. In some cases, I have amended their detailed wording and/or added consequential post consultation modifications where necessary. I have recommended their inclusion in the Plan after considering the SA/HRA and all the representations made in response to consultation on them.

The MMs can be summarised as follows:

- Deletions and amendments to ensure that only policies that provide a clear indication of how a decision maker should react to a development proposal are included in the Plan, including significant revisions to the Spatial Development Strategy policies;
- Rewording policies to ensure they are positively prepared, effective and consistent with the North Northamptonshire Joint Core Strategy (JCS) and national policy.
- Deletion of Appendix 6 – The Rushden East Masterplan Framework Document (MFD) and the incorporation of the key planning principles into Policy EN33.
- Deletion of a school site allocation (Policy EN17) to reflect that the school has been constructed.
- A number of other MMs to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains my assessment of the East Northamptonshire Local Plan Part 2 2011-2031 in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The Framework (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Council has submitted what it considers to be a legally compliant and sound Plan. The Plan submitted in March 2021 is the basis for my examination. It is the same document as was published for consultation in February 2021.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any MMs necessary to rectify matters that make the Plan unsound and /or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearing, the Council prepared a schedule of proposed MMs and, where necessary, carried out SA and HRA of them. The MMs schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light, I have made some amendments to the detailed wording of the main modifications and added consequential modifications post-consultation where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the MMs as published for consultation or undermines the participatory processes and SA/HRA that has been undertaken. Where necessary I have highlighted these amendments in the report.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Policies Map and Insets.
6. The policies map is not defined in statute as a development plan document (DPD) and so I do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be

made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.

7. The 'Schedule of Proposed Policies Map Modifications to the Submission Local Plan March 2023', published alongside the MMs addresses the above changes and where the changes relate to a MM this is specified in the schedule. A number of changes are also made to the policies map by the Council which are unrelated to the MMs as follows: to correct drafting errors; to clarify on the Policies Map legend that Policy EN8 relates to The Greenway; and that Policy EN7 relates to GI Corridors.
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in Schedule of Proposed Policies Map Modifications to the Submission Local Plan March 2023'.

Context of the Plan

9. The Plan is a Part 2 Plan which has been produced to enable the effective delivery of the Part 1 Plan, the North Northamptonshire Joint Core Strategy (JCS) (ED B-01). This was prepared jointly by the district and borough Councils of Corby, East Northamptonshire, Kettering and Wellingborough and was adopted in July 2016. The JCS provides the strategic planning background to the matters contained in the Plan. It sets out the spatial strategy and the level of growth required along with its broad distribution. It also allocates strategic housing and employment sites and sets out strategic policies, place shaping requirements and development management policies.
10. As this is a subsidiary plan, there is no requirement for me to re-examine the strategic issues which were covered in the JCS and found to be sound. In particular, the Framework does not require the Plan to address the question of whether further housing provision will need to be made. This is a matter for any future review of the JCS.
11. The Plan will sit alongside the JCS, the Brigstock Neighbourhood Development Plan (NP) (2019), the Barrowden and Wakerley NP (2019), the Chelveston cum Caldecott NP (2017), the Glapthorn NP (2018), the Higham Ferrers NP (2016), The King's Cliffe NP (2019), the Raunds NP (2017), the Rushden NP (2018), the Stanwick NP (2017), the Warmington NP (2019), the Barnwell NP (2023), the Hargrave NP (2022), the Ringstead NP (2022) and the forthcoming Gypsy and Traveller Accommodation Development Plan Document (DPD). It will replace all of the saved policies of the East Northamptonshire District Local Plan (1996) and the Rural North, Oundle and Thrapston Plan (RNOTP) (2011) and will be used as necessary to assess development proposals in the area.

12. On 1 April 2021 a number of local planning authorities in Northamptonshire merged to form two new Unitary Authorities. East Northamptonshire now forms part of North Northamptonshire Council. Nevertheless, the Plan for East Northamptonshire will remain in place until such time as it is revoked or replaced by a new plan produced by the Unitary Authority covering the whole area. Regulation 26(3) of the Local Government (Boundary Changes) Regulations 2018 requires the unitary authority to adopt such a plan within 5 years of the reorganisation date.

Public Sector Equality Duty

13. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including amongst other things the approach to Gypsies and Travellers, affordable housing, housing mix, and older persons housing. The Plan also seeks to protect and allocates employment land (SUEs) to facilitate employment provision and also protects greenspace and community facilities.

Assessment of Duty to Co-operate

14. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
15. The Plan seeks to implement the strategic objectives of the JCS. As such the strategic matters have already been appropriately considered within the JCS where the Duty to Cooperate was found to be met.
16. Nevertheless, it is clear that the Council has a long history of working with other authorities in the North Northamptonshire area and prescribed bodies on cross boundary issues and strategic matters. These include ongoing well established joint working arrangements and the preparation of a joint evidence base. The Council's continuing collaborative approach is set out in the Regulation 22 Consultation Statement (ED A-01). **MM1** is necessary to amend paragraph 1.23 of the Plan to provide clarity on the process that the Council has undertaken to work with statutory consultees in the interests of effectiveness.
17. I am, therefore, satisfied that there are no outstanding cross boundary issues and am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Other Aspects of Legal Compliance

18. The Plan has been prepared in accordance with the Council's Local Development Scheme (LDS). An updated version of the LDS was prepared in March 2022 to reflect revised timescales.

19. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement (ED B-23).
20. The Council carried out a SA of the Plan, prepared a report of the findings of the appraisal, and published the report along with the Plan and other submission documents under regulation 19. The SA included a thorough site assessment process, and an assessment of reasonable alternatives. Concerns raised by Historic England to the SA have been resolved through a Statement of Common Ground (ED-14). The appraisal was updated to assess the MM. I am satisfied that the SA is adequate.
21. The HRA (HRA) (December 2020) (ED A-03) was submitted with the Plan and subsequently updated (October 2021) following discussions with Natural England. MMs are required to the introduction of the Plan to address a number of matters raised by Natural England, in particular relating to the potential effect of development on the Upper Nene Valley Gravel Pits Special Protection Area (SPA) and Ramsar site. These amendments include: a more detailed explanation of Functionally Linked Land; reference to JCS Policy 4, the Upper Nene Valley Gravel Pits SPA Supplementary Planning Document (SPD) and the Mitigation Strategy; and additional clarification regarding the function of the 3km and 4km buffer zones for the SPA. Additional text is also included to refer to air quality assessments in support of planning applications reflecting Natural England's concerns regarding the impact of air quality and pollution on the SPA/Ramsar site. **MM2** addresses the above matters for the Plan to be legally compliant.
22. MMs are necessary in relation to a number of the site allocations and policies to ensure that there is a sufficient policy framework in place to manage potential likely significant effects in particular on the Upper Nene Valley Pits SPA and Ramsar Site. These MMs secure the necessary mitigation and are identified at the relevant sections of my report.
23. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. JCS Outcome 2 concerns Adaptability to Future Climate Change and figure 5 of the Plan sets out how this objective will be delivered within the East Northamptonshire context. Furthermore, the spatial strategy of the Plan directs development to existing, accessible settlements and policies encourage the protection and enhancement of green infrastructure.
24. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations. Based on my conclusions throughout this report, it is also consistent with JCS.

Assessment of Soundness

Main Issues

25. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing sessions, I have identified ten main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Whether the Plan’s spatial strategy including the approach to the settlement hierarchy and settlement boundaries, is positively prepared, consistent with the JCS and national policy, justified and effective.

Spatial strategy and settlement hierarchy

26. The spatial strategy and role of settlements is established in Table 1 and Policy 11 of the JCS. Rushden is identified as a Growth Town and the focus for infrastructure development and higher order facilities to support major employment, housing, retail and leisure development. Higham Ferrers, Irthlingborough, Oundle, Raunds and Thrapston are identified as market towns which provide a strong service role for their local communities and the surrounding rural area. In these towns, the JCS establishes that growth in homes and jobs is appropriate to support regeneration and local services, at a scale appropriate to the character and infrastructure of the town.

27. The next category is villages which includes all villages other than settlements of a dispersed form, followed by the open countryside. Dispersed settlements would be considered as within the open countryside. Development in the rural areas is limited by JCS Policy 11 to small scale infill development required to support a prosperous rural economy or to meet locally arising needs.

28. Paragraph 5.12 of the JCS states that Part 2 Local Plans may identify a more detailed rural settlement hierarchy based on local evidence in order to guide planning decisions and Neighbourhood Plans. JCS Policy 11 and Table 1 clarify that development within villages that have only a limited range of services and facilities is likely to be limited to small scale infill development and ‘rural exceptions’ affordable housing schemes, unless Local or NP identify growth as a means of sustaining or improving the range of services in the village. It goes on to say that Part 2 Local Plans may identify villages that have a sensitive character or conservation interest, in which new development would be strictly managed.

29. The Council has identified four categories of rural settlements which are set out in Table 4 of the Plan including large freestanding villages, small freestanding villages, urban outliers and restraint villages/rural outliers. Background Paper 1 (Rural Settlement Hierarchy) (C-08) explains the rationale for this approach which reflects the

differing form and character of the many villages that comprise the rural area. The Council has taken a systematic approach to the categorisation of settlements considering the availability of services and facilities, development constraints, population and built form and historic constraint in consultation with Parish Councils. Consequently, I am satisfied that the resultant settlement hierarchy is broadly consistent with the role of settlements identified in the JCS and consistent with paragraph 5.12.

30. **Policy EN1** encapsulates the spatial development strategy for the district defining the urban areas, freestanding villages and the open countryside and restraint villages. It sets out in broad terms the scale and nature of development which will be allowed in each tier of the settlement.
31. The JCS identifies Higham Ferrers as a market town which has a localised service role, with local growth pressures directed to Rushden, reflecting its close proximity to the Growth Town. However, Policy EN1 refers to Higham Ferrers in the first tier of urban areas alongside Rushden. **MM6** addresses this anomaly, placing Higham Ferrers alongside other market towns in category 1b together with an explanation of its relationship with Rushden, to be effective and consistent with the JCS. I have made a minor amendment to **MM6** post-consultation to include reference to Policy EN33 which does not alter the aim of the Policy. **MM6** is also necessary to clarify that development proposals in Oundle will deliver the allocated sites to be effective.
32. Part 2 of Policy EN1 identifies smaller freestanding villages where development will be limited to small-scale infill and windfall development. Part 2 also identifies eight large villages where infill development will be permitted and where further development of an appropriate scale will be supported where it can be demonstrated that it is necessary to fulfil a defined local need. Development beyond the extent of the built-up area will be resisted, unless promoted through a NP.
33. **MM6** seeks to differentiate the scale of development which would be permitted in the eight large, freestanding villages and the smaller villages respectively in the interests of effectiveness. I have made a minor amendment to the wording of **MM6** post-consultation to reiterate that development in the freestanding villages should generally be small scale, infill and windfall development reflecting the original wording of the policy and to be consistent with Part C of JCS Policy 11. This change is minor and indeed reflects the text in the submission draft plan and so does not alter the aim of the policy.
34. **MM6** clarifies that 'larger scale' development opportunities may be supported in the eight larger freestanding settlements where it can be demonstrated that it is necessary to fulfil a defined local need and meet the requirements of Policy EN2, as being considered as part of the built-up area or allocated in a Neighbourhood Plan. I have made a minor amendment to **MM6** to refer to 'development' as opposed to 'they' in the last paragraph of Part 2 for effectiveness. **MM6** includes a new footnote to the policy to clarify that 'larger scale development' should take into account guidance set out in

Table 18 of the Plan and development which has already taken place in the settlement in the interests of effectiveness.

35. This approach is consistent with the JCS which states that additional housing development in excess of the identified housing requirement for the rural areas will only be permitted where tested and supported through Part 2 Local Plans or NPs. The approach recognises that these villages have a substantive range of services and facilities and so may have greater capacity to accommodate additional growth. Furthermore, the policy requires any such development to meet the requirements of Policy EN2 (as amended) which would ensure that development is allocated in a local plan/NP or is within the built-up area; is not disproportionate to the settlement's size, form and range of facilities available; and would not harm the settlement's character, form, or the surrounding countryside. With the safeguards provided by Policy EN2, I consider that the approach to larger freestanding villages is justified.
36. As presented, it is not clear that rural exception schemes and small-scale employment and community-based proposals will also be supported in the large freestanding villages in addition to the smaller villages. This point is addressed by the restructuring of Part 2 of Policy EN1 which ensures that the requirements set out in the first paragraph apply to all freestanding villages. **MM6** addresses this point and is necessary to ensure effectiveness.
37. Clarification of the approach to new build residential development beyond the built-up areas of settlements and restraint villages, in addition to the approach to proposals for rural diversification or the re-use or conversion of rural buildings is necessary in part 3 of Policy EN1. **MM6** remedies the above matter in the interests of effectiveness and consistency with the JCS. I have made a minor amendment to part 3 of the policy post-consultation to recognise that development may come forward in locations beyond the built-up area of villages but only where evidenced and supported through NPs. This does not alter the aim of the policy and indeed ensures consistency with part 2b of Policy 11 the JCS. A number of consequential changes to the supporting text to Policy EN1 are required as a result of the above changes and these are set out in **MM4** and **MM5**. **MM4**, **MM5** and **MM6** are necessary in the interests of effectiveness and consistency with the JCS. A consequential change is also required to the definition of infill/windfall development in the Glossary which is set out at **MM88** for effectiveness.
38. With the above MMs I consider that Policy EN1 is consistent with the roles of settlements identified in the JCS and is positively prepared, justified and effective.

Approach to settlement boundaries and the built-up area

39. The supporting text to JCS Policy 11 indicates that to clarify the application of criteria 2b and 2c of Policy 11, Part 2 Local Plans may define village boundaries or more detailed boundary criteria, taking account of the character of the village. It recognises that village boundaries can provide a tool to plan positively for growth and to prevent

ad-hoc encroachment into open countryside, particularly for villages located close to larger settlements where coalescence is a concern.

40. The Council has assessed several approaches to the definition of settlement boundaries in the Settlement Boundaries Background Paper (BP2). There is a number of existing different approaches in the Plan area ranging from defined settlement boundaries in the RNOTP and a number of made NPs to a written boundary definition such as in the High Ferrers NP and no settlement boundary at all in the Raunds NP. Where settlement boundaries do not already exist, the Plan proposes a framework for the consideration of whether a proposal is within the built-up area and to provide a framework for emerging NPs to define settlement boundaries.
41. The use of settlement boundaries to direct development may be seen as a restrictive approach; however, they provide certainty for the purposes of development. Paragraphs 78 and 79 of the Framework provide that in rural areas, planning policies and decisions should be responsive to local circumstances, support housing developments that reflect local need, locate housing where it will enhance or maintain the vitality of rural communities and identify opportunities for villages to grow and thrive. There is nothing in the Framework to suggest that those objectives cannot be achieved by planning policies which direct development to within settlement boundaries or built-up areas. Furthermore, settlement boundaries give effect to paragraph 16 of the Framework which requires that policies are clearly written and unambiguous.
42. Policies EN2, EN3 and EN4 seek to define 'settlement boundary criteria' for urban areas, freestanding villages and ribbon development respectively. However, as written, the policies appear to set out the approach to the consideration of infill development rather than defining settlement boundary criteria. Furthermore, as written the policies are confusing and there is a high degree of repetition between policies EN1, EN2, EN3 and EN4. To remedy this Policies EN2, EN3 and EN4 and the supporting text are deleted, and the principles consolidated in a single new Policy EN2 (**MM9**). The definition of a 'built-up area' is then included in the supporting text to Policy EN2 (**MM8**) to provide guidance to developers and to NPs. For clarity, Policy EN2 then sets out a series of development principles to guide the location of development. A number of consequential changes are necessary to the supporting text as a result. **MM8** and **MM9** are necessary for the policies to be effective.
43. I have made minor amendments to the wording of **MM9** post-consultation to clarify that a proposal could be either an infill site or an allocated site by the inclusion of 'or' between parts 1 and 2 of Policy EN2. A further minor amendment is necessary to clarify that all parts 2a, 2b and 2c would apply to part 2 'infill development'. Finally, clarification is necessary that parts 3 and 4 are applicable to all development. These post-consultation changes provide greater clarification and do not alter the thrust of the policy. The above changes are encapsulated in **MM7-MM13** which are necessary in the interests of effectiveness. With **MM7-MM13**, I consider that Policy EN2 is positively prepared, consistent with national policy and justified and effective.

Development on the periphery of settlements and the open countryside

44. **Policy EN5** sets out the approach to development on the periphery of settlements and rural exceptions housing. **MM14** makes a number of changes to the policy as a consequence of the changes to the preceding spatial development policies referred to above in the interests of effectiveness. The title of the policy is amended to clarify that the policy relates to all settlements; not just those with a defined settlement boundary. Criterion a of the Policy recognises that development in one settlement may help to support services in a nearby settlement; however, the text is amended to provide greater clarity to ensure that it is effective. Clarification is also required in criterion b that proposals for local affordable provision will need to be evidenced by a local housing needs survey. I have made a minor amendment to **MM14** post-consultation, to remove reference to 'housing on the periphery of settlements' in paragraph 2 as this repeats the title of the policy and is unnecessary.
45. **Policy EN6** sets out the approach to replacement dwellings in the open countryside. It is necessary to include reference to the nationally described space standard in criterion e to provide clarity as to when an existing dwelling may be considered too small for modern living standards. Clarity is also required in relation to the impact of replacement dwellings on their wider setting. **MM15** addresses these points in the interests of effectiveness and consistency with national policy. Amendments to the legend of the Policies Map are also required to reflect the renumbering of the spatial policies (PM9; PM18).
46. Subject to the MMs considered above, I am satisfied that the Plan is positively prepared in this regard and that these policies are justified in their approach to development within and beyond settlements and in protecting the open countryside.

Conclusion on Issue 1

47. Subject to the MMs identified above, the Plan's overall spatial strategy, including the approach to the settlement hierarchy and settlement boundaries, is positively prepared, consistent with the JCS and national policy, justified and effective.

Issue 2 – Whether the Plan is positively prepared, justified and effective in meeting the requirements set out in the JCS in relation to housing provision.

Overall approach to housing requirement and provision

48. Policy 29 of the JCS sets the housing requirement for East Northamptonshire at 8,400 dwellings net over the Plan period 2011 – 2031 equating to an annual average of 420 dwellings. It also establishes how it will be distributed in line with the spatial strategy and sets out housing requirements for each of the main towns and rural areas. Rushden as a growth town is required to accommodate 3,285 dwellings. Higham Ferrers (560), Irthlingborough (1,350), Raunds (1,060), Thrapston (680) and Oundle

(645) are allocated a requirement in accordance with their role as market towns. In addition, the rural areas are identified as accommodating 820 dwellings over the Plan period.

49. Whilst revising the housing requirement is not within the scope of this Plan; it must, nevertheless ensure that sufficient land is allocated to deliver the housing requirement and distribution as set out in the adopted JCS.
50. The JCS allocates strategic sites of 500 or more dwellings, identifying two Sustainable Urban Extensions (SUEs) in the area. In addition, it identifies the opportunity for a new garden village at Tresham. Alongside the SUEs, the Local Plan allocates smaller scale sites to meet housing requirements in the towns and villages. These allocations together with completions, commitments and sites already allocated in the adopted plans, are intended to meet the housing requirement in the JCS and its timescale for delivery.
51. Paragraphs 8.5 to 8.16 of the Plan set out the housing land position in 2019. Table 15 summarises the position in relation to the delivery of the major sites and Table 16 of the Plan sets out the residual requirement for the main urban areas. Table 16 shows that on 1 April 2019 the JCS housing requirements for Higham Ferrers, Raunds and Thrapston are being met, through housing completions and commitments. Outstanding residual requirements are identified at Rushden (426 dwellings), Irthlingborough (530 dwellings) and Oundle (176 dwellings). Table 17 of the Plan shows that as of 1 April 2019 the JCS housing requirement for the rural area has already been met, indeed exceeded by 43 dwellings taking account of commitments.
52. The above information has been updated to 1 April 2020 for each source of supply. The updated information shows that, taking all of the sources of supply, including major urban extensions and allocations set out in this Plan overall, 8913 dwellings would be provided. This would be 513 dwellings over the JCS requirement, equivalent to around 6% above the requirement.
53. Completions from 2011-2020 equate to 3,883 dwellings; sites under construction amount to 672 dwellings; full planning permissions and minor outline permissions equate to 373 dwellings; outline permissions for major development amount to 24 dwellings; major urban extensions (Rushden East/Irthlingborough West) equate to 1,450 dwellings. Other site allocations, such as current Local Plan allocations; 2011 RNOTP; and the 1996 District LP allocations amount to 150 dwellings; made NP site allocations equate to around 901 dwellings.
54. **MM47** and **MM93** update the housing trajectory to reflect the monitoring updates and the discussions at the hearing sessions in relation to individual sites and includes it within the Plan itself as an appendix. Furthermore, **MM48** amends the supporting text and respective tables to reflect the revised housing figures included within the updated housing trajectory. These MMs are necessary to ensure consistency with national policy and to give certainty that the Plan's approach to housing is effective.

Housing distribution

Higham Ferrers, Raunds and Thrapston

55. The JCS sets a target for Higham Ferrers of 560 dwellings which is already being exceeded (by 117 dwellings) through completions and commitments and dwellings on the made NP site of Ferrers School which has outline planning permission.
56. The JCS target for Thrapston of 680 dwellings has already been met (685) through completions, sites under construction and sites with planning permission with Thrapston South almost complete. Taking account of windfall sites and specific brownfield sites (88 dwellings), the JCS target for Raunds of 1,060 dwellings will be exceeded by 84 dwellings through completions (709) including on the first phase of Northdale end and sites under-construction (332), including the second phase of Northdale End. Due to the amount of housing land committed at Higham Ferrers, Raunds and Thrapston I agree that the Plan does not need to allocate further land at these towns.

Oundle

57. At Oundle, there is a shortfall of 239 dwellings against the JCS target of 645 dwellings. This will be met through 70 dwellings on the Ashton Road/Herne Road (Phase 2) allocation of the RNOTP, three proposed site allocations in the Local Plan at St. Christophers Drive; Cotterstock Road and Stoke Doyle Road and brownfield sites (31). Since the base date of 1 April 2020 two of the three Local Plan site allocations have been granted planning permission – 130 dwellings at Cotterstock Road/St Peter's Road (Policy EN26) and 130 dwellings (including 65 Extra Care Units) at St Christopher's Drive. These sites are discussed later in this report. With these site allocations the target will be exceeded by 189 dwellings. Overall, there would be a slight over supply in Oundle of 189 dwellings.

Irthlingborough

58. The JCS sets a target of 1,350 dwellings for the Plan period, largely focussed on the Irthlingborough West Sustainable Urban Extension (SUE). Taking account of completions (347), sites under construction (4); commitments in the form of planning permissions (145) there would be a shortfall in Irthlingborough of 854 dwellings. It is proposed to partly meet this shortfall through an existing DPD allocation at Addington Road (80); unallocated brownfield sites and sites at Green Close, Wellingborough Road and rear of Nicholas Road (all of which have planning permission). Nonetheless, even taking these into account, there would be a shortfall against the target of around 574 dwellings.
59. The shortfall is largely due to uncertainties around the delivery of the SUE, which is discussed at paragraph 75 below. It is envisaged that around 200 dwellings would be

delivered on the SUE within the Plan period; with the remaining 500 dwellings being delivered beyond the Plan period.

Rushden

60. The JCS sets a target of 3,285 dwellings for the Growth Town of Rushden. Almost a third of this has already been met through completions (1,055), dwellings under construction (43) or with planning permission (132); a number of allocations in the Rushden Neighbourhood Plan amounting to 465 dwellings. It is anticipated that 1,050 dwellings will come forward on the Rushden SUE which is discussed below. A further 134 dwellings will come forward on specific unallocated brownfield sites within the urban area, resulting in a residual requirement of 406 dwellings. However, the proposed allocation of 450 dwellings at Land East of the A6 Bypass/Bedford Road would meet this shortfall resulting in oversupply of 44 dwellings against the requirement. This site is discussed under Issue 4 below.
61. Consideration is needed in relation to a number of factors concerning housing provision as follows:

Sustainable Urban Extensions (SUEs)

62. In accordance with the spatial strategy set out in the JCS, the two SUEs are relied upon to deliver a significant proportion of the overall housing requirement. For the Plan to be effective these, along with additional housing sites proposed, must be capable of meeting identified needs over the Plan period.
63. The two SUEs within the District are capable of providing around 3,400 dwellings and accompanying jobs, facilities and services at two SUEs within the District. However, delivery at these sites has been lower than anticipated to the extent that only around 1,450 dwellings are now anticipated to come forward within the Plan period. Around 1,250 dwellings of these are anticipated at Rushden East and around 200 dwellings at Irthlingborough West. **MM56** and **MM65** update the figures for the delivery of the SUEs based on 2020 monitoring information in the interests of effectiveness.

Rushden East

64. JCS Policy 33 makes provision for the development of around 2,500 dwellings at Rushden East which has increased to 2,700 dwellings in this Plan. The JCS assumed that around 1,600 dwellings could be delivered by 2031. This has subsequently been revised downwards and is currently forecast to deliver 1,250 dwellings by 2031. The SUE will also support job creation through dedicated business, 2 local centres and opportunities for working and starting a business at home. Issue 4 below considers the boundary for the SUE and the detailed criterion set out in Policy EN33 (as amended).

65. In terms of delivery, planning applications have been submitted for the majority of the SUE land which is in the control of a volume housebuilder consortium. The Masterplan Framework Document (MFD) shows an area of 'grey land' which falls outside the land controlled by the consortium and is under a range of different ownerships. This land would come forward as a future development phase. Phasing proposals together with the sequence for delivery of the key elements of infrastructure will need to be set out by developers. Completions are likely to commence 2024-25 on phases 1-3 with a delivery rate of 100 dwellings per annum (dpa) in the first year, followed by around 150 units, thereafter. Phase 4 is likely to commence in 2026-27 at a rate of around 50 dpa. Given that the site will be delivered by several developers, I consider that the contribution that the SUE will make to the overall land supply for the Plan area is realistic.

Irthlingborough West

66. Irthlingborough West SUE is shown as a committed SUE on the North Northamptonshire JCS Key Diagram. JCS Policy 29 directs development to the committed and proposed SUEs and other strategic housing sites. A resolution to grant permission for Irthlingborough West was initially agreed by the Council in 2014 subject to a Section 106 Obligation. Since then, ongoing and protracted negotiations have made limited progress, largely due to development viability as a result of costs associated with ground stability mitigation arising from the former mine workings. Considering the ongoing uncertainties, the Council has revised the trajectory and assumes that development will not start until 2027/2028 at a rate of around 50 dpa equating to 200 dwellings in the Plan period. I consider that the updated figures provided in **MM65** are a realistic estimate of the projected output from this site. **MM65** is required in the interests of effectiveness. I assess below how the shortfall in housing supply as a consequence of the delay to delivering the SUE's will be met.

Meeting the Irthlingborough and District Shortfall

67. The Council recognises that delays to housing delivery in respect of the two SUEs at Irthlingborough and Rushden East have raised potential difficulties in meeting the housing trajectory as set out in the JCS Appendix 4 (ED B-01), with some housing development at those locations now expected to be completed beyond the JCS plan period.
68. The Additional Housing Sites Assessment papers (Exam G-09 and G-10) looked at a range of sites in Rushden and Irthlingborough to meet the shortfall; however, the Irthlingborough sites were found to perform badly in terms of sustainability and deliverability.
69. An additional site is, therefore, proposed for 450 new homes on land to the east of the A6/Bedford Road. The allocation is proposed within the Growth Town of Rushden which the JCS identifies as an area that will be expected to deliver significant development. Growth Towns are the primary focus for new housing and employment, and they provide a greater range of services and infrastructure. The allocation would,

therefore, be situated in a sustainable location for further development and one which is consistent with the JCS.

70. The additional site would meet the shortfall in Rushden resulting in a surplus of 44 dwellings in the town which in combination with the surplus of 247 dwellings in Higham Ferrers and 84 dwellings in Raunds would meet the Irthlingborough and overall shortfall.
71. Table 5 of the JCS sets out the proposed distribution of dwellings within each settlement. Paragraph 9.10 of the supporting text states that Part 2 Plans may assess higher levels of housing provision in individual settlements where it meets identified local needs and aspirations or, in the case of Growth Towns and Market Towns, would meet a shortfall in deliverable sites at another settlement within the same Part 2 Local Plan area. This provides the flexibility required for this Plan to 'off-set' housing delivery between the four towns of Rushden, Higham Ferrers, Irthlingborough and Raunds. The four towns have a good range of services and facilities and are sustainable locations for new development.
72. Furthermore, the proposed 'off-setting' would not result in an increase in housing provision overall and would not, therefore, have a greater impact on the Upper Nene Valley Gravel Pitts SPA/Ramsar site. Consequently, the Council's proposed approach is consistent with the JCS. Moreover, the Council has taken a proactive approach to meeting the shortfall by identifying an additional site to ensure that it remains 'on-track' to meet the JCS housing requirement for the area. Consequently, the Plan's approach is positively prepared, justified, effective and consistent with the JCS.

Rural Area

73. Policy 11(2)(a) of the JCS states that development in the rural area will be limited to that which is required to support a prosperous rural economy or to meet a locally arising need, which cannot be met more sustainably at a nearby larger settlement. The JCS sets out an overall rural housing requirement for the district of 820 dwellings in the Plan period 2011-2031. Table 1 of the JCS anticipates that 'Development within villages that have only a limited range of services and facilities is likely to be limited to small scale infill development and 'rural exceptions' affordable housing schemes, unless Local or NPs identify growth as a means of sustaining or improving the range of services in the village' .
74. As set out in Background Paper 10 (2020 update) – Housing requirements: Rural areas (July 2021) Rural Housing Background Paper (BP10; ED G-04) (as updated), a significant proportion (70%) of the target has already been met through completions (578) and a further 124 dwellings are either under-construction or have detailed or outline planning permission. NP allocations in Brigstock, Chelveston-cum-Caldecot, Glapthorn, Kingscliffe, Nassington and Warmington account for a further 136 dwellings together with 58 dwellings on emerging allocations and windfall sites. Overall,

identified provision in rural areas would be 896 dwellings, 76 dwellings above the JCS target. On this basis, the Plan does not allocate any further land for development.

75. It is anticipated, however, that modest, small-scale windfall would come forward during the Plan period and so a windfall allowance of 41 dpa has been included to reflect this. Consequently, there would still be some development coming forward in the rural areas, in areas without a made or emerging NPs. This would provide an additional 369 dwellings over the remaining Plan period 2022-2031. At my request, the Council provided additional evidence regarding windfall development which demonstrates that from 2016 to 2020 the windfall rate in rural areas has averaged 48 dpa. Consequently, I consider that the windfall rate is realistic.
76. Paragraph 66 of the Framework states that strategic policies should also set a housing requirement for designated neighbourhood areas which reflects the overall strategy and pattern and scale of development and any relevant allocations. Paragraph 67 goes on to state that where it is not possible to provide a requirement figure for a neighbourhood area the local planning authority should provide an indicative figure which should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.
77. Whilst the JCS requirement for the rural area of East Northamptonshire will be met, it is recognised that this is not a maximum figure and that further housing may come forward in rural areas through windfalls, specific brownfield sites and also may be proposed in NPs.
78. Table 18 of the Plan sets out a rural housing need for Parish Council areas of a particular scale in terms of population. As the rural housing requirement will be met, the figures are intended as indicative guidance for potential/emerging NPs in terms of helping them to meet future housing need, as opposed to a policy requirement. It would be in addition to the housing requirement.
79. Annex 1 of BP10 explains how the indicative figures have been arrived at. The methodology utilises the 2011 Census figures for the population of rural parishes which corresponds to the start of the Plan period. The Census individually lists parishes with populations of greater than 100 which is the basis for the apportionment of the 820 dwellings rural housing requirement. An indicative growth figure is applied to each figure based on the apportionment, which is set out at Annex 1. Whilst relatively simple, the Council has undertaken a systematic and proportionate approach to identifying indicative rural housing need figures for the parishes. The approach is a pragmatic one which provides some scope for parish councils/communities to allocate further housing sites through NPs if there is a local desire to do so. Furthermore, the approach provides additional flexibility in terms of meeting the housing requirement.
80. **MM48** is necessary to incorporate updated housing figures to 1 April 2020 within the supporting text and Table 17 which summarises the residual housing requirement for

the rural areas. With **MM48**, I consider the approach to meeting the housing requirement in the rural areas is positively prepared, justified, effective and consistent with the JCS and the Framework.

Flexibility

81. Overall, the Plan provides for around 8913 dwellings; 513 dwellings over and above the JCS target of 8,400 dwellings. Specific brownfield sites are identified in the housing trajectory as a source of meeting the housing requirement where these have been previously identified, for example, by way of a planning application. Whilst an allowance has been made for windfalls in rural areas; a specific urban windfall allowance has not been identified. Nonetheless, additional evidence provided by the Council shows that around 70 dwellings per annum have been provided on average between 2016 and 2020 in the urban area which whilst not required to meet the housing requirement, nevertheless, provides additional flexibility.
82. There is some potential for double counting between the specific brownfield sites identified in urban areas and potential further windfall development in urban areas. However, even excluding windfall development for the first five years of the remaining Plan period windfall development in urban areas could account for a further 420 dwellings from 2025-2031. In addition, rural windfall could amount to a further 369 dwellings over the remaining Plan period (41 dpa 1 April 2022-31).
83. Furthermore, additional NPs could come forward within the Plan period which could allocate further housing sites. Additionally, development may come forward beyond settlement boundaries or the built-up area in the form of rural exception sites, the approach to which is set out in JCS Policy 13 and Local Plan Policies EN1 and EN2.
84. Tresham Garden Village was envisaged in the JCS to be additional to the housing target for the district. With a potential 1,500 dwellings the site has potential to deliver some housing in the district contributing to a range of types of housing and providing flexibility in the housing market. Moreover, development on the two SUE's could come forward sooner than anticipated.
85. Paragraph 69 of the Framework requires development plans to accommodate at least 10% of their housing requirement on sites no larger than one hectare. Section 4 of the Rural Housing Paper (ED G-04) summarises evidence which demonstrates that around 23.2% of housing land supply can be accommodated on sites of less than 1ha. **MM46** is necessary to ensure that this is recognised in the Plan for effectiveness and consistency with national policy.
86. Taking the above into account, I consider that the Plan provides sufficient flexibility to meet the JCS requirement and provide a range and choice of housing sites in locations which are consistent with the JCS spatial strategy.

Conclusion – Issue 2

87. Overall, subject to the MMs referred to above and for the reasons given, I find that the Plan is positively prepared, justified and effective in meeting the requirements set out in the JCS in relation to housing provision.

Issue 3 – Whether the Plan is positively prepared, justified, effective and consistent with national policy and the JCS in terms of meeting other housing needs.

Affordable Housing

88. JCS Policy 30 takes account of the need for affordable housing in the context of viability considerations and sets targets of 30% on sites of 15+ dwellings in Growth Towns and Market Towns, excluding Oundle, 20% in the SUEs and 40% on sites of 11+ dwellings in the rural area plus Oundle. JCS Policy 13 also enables the provision of affordable housing on exception sites and allows affordable housing which meets locally defined need located adjacent to settlement boundaries in the rural area. Policy EN5 (as modified) reflects this approach. Furthermore, the site allocations in the Plan will contribute to meeting the affordable housing requirement set out the JCS.
89. The Plan provides opportunities for development to come forward on windfall/infill sites within settlement boundaries and/or the built-up area. Furthermore, opportunities exist for further housing development on sites which may be allocated within NPs and also on rural exception sites.
90. At my request, the Council has set out the actual number of affordable housing completions between 2011-2021. This shows that overall, 1,167 affordable dwellings have been provided between 2011-2021, equating to around 30% of the total number of additional dwellings in the same period (3,882 dwellings). This demonstrates a clear track record of delivery. Furthermore, opportunities will exist in the remaining years of the Plan to secure further affordable housing. On this basis, I am satisfied that the Plan is effective in delivering affordable housing required for the District by the JCS. It is, therefore, positively prepared, justified and effective in this regard.

First Homes

91. The Government's policy on First Homes came into effect on 28 June 2021, pursuant to the Written Ministerial Statement of 24 May 2021. However, that Ministerial Statement explains how plans submitted for Examination before 28 June 2021 are not required to reflect First Homes policy requirements, as is the case here. In my view, review provisions and statute will provide appropriate opportunity for consideration of First Homes in time.

Gypsies and Travellers and Travelling Showpeople

92. Paragraph 61 of the Framework requires planning policies to reflect an assessment of the size, type and tenure of housing needs for different groups, including Gypsies and Travellers. The National Planning Policy for Traveller Sites (March 2015) (PPTS) requires local planning authorities to plan positively for the needs of Travellers, to robustly assess needs and to identify criteria to guide land supply where there is an identified need.
93. Paragraph 9.52 of the JCS identifies a need for 7 residential pitches, 3 transit pitches and 4 plots for Travelling Showpeople in the East Northamptonshire area based on the 2011 Northamptonshire Gypsy and Traveller Accommodation Assessment (GTAA). However, the most recent GTAA (2019) (Exam G-18) identified no Gypsy and Traveller households who met the planning definition, 67 undetermined households who may meet the planning definition and 6 households who did not meet the planning definition. Four Travelling Showpeople households were identified who met the planning definition.
94. The GTAA acknowledges that there is a high proportion of undetermined need. This is due to being unable to undertake interviews on 3 private sites as the owners refused access to the sites, although some interviews were completed off-site. The site owners confirmed that they are able to meet all current and future need on their sites through the existing planning consents.
95. Due to the large number of pitches on the 3 sites where an interview was not possible, it is likely that a proportion of these would meet the planning definition. It has, therefore, sought to estimate the proportion of those undetermined households who would meet the planning definition. It did this by applying a household formation rate of 1.50% to the household base of 67 which resulted in an additional future need of 17 pitches to 2033. Experience and data that has been collected from over 3,500 household interviews that have been completed by Opinion Research Services (ORS) since the changes to PPTS in 2015 suggest that nationally approximately 25% of households that have been interviewed meet the planning definition suggesting that only a proportion of potential need from undetermined households will need pitches. The GTAA estimated that applying the national averages of households who meet the definition the undetermined need could result in a need for 4 pitches.
96. East Northamptonshire currently has no public sites but has 3 private sites with permanent planning permission for 72 caravans and 1 Travelling Showpeople's yard with 4 plots. During the preparation of the GTAA, the site owners confirmed that they are able to meet all current and future need on their sites through the existing planning permissions. Furthermore, the Council indicated that there are usually vacancies on some of the sites in the area. As the requirement for 4 pitches is small, the Plan states that there is no need to allocate further sites. It goes on to say that if future proposals are forthcoming, Policy 31 of the JCS provides a clear steer for considering any planning applications which may arise. Whilst this may be the case, I am mindful that there is a high level of undetermined need in the district and that the need arising from

this may be somewhere between 4 and 17 pitches. Furthermore, the Plan ought to address the identified need, even though it may be small.

97. A new GTAA for the North Northamptonshire area is currently being prepared in order to inform the preparation of a Gypsy and Traveller Site Allocation Policy DPD for North Northamptonshire. This DPD will allocate sites to meet the small, identified need. Whilst the preparation of a separate DPD pushes the timetable for the consideration of this important issue onwards, I appreciate that the alternative approach of addressing this matter in the Plan would have risked considerable delay.
98. The timetable for the preparation of the DPD is set out in the LDS which indicates that consultation on a publication draft plan will take place in September 2023 with adoption planned for December 2024. Given the commitment to prepare the DPD in the LDS in a timely manner, I consider that this is the most positive and effective way to ensure that the needs of Gypsies and Travellers and Travelling Showpeople are met alongside the other wider development needs in the Plan area.
99. In the meantime, JCS Policy 31 sets out the criteria to be applied to planning applications for Gypsy and Traveller accommodation and is referred to in paragraph 8.98 of the Plan. **MM64** is necessary to demonstrate that the Plan is positively prepared as it amends paragraph 8.98 to clearly signal the Council's commitment to the preparation of the DPD. **MM64** is also required to ensure that Table 21 and paragraph 8.93 are factually correct and thereby effective. The above MMs are necessary in the interests of effectiveness. On this basis, I find that the Plan is positively prepared, consistent with national policy and the JCS, justified and effective with regards to Gypsies and Travellers and Travelling Showpeople.

Policy EN29 Delivering Wheelchair Accessible Housing

100. Policy 30 of the JCS provides for local authorities to set the proportion of Category M4 (3) (wheelchair user dwellings) based on evidence of local needs. Policy EN29 of the Plan seeks to set a requirement for all new housing development to include 5% of 'Category 3 wheelchair accessible housing'.
101. The Guidance (paragraph 002 Reference ID: 56-002-20160519) states that local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by building regulations in respect of access. Local Planning Authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans. It goes onto list potential sources of evidence which could be taken into account.
102. The Council utilised evidence of need for accessible housing from the housing waiting list and evidence of the proportion of people living in East Northamptonshire with a disability, mobility issue or who are a wheelchair user. In July 2018 there were 157

households on the East Northamptonshire Council housing register with a mobility need, with 37 needing wheelchair accessible accommodation. The East Northamptonshire Keyways Housing Allocation Register shows 98 households with a mobility need and 11 specifically requiring accommodation suitable for a wheelchair. Furthermore, there are likely to be considerably more people in the East Northamptonshire area requiring wheelchair accommodation who either do not require or qualify for affordable housing.

103. The Council have calculated that utilising an apportionment of national and regional numbers of people with a disability, mobility issue and wheelchair users from the Department for Work and Pensions Family Resources Surveys 2015/16 and 2016/17 and NHS England and applying these to the population of East Northamptonshire, which was around 93,135 in 2017, it was estimated there are 23,284 people with a disability (25% of the population); 10,803 with a mobility issue (11.6%); and 1,676 wheelchair users (1.8%) of whom 1,116 (66%) are regular users.
104. The Council also point to further evidence of the need for wheelchair adapted properties contained in the Rushden East Housing Need Study (2019). The study identified around 11,400 households in East Northamptonshire with one or more persons with a limiting long-term illness or disability, 3,567 of which affect their housing need. This study concludes that an additional 580 wheelchair adapted properties are required across East Northamptonshire between 2019 and 2031, of which 100 are for people aged under 75 and 480 for people aged 75 and over. The study concludes that many of these could be in specialist housing for older people.
105. At my request the Council has provided additional evidence regarding wheelchair accessible housing in the Council's existing stock. This shows that out of a total stock of 5,877 properties, only 350 (6%) have any adaptation and many of these are minor. This evidence demonstrates the lack of adaptable and accessible housing in the social and affordable stock.
106. The impact of the requirement on viability has been assessed in the East Northamptonshire Local Plan Viability Assessment (VA) (January 2021) (ED B-13). It concludes that the requirement set out in Policy EM29 has a limited impact on viability, with residual land values typically reducing by around 0.5%.
107. Policy EN29 as written would require all new housing developments to provide a minimum of 5% 'Category 3 (wheelchair accessible) housing'. However, on sites of less than 20 dwellings the requirement would be less than one. Consequently, **MM59** sets a threshold of 20 dwellings to ensure that the policy is effective. **MM59** also amends the policy to refer to a 'target' of 5% as opposed to a 'minimum' to provide flexibility and ensure effectiveness. Furthermore, it is necessary to include reference to wheelchair accessible and adaptable housing to reflect the differentiation set out in Part M of the Building Regulations.

108. As presented, the Policy fails to reflect the Guidance which states that policies for wheelchair accessible homes should only be applied to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. **MM59** addresses this issue. I have made a minor amendment to **MM59** post-consultation to provide greater distinction between Category 3 (a) (wheelchair adaptable) and Category 3b (wheelchair accessible) housing. Similarly, I have added **MM59a** to amend the supporting text for the same reason. A corresponding minor amendment is made to **MM87** to align the monitoring indicators and targets. These amendments do not alter the original aim of the policy. **MM59**, **MM59a** and **MM87** remedy these issues in the interests of effectiveness.
109. On the basis of the above, I consider that there is sufficient evidence to justify the inclusion of a 5% target for wheelchair accessible or adaptable housing. Furthermore, with **MM59** and **MM59a**, the policy is justified, effective and consistent with the JCS and national policy.

Policy EN30 Housing Mix and Tenure

110. JCS Policy 30 seeks to ensure that new development provides a mix of dwelling sizes and tenures to cater for current and forecast accommodation needs, taking account of the need to accommodate smaller households and the composition of the existing stock. Policy 30 of the Plan provides local policy direction based on local evidence which shows that there are significant spatial differences in housing needs. In the rural north there is a general need for smaller houses, while in the south the need is predominantly for larger properties. This approach is broadly consistent with the Framework and the JCS; however, it is necessary for the policy to refer to the need to provide evidence to support the proposed housing mix of proposed developments, particularly where this may depart from the evidence in the Strategic Housing Market Assessment (SHMA) or local evidence. **MM60** remedies this matter, providing flexibility in the interests of effectiveness.

Policy EN31 Older People's housing provision

111. Policy EN31 seeks to provide additional local detail to Policy 30 of the JCS to ensure that the accommodation needs of older people in the Plan area are met. A tailored approach is set out for each tier of the settlement hierarchy reflecting development potential in those settlements and a lack of provision in the north of the area and the villages. The approach reflects the characteristics and needs of different locations within the area. Accordingly, I find it is justified and consistent with the Framework and Policy EN30 of the JCS. However, several amendments are required to ensure that the policy is effective.
112. **MM62** is necessary to provide flexibility reflecting that there may be locations where such provision is not appropriate and where provision may have an adverse impact on viability. **MM62** alters the third bullet point of the policy to refer to a minimum of 20% of housing for older people to align it with the remainder of the policy and the JCS and to

provide flexibility. I have made a minor post-consultation amendment to the third bullet point of **MM62** referring to evidence justifying a 'different approach' as opposed to 'departure', reflecting that 'departure' has a particular meaning in planning terms. **MM62** is, therefore, necessary for effectiveness.

113. The draft policy sets out a detailed description of the type of housing which could be included to meet provision for older people. These include the types of specialist housing for older person's set out in the Guidance (Paragraph: 010 Reference ID: 63-010-20190626). Reference is also made to 'downsizing' including accommodation such as bungalows, apartments and other smaller homes which are available to meet general needs but are suitable to facilitate independent living for older people. This approach is consistent with the Guidance which recognises that many older people may not want or need specialist accommodation. Rather, they may wish to move to general housing that is already suitable such as bungalows or homes which can be adapted to meet a change in their needs and allow them to live independently and safely in their home for as long as possible or to move to more suitable accommodation if they so wish.

114. Nonetheless, the description of the type of housing is very detailed and **MM61** and **MM62** amend the policy by moving some of this detail to the supporting text in the interests of effectiveness. **MM91** makes a consequential change to Appendix 5 for effectiveness. The VA concludes that the Council may need to take a flexible approach to the form of older person's housing where viability issues are already present. Policy EN31 provides the required flexibility. With **MM61**, **MM62** and **MM91**, I consider that Policy EN30 is positively prepared, justified, effective and consistent with the NPPF and the JCS.

Policy EN32 Self and Custom Build Housing (SCBH)

115. The Self-Build and Custom Build Housebuilding (SCBH) Regulations 2016 requires councils to grant planning permission for enough serviced plots to meet the demand for SCBH in their area within three years. JCS Policy 30 (g) supports proposals for individual and community custom build developments that are in line with the spatial strategy and states that SUE's and other strategic developments should make available serviced building plots to facilitate this sector of the market. Policy EN31 seeks to expand on this approach providing greater local emphasis. It requires housing developments of 50 or more dwellings to provide 5% of plots to be made available as self or custom build serviced plots.

116. The Council maintains a register of individuals and associations who are seeking to acquire serviced plots of land which provides a useful starting point to assess the demand for this type of development. In addition, the Council commissioned further work in the form of the East Northamptonshire Custom and Self-Build Demand Assessment Framework (ED G-14) (2018). Background Paper 11 (ED G-16) contains the Council's own evidence in relation to SCBH demand and develops the spatial policy approach to SCBH in the Plan.

117. The Assessment Framework identified a need for around 39 dpa for SCBH. It compared this to the number of dwellings being delivered in the district through 1 and 2 dwelling sites which averaged 28 dpa, leaving an annual shortfall of 11 dwellings per annum equating to 143 additional SCBH units over the Plan period. Consequently, whilst 28 SCBH units are likely to be delivered through single dwellings minor/infill plots per annum; the Council propose to deliver the remaining 11 dpa through the policy mechanism set out in Policy EN31.
118. The Council considered the remaining sites in the Plan which are identified as being for 50 or more dwellings up to 2031 which are expected to yield 3305 dwellings over the 13 years (G15). It then assessed the implication of applying a 4%, 5% and 6% target to those sites. At my request the Council updated this scenario assessment to take account of the current position regarding all housing sites and to also include the A6/Bedford Road site.
119. This updated analysis demonstrated that a 4% target would not achieve the required shortfall. A 5% target would achieve the target providing around 177 dwellings. Whilst this is slightly higher than the residual requirement of 143 dwellings it would allow for flexibility for example in circumstances where viability may exclude the provision of SCBH on particular sites.
120. In terms of viability, the VA concludes that the requirement should be cost neutral for developers as they will receive an equivalent value for the plots than they would have received had they built and sold the houses themselves.
121. The Policy proposes a 12-month marketing period; however, I consider that this could result in logistical problems for developers if they need to return to the site to build out any such plots which have not been taken up. Consequently, it is necessary to amend this to reflect a 6-month marketing period in the interests of effectiveness. Sites of less than 50 dwellings could also contribute to the supply of SCBH and an additional paragraph is added to the policy in recognition of this. **MM63** addresses these matters in the interests of effectiveness.
122. Overall, with **MM63**, I consider that the policy is positively prepared, justified, effective and consistent with the national policy and the JCS.

Conclusion

123. Overall, subject to the MMs referred to above and for the reasons given, I find that the Plan is positively prepared, justified, effective and consistent with national policy and the JCS in terms of meeting other housing needs.

Issue 4 – Whether the Housing Allocations are positively prepared, justified, effective, consistent with national policy and the JCS and deliverable/developable.

Site Selection Process

124. Background Paper 9 (BP9) – Housing Requirements: Urban Areas (2021) (ED-G03) and Background Paper 10 – Housing Requirements: Rural Areas (2021) (ED G-04): set out the housing land supply position on 1 April 2019, subsequently updated to January 2021. As explained at Issue 2, the JCS housing requirements for Higham Ferrers, Raunds and Thrapston have been met. Consequently, other than for the brownfield sites discussed below, no further allocations are made in these towns.
125. Given the identified shortfall in housing land in Rushden and Irthlingborough, the Council undertook additional work to identify further housing land utilising the Strategic Housing Land Availability Assessment (2013) as a starting point. This work is documented in the Additional Housing Site Assessments Local Plan Part 2 (ED G-09), BP 9 (ED G-03) and its subsequent update, and the Technical Paper – Assessment of Alternative Site Option – Rushden (September 2020) (ED G-10). Detailed site assessments of alternative site locations have been undertaken, using a matrix linked to the SA objectives of the Plan. The views of infrastructure providers were considered along with responses from an additional consultation exercise. The proximity of land to the West of Rushden Lakes and the Irthlingborough sites to the SPA of the Upper Nene Gravel Pits effectively ruled out those sites.
126. The location of the proposed additional site – Land east of the A6/Bedford Road, Rushden (EN28) aligns with the JCS spatial strategy directing development to the growth town and is, therefore, acceptable in principle. I consider the site in more detail below.
127. In order to meet the shortfall of housing land supply at Oundle, the Council undertook a number of assessments of potential site options for the town. This iterative process is set out in the Local Plan Part 2 Background Paper -Oundle Site Assessments (ED G-05) and Sustainability Appraisal: Interim SA Report -Strategic Options for Oundle (both 2018). These involved an initial sieve of sites, followed by a more detailed assessment of shortlisted sites, including against the SA objectives of the Plan.
128. Subsequent additional work was undertaken by consultants on behalf of the Council which involved an independent reassessment of the sites (Oundle Site Assessment-Detailed Reassessment of Shortlisted Sites [ED G-07] (2019). This process culminated in the selection of three sites which are proposed for allocation in the Plan. Two sites (Cotterstock Road and St Christopher's Drive) have received planning permission, whilst the Stoke Doyle Road site was supported in the Oundle NP (although the NP did not progress to referendum).

129. I consider that the Council has undertaken a thorough site assessment process, which clearly identifies the reasons for selecting the preferred site and rejecting others, taking account of potential constraints, infrastructure requirements and necessary mitigation measures. Consequently, I am satisfied that the methodology for selecting sites in the Plan is logical, justified and consistent with national policy.

Housing Allocations in Oundle

130. Policy EN24 lists the housing allocations proposed for Oundle and includes a set of generic criteria to be considered for each of the sites. However, the criteria repeat the site allocation policies and other policies in the Plan and so the policy would not be effective. **MM49**, therefore, deletes the policy to remedy this matter for clarity and, therefore, effectiveness.

Policy EN25 Land rear of Cemetery, Stoke Doyle Road, Oundle

131. The site is situated to the rear of the cemetery and to the north of Stoke Doyle Road. It is identified for around 70 dwellings which would contribute to meeting the strategic housing need for Oundle, providing a range of housing including self-build and affordable housing. The site would also deliver improvements to the local highway network through the provision of traffic lights on Warren Bridge. Furthermore, the policy requires land to be set aside to allow for the extension of Oundle Cemetery to meet future requirements.

132. The site is within two ownerships. The larger part of the site has a full planning application pending for 53 dwellings which would be delivered by a house builder. Permission in principle exists for 9 dwellings for the smaller part of the site and a further planning application is anticipated. In terms of viability, there may need to be some flexibility in terms of the percentage of affordable housing which can be delivered on the site. Nevertheless, given the active developer interest in the site, I consider that it is likely to come forward within the first 5 years of the Plan.

133. **MM50** is necessary for effectiveness to ensure that the supporting text includes reference to the need for a wintering bird survey and evidence that any development would not have a significant likely effect on the Upper Nene Valley Gravel Pits SPA.

134. Figure 14 shows the extent of the site together with arrows pointing to land which has longer term development potential. **MM51** removes these arrows so as not to fetter future decision making. **MM52** removes reference to 'other policy requirements' in criterion b, as this is vague and unnecessary given that the Plan should be read as a whole. Both **MM51** and **MM52** are required in the interests of effectiveness. With these MMs, I consider the allocation to be justified.

Policy EN26 Cotterstock Road/St Peter's Road, Oundle

135. The site is situated to the north of Oundle, east of Cotterstock Road and north of St Peter's Road. The site is proposed to be allocated, and indeed has full planning permission, for up to 130 dwellings, including 4 self-build units and 40% affordable housing.
136. The site is not identified in the Glapton NP (made 2018); however, this would not preclude the site coming forward. The proposed development would contribute to meeting the strategic housing need for Oundle and deliver a range of types of housing including affordable and older persons' housing. The main access is likely to be off Cotterstock Road, which raised some concerns regarding potential traffic impacts at school drop/off and pick up times; however, this matter has been resolved through the detailed planning application. Enhanced connectivity will be provided to the adjacent public rights of way, providing access to the Nene Valley and nearby villages. Net biodiversity gain could be provided both on and off site including enhanced management for existing local wildlife sites.
137. Furthermore, drainage will be managed by the provision of a sustainable drainage system including improvements to west/east drainage capacity between Cotterstock Road and the River Nene to the east. **MM54** introduces an additional criterion to ensure that suitable access is safeguarded for the maintenance of foul drainage infrastructure, reflecting the presence of an existing foul sewer within the site. **MM54** introduces a further criterion to ensure that dwellings are located at a suitable distance from Oundle Water Recycling Centre to protect the amenity of future occupiers. Structural landscaping along the boundary with the Recycling Centre will also help to mitigate the impact of smell or other pollution. Consequential amendments are necessary to the supporting text at paragraph 8.29 to explain these matters which is addressed by **MM53**. **MM53** and **MM54** are necessary to ensure that the allocation is justified and effective.
138. It is anticipated that the site will come forward within the first five years of the plan which given the planning status of the site is realistic. With the MM's identified above, I consider the allocation to be justified.

Policy EN27 St Christopher's Drive, Oundle

139. The site has outline planning permission and two reserved matters applications for 130 units, comprising 65 affordable units in an Extra Care Facility, 62 market dwellings and three custom/self-build plots, making a significant contribution to the strategic housing need for Oundle including meeting the needs of older persons.
140. The mature landscaping on the northern, eastern and southern boundaries would help to contain the development from the wider landscape to the east as well as urban influences to the north and south. Furthermore, as additional landscaping matures the

effect on the character of The Nene-Thrapston to Cotterstock Landscape Character Area would be minor. Connections will be provided to the adjacent Public Rights of Way network, providing access to the Nene Way and adjacent villages.

141. **MM55** introduces an additional criterion and footnote to ensure that the design and layout of the scheme reduces the risk of nuisance or odours from the Oundle-Ashton Gate Terminal Pumping Station and reflects the minimum distance of 15m between the station and the curtilage of the nearest dwellings required by Anglian Water.
142. The site is situated adjacent to the A605 and criterion e requires structural landscaping to mitigate the impact of noise and other pollution from the road. **MM55** requires the deletion of the reference to the potential of an emergency access via Ashton Road in criterion c, reflecting the planning permission.
143. **MM55** also amends the reference in criterion b to extra care provision as opposed to more generally meeting older persons' needs to reflect the planning permission in the interests of effectiveness.
144. The developer has confirmed that the site is viable and that the site is likely to come forward within the first five years of the Plan. Given the planning status of the site, I consider this to be a reasonable position. **MM55**, is necessary for the policy to be effective and to secure a satisfactory standard of development. With this MM, I consider the allocation to be justified.

Housing Allocations in Rushden and Higham Ferrers

Policy EN33 - Rushden East SUE

145. Policy JCS 33 identifies a broad area of search and policy requirements for the SUE with the expectation that detailed boundaries will be determined through a master-planning exercise. The Plan seeks to provide detailed boundaries for the SUE as set out in Figure 18. The detailed boundary goes beyond the arc set out in the JCS to the south-west of Rushden. In determining the boundaries, the Council has taken account of the findings of the Rushden East Landscape Capacity Assessment and Capacity Study (ED H-03) (2014) which considers the landscape sensitivity and capacity of a large area of land to the east of Rushden. The allocation excludes areas which were identified as having a 'low' or 'medium-low' capacity to accept development. The Council has taken a systematic approach to determining the detailed boundaries of the SUE which I consider to be justified.
146. A detailed MFD for the SUE is contained at Appendix 6 of the Plan. However, the MFD and associated figures/plans are overly prescriptive to be included in the Plan and would not provide sufficient flexibility for the delivery of the SUE. In addition, as presented Policy EN33 adds little to Policy 33 of the JCS. Therefore, at my request, the key economic, environmental, and social planning requirements have been

extracted from the MFD and added to Policy EN33 as set out in **MM66** for effectiveness. Appendix 6 which contains the MFD is deleted by **MM92** in the interests of effectiveness. The detailed Master Plan should be taken forward separately by the Council, either through a further iteration of the MFD or Masterplan or a SPD to support Policy EN33.

147. **MM3** and **MM65** are necessary to clarify the status of the MFD in the interests of effectiveness. Minor post-consultation amendments to **MM66** have removed the reference to the need for consistency with the MFD and any references to the figures within the MFD. Minor amendments to **MM87** have also made consequential changes to the performance indicators and targets for monitoring set out in Table 29. In addition, I have made a minor amendment to the wording of **MM66**, criterion 1 (Economic) of Policy EN33 to refer to a 'balance' between rates of new homes and jobs to better reflect the JCS. These post-consultation amendments provide further clarity and are necessary in the interests of effectiveness. They are minor and do not alter the overall aim of the policy.
148. Policies EN10 and EN11 refer to a 'bespoke' or 'separate' approach to the provision open space, playing pitches and sport and recreation facilities for the SUE. Some consideration of the type of green infrastructure and open space to be included within the SUE has taken place through the preparation of the MFD. Some key principles have been carried forward in Policy EN33, including the provision of a central green corridor; a network of green corridors and public open spaces; Strategic Accessible Natural Greenspace (SANG) provision and the provision of a new town park. Further consideration will take place through a future iteration of the MFD/SPD and through negotiations on any planning applications. Whilst inevitably on a development of this scale, there will be negotiation in terms of the scale and type of open space, sport and recreation provision the starting point for consideration should be Policy EN33 and the Open Space and Playing Pitch Strategy 2017 or subsequent updates of it.
149. **MM21**, **MM22** and **MM24** relate to policies EN10 and EN11 in which the SUE is referenced. The reasons for those MMs are set out below. Minor amendments to **MM21**, **MM22**, **MM24** and **MM66** are necessary to reinforce that the starting point for the consideration of the scale and type of open space, sport and recreation provision should be the Open Space and Playing Pitch Strategy 2017 or subsequent updates of it, for the Plan to be effective. The Council intend to prepare an Open Space SPD and a Sports and Recreation SPD which may also inform provision at the SUE depending on the timescales for their preparation. Overall, **MM3**, **MM21**, **MM24**, **MM65**, **MM66** and **MM92** are necessary in the interest of effectiveness and consistency with the JCS.
150. Representatives from Higham Ferrers and Rushden Town Councils are part of the working party which shaped the MFD. The Higham Ferrers NP (April 2016) pre-dates the adoption of the JCS (July 2016). Any conflict between the two would be resolved in favour of the most recent policy. Policy HF.H3 Higham East (Future Growth) supports comprehensive masterplanning for access and infrastructure associated with Rushden East required from the John Clarke roundabout. It also identifies that subject

to the demonstration of future need, additional land for housing, employment and community facilities would be provided within a future growth area 'Higham East' which is broadly consistent with the land identified for Rushden East within the NP area. The Rushden NP post-dates the JCS and identifies Rushden East as a suitable location for housing and to provide jobs. Consequently, Policy EN33 is broadly consistent with the RNP and also the HFNP. The projected delivery of housing on the site is considered at Issue 2 of my report.

151. **MM90** is necessary to amend the table in Appendix 1 to correctly identify Policy EN33 as a strategic policy. With the MMs identified above, I consider that the detailed boundaries for the site and Policy EN33 are positively prepared, justified, effective and consistent with national policy and the JCS.

EN28 Land East of the A6/Bedford Road, Rushden

152. Following the site search and assessment process set out above, land to the east of A6/Bedford Road was identified as a viable option, scoring most highly in the ranking system. The site has opportunities to connect to the existing urban area via Bedford Road and surrounding services and facilities. In terms of deliverability, it is in single ownership; is actively being promoted by a landowner/partner housebuilder; and can be delivered independently of the Rushden East SUE.
153. Policy EN28 proposes the site for 450 dwellings together with supporting infrastructure including a mix of ancillary retail, business or community uses. The policy requires a mix of housing including 30% affordable housing, consistent with the JCS and the Framework.
154. The site is situated on the opposite side of the A6 to Rushden; however, it would have direct connectivity to the town centre via Bedford Road. Nevertheless, pedestrian and cycling connectivity to services and facilities in the town must be improved, in particular for education facilities to ensure safe and secure access across the A6 for future residents. Furthermore, there is the potential to support the creation of a community hub to enhance the relocation of sports facilities, to be located on the eastern edge of the site boundary.
155. Due to the topography, the site is relatively well contained being set at a lower level than the bund adjoining the A6 which together with dense vegetation would help to mitigate the visual impact of any development. Structural landscaping secured as part of any development scheme would further mitigate the visual impact of the development.
156. The site is situated around 3.5km from the Upper Nene Valley Gravel Pits SPA and may contain functionally linked habitat for the SPA. **MM57**, therefore, provides additional supporting text to criterion e of the Policy to ensure that appropriate surveys and other evidence, including a project specific HRA are undertaken where necessary

to ensure that any development does not have an adverse effect on the integrity of the SPA.

157. **MM58** alters the wording of the policy to refer to 'around' as opposed to 'up to' 450 dwellings to provide for some flexibility. **MM58** is also necessary to avoid repetition in bullet point 3 of criterion d. **MM57** and **MM58** are required to ensure that the allocation is justified and effective.
158. The developer is a volume housebuilder who has undertaken a number of technical studies in preparation for a planning application which was due to be submitted in 2022. No constraints have been identified which would prevent the site coming forward. First completions were anticipated 2023-2024 at an initial rate of around 30 dwellings and a rate of 50-60 dpa thereafter to the end of the Plan period. Given the preparatory work, I consider this to be realistic. Furthermore, the allocation aligns with the spatial strategy of the JCS. Consequently, with **MM57** and **MM58**, I consider the allocation to be positively prepared, justified, effective and consistent with national policy and the JCS.

Policy EN36 Former Factory Site, 71 Oakley Road and 37-51 Washbrook Road, Rushden

159. The former factory occupying the site was vacated in 2009 and the site remains derelict. Whilst there are some infrastructure requirements associated with the site, there are no constraints which would preclude its development. The allocation of the site for around 10 dwellings will aid the redevelopment of this brownfield site which would make a small contribution to the provision of a mix of housing types and tenures and provide pedestrian and cycle connections to Washbrook Road and the Greenway.
160. The site is the subject of pre-application discussions with the Council, although an application has not yet been submitted. The site has been tested through the viability appraisal considering the policy requirements. It is likely that funding may be required to bring the site forward which is reflected in the anticipated delivery of the site later in the Plan period (2028-29). **MM71** includes additional supporting text to draw attention to the need for financial contributions to mitigate the adverse effects of development on the SPA/Ramsar site. The allocation of the site for around 10 dwellings will aid the redevelopment of this brownfield site. **MM71** is required to ensure that the allocation is positively prepared, justified, effective and consistent with national policy.

Policy EN37 Rectory Business Centre, Rushden

161. The Employment Land Review (ELR) (March 2019) recommended that the site be released for an alternative use. The Rectory Business Centre and adjacent telephone exchange, warehousing and factory premises are situated adjacent to the town centre to the east of Rectory Road. The employment area has a poor and difficult road

access, and the units are in a poor state of repair and nearing the end of their economic life.

162. The site is predominantly in a residential area and would be well suited for housing development contributing around 35 units to housing land supply. Development would deliver improved access arrangements, enhancement to the public realm around Albert Road and Victoria Road and improved east-west pedestrian and cycle connectivity between the town centre and residential areas to the east.
163. Given the different ownerships on the site, and the need to relocate businesses, the Council is likely to lead the development of the site. Given these complexities, the site is likely to come forward later in the Plan period.
164. **MM72** is necessary to ensure that the effects of the development on the SPA/Ramsar site are mitigated. **MM73** is necessary to ensure that heritage assets are preserved and enhanced and to ensure that suitable access is available for the main of foul drainage infrastructure. **MM72** and **MM73** are necessary to ensure a satisfactory form of development and for the allocation to be positively prepared, justified, effective and consistent with national policy and the JCS.

Policy EN38: Federal Estates/former Textile Bonding Factory site, Newton Road/Midland Road, Higham Ferrers.

165. The site contains two large warehouses, and a factory which are in a poor state of repair, and which have been vacant for some time. The ELR concludes that the site would be better utilised for housing. Permission exists for the redevelopment of the site for around 120 dwellings including the relocation of the existing operations to a new location. The allocation would bring benefits in terms of the redevelopment of redundant brownfield land and contribute to housing land supply within Higham Ferrers. There may also be opportunities to improve pedestrian and cycle connections between the allocated housing site to the east of Ferrers School and Higham Ferrers town centre. Structural landscaping would be required to provide a suitable buffer between the site and adjacent factories.
166. Although the site is complex there is a pending full application for the site for 120 dwellings and on this basis, I agree the site could commence 2024-2025. I, therefore, consider the allocation to be positively prepared, justified, effective and consistent with national policy and the JCS.

Conclusion

167. With the MMs identified above, I consider that the housing allocations are positively prepared, justified, effective, consistent with national policy and the JCS and deliverable/developable.

Issue 5 – Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the approach towards building a strong, competitive economy.

168. The JCS sets out the strategy for economic development and establishes job targets as well as allocating strategic employment sites. Policy 23 identifies (Table 3) a job creation target for East Northamptonshire of 7,200 net job growth (in all sectors) within the Plan period 2011 – 2031; a net increase of 360 jobs per year. Revising the job creation target is not within the remit of this Plan. However, it is necessary to ensure that the Part 2 Plan makes sufficient provision to deliver the job creation target and spatial distribution in the JCS which directs new employment development to SUEs, strategic sites and in the case of office development, town centres and other accessible locations.
169. Table 11 of the Plan shows that it is anticipated that by 2031 the jobs target would be exceeded by around 3,382 jobs. On this basis no further strategic employment sites are allocated in the Plan and the Council's approach is to rely upon development that is already in the pipeline. Given that the JCS jobs target would be exceeded, I agree with this approach.
170. Background Paper 5 (BP5): Local Plan Employment Policies – job targets (2021) (ED F-07) explains the main sources of jobs growth over the Plan period and is divided into a jobs trajectory with five-year blocks to demonstrate how these jobs will be delivered over the Plan period. BP5 (ED F-07) also explains the sources of each of the net job figures cited; using the best available data at the time. Account is also taken of jobs anticipated to be lost.
171. The Paper utilises a number of sources for job creation figures including application forms/submission documents at the planning application stage; estimated job creation figures dependent on the 2015 Homes and Community Agency standards (now Homes England) for business, industrial or warehousing uses or apportionment of job creation by gross floorspace (m²) with reference to similar development types where job numbers are known. Whilst it can be difficult to reliably monitor job creation figures, I am satisfied that the Council has utilised the best available data sources to undertake the task.
172. BP5 (ED F-07) estimates jobs growth in excess of 6,000 jobs (6,185), over the first decade of the Plan period (to 2021) leaving a residual requirement of only 1,015 jobs required for the second half of the Plan period (2021-2031). Rushden Lakes Phases 1-4 which opened in 2017 contributed a significant proportion of these jobs (2,700 jobs).
173. A limited further number of employment sites are anticipated in the third quarter (2021-2026) with a net increase in jobs of around 742 at Chelveston Renewable Energy Park. Rushden is also anticipated to see significant delivery of further employment to 2031 at the Rushden East SUE and also at the Rushden Gateway. Around 1,382 jobs

are anticipated to come forward during the third quarter, sufficient to meet the outstanding Plan requirement of 1,015 jobs leading to a surplus of 367 jobs by 1 April 2026.

174. Significant further development (3,015 jobs) is anticipated in the fourth quarter (2026-2031) from committed strategic sites at Irthlingborough West, Tresham Garden Village, Rushden East, Rushden Gateway and Holdens Parkway in addition to the proposed brownfield land allocations, although the timescale is less clear. This would lead to a surplus of around 3,382 jobs in the Plan period.
175. As the jobs target would be met by 2026, I agree that it is not necessary to allocate any large-scale employment sites. However, the Plan does allocate smaller sites as part of proposed mixed-use, town centre regeneration schemes, which would contribute towards the job target. These sites are discussed under Issue 6 below. Consequently, I am satisfied that the Plan would meet the JCS jobs growth requirement for the Plan period and also provide sufficient flexibility and choice over the Plan period. **MM35** is necessary, however, to change paragraph 7.17 to refer to a net jobs growth target in order to be effective and consistent with paragraph 8.2 of the JCS.
176. East Northamptonshire's central location and excellent road connections has made it a centre for logistics (B8) industry including national and regional distribution centres for 'bluechip' companies. It is envisaged that logistics would be accommodated at the Rushden and Irthlingborough SUEs and on existing employment sites. Policy 24 of the JCS seeks to minimise the environmental impacts of logistics development through sensitive design and environmental performance. Given that the jobs growth target for the Plan area will be exceeded and that opportunities will exist for B8 uses on existing and proposed allocations there is no need to allocate further land for B8 use.
177. Policy EN18 sets out the approach to the consideration of development of commercial space which aligns with the aspirations of the Framework to create a strong, competitive economy and Policy 22 of the JCS which seeks to ensure the delivery of economic prosperity. The JCS provides the guiding principles for larger scale economic development and in particular logistics development. **MM37** amends the policy title to clarify that it relates to small and medium sized enterprises. **MM37** also deletes reference to 'future' development proposals and includes reference to 'medium-sized' businesses in addition to small and micro-businesses.
178. **MM36** proposes additional text to paragraph 7.34 of the supporting text to Policy EN18 to clarify the type of businesses that the policy applies to and also to ensure that the potential impacts of proposals for new commercial development on the Upper Nene Gravel Pits SPA are fully considered. **MM36** and **MM37** are required for the policy to be justified and effective.
179. Policy EN19 relates to the protection of existing employment areas. **MM38** amends the policy to clarify that proposals for re-development or changes of use of existing buildings should ensure that the overall provision of employment in terms of the net job

numbers or net employment land **on the site** is not reduced. **MM38** is also required to clarify that the policy relates to net job numbers or employment land.

180. Criterion c requires development contributions to be made to support economic development across the Plan area. However, if criterion a or b are met and it is demonstrated that there is no realistic prospect of the site or buildings being used/re-used and if the site is constrained and not suitable for employment use then it would not be necessary to require development contributions. **MM38** therefore deletes criterion c. In addition, 'and/or' needs to be inserted in between criteria a and b to be clear that not necessarily both criteria need to be met. **MM38** is necessary to ensure that the policy is effective.
181. Policy EN20 sets out the approach to the relocation and or expansion of existing businesses. The first paragraph of the policy should also include reference to businesses that need to relocate in addition to the extension of businesses to be consistent with the title. As presented, the policy contains considerable repetition for example in relation to the effect of the proposal on the countryside and neighbouring properties. Furthermore, some criteria duplicate other policies in the Plan or the JCS. **MM40** remedies this to ensure clarity and thereby effectiveness.
182. **MM39** is necessary to ensure that the supporting text reflects the need to consider the impact of the expansion or relocation of businesses on the Upper Nene Valley Gravel Pits SPA to ensure that the policy is justified, effective and consistent with national policy and the JCS.

Conclusion

183. Overall, with the above MMs, I am satisfied that the Plan has been positively prepared and that it is justified, effective and consistent with national policy and the JCS in relation to the approach towards building a strong, competitive economy.

Issue 6 – Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national policy and the JCS in relation to the matter of town centres, town centre strategies and development sites?

Hierarchy of Centres and Retail Provision

184. JCS Policy 12 identifies that Rushden Lakes will be a focus for retail and leisure uses totalling no more than 32,511 square metres (sqm) net sales area (of which no more than 929 sqm for convenience goods) to enhance the retail and leisure facilities in the southern part of the Local Plan area, meeting most of the forecast additional comparison goods spending in this area. Consequently, there is no specific comparison retail floorspace requirement for the growth town of Rushden. Paragraph

5.34 indicates that there may be some scope for additional floorspace in the southern area after 2026, depending on how the Rushden Lakes scheme progresses. In the meantime, the emphasis will be on consolidating and developing a retail, leisure/culture and housing offer that allows Rushden to operate successfully alongside Rushden Lakes. The focus in market towns such as Higham Ferrers, Irthlingborough, Oundle, Raunds and Thrapston will be on providing mainly convenience shopping and local services. Based on the evidence before me this is a logical approach and one which is consistent with the JCS.

Town Centre Boundaries and Primary Shopping Areas

185. In line with the Framework, the Plan seeks to manage new development by defining the extent of town centre boundaries and primary shopping areas. The NPs for Higham Ferrers, Raunds and Rushden already set detailed policies for managing development within these respective towns. Rushden and Higham Ferrers NPs have identified both town centre boundaries and primary shopping areas; whilst Raunds has identified a primary shopping area. These are shown for completeness at Appendix 4 of the Plan. Consequently, the Plan logically focuses on defining town centre boundaries and primary shopping areas for Irthlingborough, Oundle and Thrapston.

186. Policy EN21 defines town centre boundaries as shown on the Policies Map and provides local policy which sets out the range of uses to be permitted in these locations. **MM41** amends the supporting text including to clarify that due to the small size of market towns, town centre boundaries effectively operate as primary shopping areas as those towns do not have areas of predominant leisure or business uses. **MM41** also clarifies that in the absence of a defined primary shopping area that 'edge of centre' for retail purposes would be within 300m from the town centre boundary to be consistent with the Framework. **MM41** is necessary to ensure consistent terminology with the Framework and to reference local regeneration strategies, master plans and design codes for town centres reflecting those that are in preparation or planned for town centres in the future. **MM41** is necessary for effectiveness and consistency with the national policy.

187. **MM42** amends Policy EN21 to refer to the centres to which the policy applies, including those within NP areas. It also clarifies that not all the criteria listed in the policy would be appropriate in all circumstances. Criterion a should refer to avoiding an over-concentration of a particular town centre use as opposed to 'use class'. I have made a minor amendment to **MM42** post-consultation to delete 'including' in criterion b as the main purpose of the criterion is to restrict residential development to first floor and above within town centres. This minor amendment is required for clarity and effectiveness and does not alter the aim of the policy.

188. Criterion d should refer to 'primary' frontages as opposed to 'shopping' frontages and include reference to their being denoted on the Policies Map. Finally, criterion g should refer to local 'regeneration' strategies as opposed to 'development' strategies. **MM42** is necessary for the policy to be effective and consistent with national policy.

189. Changes are required to the glossary to clarify that the primary shopping area is not the same as 'primary shopping frontage' by incorporating a definition for each. **MM89** addresses this matter in the interests of effectiveness and consistency with the Framework.
190. Policy EN22 sets out floorspace thresholds for retail development in Rushden town centre and the market towns. The thresholds have been set on the basis of analysis in the Retail Impact Assessments Threshold Background Paper (BP7) which concluded that lower thresholds would be appropriate in the market towns due to the sensitivity of these locations to the cumulative loss of smaller units. The slightly higher Rushden threshold of 280 sqm reflects its status as a growth town and the Sunday trading threshold. Whilst Rushden is the largest traditional town centre it is, nevertheless, vulnerable to national retail trends and must also compete with Rushden Lakes. Consequently, I consider that the thresholds are appropriate.
191. **MM43** is required to clarify the centres to which the policy applies. The policy should also refer to town centre boundaries as opposed to 'primary shopping areas' as none of the towns in question has a primary shopping area. The last sentence of the policy requires amendment to refer to 'adverse' significant impact. Reference to the need for both a sequential and impact assessment is also required. Criteria a and b require amendment to refer to Rushden and Market Town centres. The amendments set out in **MM43** are required in the interests of effectiveness and consistency with national policy.
192. **Policy EN23** relates to development around designated local centres. Some of the local centres are shown on the Policies Map as 'linear local centres' and clearly depicted, for example Rushden Linear Local Centre. Nucleated centres such as the Grangeway Precinct, Rushden are shown as a point (star) notation. In these cases, the extent of the local centres is either clear from the description (i.e. 2-12 Blackfriars) or 'on the ground' (i.e. in the case of the Grangeway Precinct). Consequently, it would be clear to the decision maker whether a proposal would be adjoining or closely related to a centre. The exact location of the Rushden East Local Centres will be decided through the masterplan/SPD.
193. As presented the policy encourages main town centre uses within 200m of the designated local centres. However, local centres tend to be small and 200m would be disproportionate to the scale of the centre. Consequently, **MM45** removes reference to 200m and refers instead to proposals which are adjoining or closely related to designated local centres. **MM45** also clarifies that proposals should be of a scale and type limited to serving the immediate local area. Furthermore, **MM45** includes reference to the local centres to which it applies. It also deletes 'presumption in favour' in the first paragraph and refers to the fact that proposals will be supported instead.
194. Criterion e cross refers to Policy EN22 and retail impact thresholds; however, the thresholds in Policy EN22 apply to Rushden and Market Towns and not local centres and so **MM45** deletes the criterion. Criterion d requires amendment to refer to the

removal of permitted development rights in exceptional circumstances to be consistent with the Guidance. **MM44** includes a consequential amendment to the supporting text after paragraph 7.76 to clarify that permitted development rights may need to be removed to ensure that local service centres maintain their role in serving the needs of the immediate neighbourhood. I have made a minor amendment to **MM44** to add that permitted development rights may be removed to protect the amenity of neighbouring occupiers. **MM44** and **MM45** remedy these matters to ensure that the policy is effective and consistent with the Framework.

Town Centre Strategies

195. The Plan sets out overarching principles for the regeneration of the six town centres to enhance and/or maintain their vitality, an approach which is supplemented by individual town strategies. **Policy EN34** sets out the guiding principles for the consideration of development proposals in town centres. It is necessary to clarify in the supporting text at paragraph 10.10 that the policy relates to the wider town centres, not just the areas which lie within the town centre boundary and to clarify in the policy itself which centres the policy applies. **MM67** and **MM68** address these points in the interests of effectiveness.
196. Table 24 of the Plan sets out the key spatial characteristics of Rushden and Higham Ferrers. Similarly, tables 25-28 set out the spatial characteristics of Irthlingborough, Oundle, Raunds and Thrapston/Islip. The third column of the respective tables which cross reference to relevant policies in the Plan and the JCS are overly detailed and confusing and is, therefore, deleted in the respective tables. **MM69**, **MM74**, **MM79**, **MM82**, and **MM83** address these points in the interests of effectiveness.
197. The Plan sets out redevelopment proposals for key town centre sites in Rushden/Higham Ferrers and Irthlingborough. It is envisaged that these sites may be delivered either wholly by the private sector or more likely with public sector assistance. Due to the nature of the potential development, timescales for bringing forward these sites are not clear; however, allocating the sites will provide greater certainty and confidence to potential investors and act as a catalyst for development/regeneration.

Policy EN35 Splash Pool and Wilkinson site redevelopment, Rushden

198. Policy EN35 sets out proposals to relocate the Splash Pool and Wilkinson sites which could help to consolidate the town centre, improve footfall and increase vitality and viability. It is necessary to clarify that it is identified as an area of opportunity as opposed to an allocation and also the type of uses which would be considered. New criteria are required to ensure that proposals preserve or enhance heritage assets on the site, in accordance with a heritage impact assessment and also to ensure that suitable access can be achieved for the maintenance of foul drainage infrastructure, reflecting the presence of an existing sewer. As any redevelopment would result in the loss of an existing leisure centre criterion g is strengthened to ensure that any

proposals should ensure the provision of an equivalent replacement facility. **MM70** addresses these matters for the Policy to be justified and effective.

Policy EN39 Former Select and Save, 13-21 High Street/St Peter's Way Car Park, Irthlingborough, Rushden

199. Policy EN39 sets out a framework for the redevelopment of the former Select and Save and car park site in Irthlingborough for a mix of town centre uses, including convenience and comparison retailing, financial services or food and drink businesses. **MM75** is necessary to ensure that the settings of heritage assets, in particular St Peter's Church and the Louisa Lilley Almhouses, are preserved or enhanced for the policy to be justified, effective and consistent with national policy.

Policy EN40: Former Rushden and Diamonds FC Stadium site

200. The former Rushden and Diamonds Football Club Stadium was demolished in 2017 and has remained vacant since. The range of potential uses is restricted by a number of constraints, in particular the location of the majority of the site within Flood Risk Zone 3. Consequently, Policy EN40 proposes to allocate the site for employment use, with an emphasis on business, leisure and tourism. **MM77** amends the policy to refer to protecting nearby heritage assets to be justified, effective and consistent with national policy.

201. **MM76** and **MM77** strengthen the supporting text and policy to ensure that development does not have an adverse effect on the integrity of the adjacent Upper Nene Valley Gravel Pits SPA/Ramsar site and associated functionally linked land, including the need for a site-specific HRA. Flood risk will also need to be carefully considered together with the impacts of climate change.

202. The supporting text requires the need to mitigate the loss of the stadium with replacement facilities; however, this requirement should be in the policy itself. Moreover, the supporting text and policy fail to recognise the need to mitigate the loss of the playing pitches and ancillary facilities in addition to the stadium, contrary to paragraph 99 of the Framework. An additional criterion is, therefore, required to ensure that mitigation secures replacement facilities, unless it can be demonstrated that the facilities are surplus to requirements. **MM76** and **MM77** remedy the above points for the policy to be justified, effective and consistent with national policy.

Redevelopment sites - Oundle

203. **MM78** and **MM80** amend paragraph 10.57, 10.60 and 10.61 to ensure that the description of the Oundle built-up area is accurate; provide the most up-to-date position in relation to two potential redevelopment sites within the East Road employment area; and reflect the Town Council's aspiration to retain the East

Road/Herne Car Park as an asset for the town. Those MMs are required in the interests of effectiveness.

EN41 Riverside Hotel Station Road, Oundle

204. The former Riverside Hotel site is proposed to be allocated for a restaurant, public house, hotel; training facility/resource centre or small business units or potential service employment uses. **MM81** is necessary to ensure that the wording of criterion a relating to heritage assets is consistent with national policy.

Redevelopment site - Thrapston

Policy EN42 Cattle Market, Market Road, Thrapston

205. Policy EN42 sets out guiding principles for the redevelopment of the Cattle Market site for a mix of town centre uses. **MM85** is necessary to ensure that the wording of criterion f includes reference to non-designated heritage assets to be effective and consistent with the Framework. **MM84** alters the supporting text to the policy to identify that a HRA assessment may be required.

Conclusion

206. With the MMs identified above, I am satisfied that the Plan has been positively prepared and that it is justified, effective and consistent with national policy and the JCS in relation to the matter of town centres, town centre strategies and development sites.

Issue 7 – Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national policy and the JCS in relation to the matter of social capital.

207. Policy EN12 sets out overarching principles for the consideration of health and well-being in development proposals. **MM25** amends the supporting text to EN12 to include reference to non-motorised forms of transport, including horse riding in the movement and access section and also to recognise the implications of air quality and pollution for health and well-being. **MM25** is necessary in the interests of effectiveness.

208. **MM26** amends Policy EN12 to ensure that it fully reflects the importance of design and undertaking Health Impact Assessments at an early stage of the design process. **MM26** also moves the requirement for proposals of 10 or more homes to be accompanied by a Health Impact Assessment from the supporting text to the Policy itself. **MM26** makes further amendments to ensure that the Policy is clearly written and

unambiguous. The VA confirms that this requirement has a de-minimis cost. **MM26** addresses these matters for the Policy to be justified and effective.

209. Policy EN13 sets out criteria for the consideration of the design of buildings and extensions. **MM27** amends the Policy to clarify that amenity space should be proportionate to the scale of the unit. In addition, **MM27** amends criterion f to state that Houses in Multiple Occupation should 'have regard to' the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Order 2018 as the Plan cannot require compliance with other legislation. **MM27** also deletes criterion h as it repeats JCS Policy 8 in relation to car parking standards and emerging Building Control Regulations in relation to Vehicle Charging Points. Criterion i is amended to clarify how the issue of light pollution would be assessed. Criterion g is amended to clarify the objective of providing sufficient internal space. I have made a minor amendment to **MM27** to ensure that the Nationally Described Space Standard is correctly referred to. **MM27** addresses all of these changes for the policy to be justified, effective and consistent with national policy.
210. Policy EN14 and Policy EN15 provide the framework for the consideration of proposals which affect designated and non-designated heritage assets respectively. **MM28-
MM30** address a number of concerns raised by Historic England. I find the changes proposed are necessary to ensure that the wording of the policies reflect the statutory tests and national policy.
211. Table 10 of the supporting text to Policy EN15 and footnote 90, set out criteria for deciding whether a building/site/structure should be considered as a non-designated heritage asset. However, as these criteria will inform decision making, they should be included within Policy EN15 itself. **MM29 and MM30**, therefore, deletes Table 10 and makes consequential changes to paragraph 6.33 and to Policy EN15 for the Plan to be justified.
212. Policy EN16 sets out detailed criteria for the consideration of tourism, cultural developments and tourist accommodation. **MM31** includes additional supporting text at paragraph 6.49 to ensure that development proposals fully consider the effect of new development on the Upper Nene Valley Gravel Pits SPA for the policy to be justified and effective. **MM32** removes the significant degree of repetition both within the policy itself and with other policies of the Plan and the JCS. In addition, criterion b) iii relating to the use of planning conditions and legal agreements to retain development as tourist accommodation should also apply to development within the Destination Nene Valley corridor and Rockingham Forest areas. **MM32** remedies these matters for the policy to be justified, effective and consistent with national policy.
213. **MM34** deletes Policy EN17 relating to proposals for the development/allocation of a new school at land south of Chelveston Road, Higham Ferrers as the school has now been constructed. **MM33** makes consequential amendments to the supporting text. A consequential amendment is also necessary to the Policies Map. **MM33** and **MM34** are necessary for the Plan to be effective.

Conclusion

214. With the MMs identified above, I am satisfied that the Plan has been positively prepared and that it is justified, effective and consistent with national policy and the JCS in relation to the matter of social capital.

Issue 8 – Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national policy and the JCS in relation to natural capital.

215. The JCS identifies Green Infrastructure (GI) corridors of sub-regional and local importance and JCS Policy 19 provides a framework for managing development and investment and for protecting and enhancing GI. Plan policies EN7 to EN11 seek to provide a local framework for the protection, enhancement and provision of green infrastructure, open space, local green space and sport and recreation facilities respectively.

216. Across all typologies, it is not clear how developer contributions will be calculated. Clarification that the contributions will be sought in accordance with the most up-to-date evidence and where there is an identified quantitative and/or qualitative need is required for the policies to be effective. Furthermore, there is significant potential for double counting of contributions towards the various typologies in Policies EN7-EN8 and EN10-11. Additional supporting text is, therefore, included to explain that opportunities to combine open space and GI schemes should be sought to optimise design and keep contributions proportionate and that care will be taken to avoid double counting.

217. The threshold of 10 dwellings above which contributions would be secured is consistent with national policy; however, the site size threshold of 0.3ha is amended to 0.5 ha to reflect the definition of major development set out in Annex 2 of the Framework (0.5ha). In addition, the site threshold should be included in the actual policies, not the supporting text. The supporting text should confirm the commitment to the preparation of the forthcoming SPD for Open Space provision and proposed Sports and Recreation SPD which will set out a step-by-step guide for calculating requirements in the supporting text. Furthermore, clarification is needed that the preference would be for on-site provision and the approach to securing the long-term management and maintenance of new GI and open space also requires clarification.

218. The Open Space Study and Playing Pitch Strategy (2017) (ED D-08) was prepared in 2017 and the information set out in Table 9 of the Plan, the Playing Pitch Calculator, will be out of date. The table is, therefore, deleted and all the policies will refer to the most up to date evidence base and standards. I have made minor amendments to **MM17, MM19**, post-consultation, to remove reference to the SPD which has not been prepared yet in the interests of effectiveness. These minor amendments do not alter the aim or objectives of the Policy.

219. **MM16-MM19** and **MM21-MM24** remedy the above matters for Policies EN7, EN8, EN10 and EN11 to be justified, effective and consistent with national policy.
220. Policy EN7 sets out the approach to the protection and enhancement of GI Corridors in the District. **MM17** amends the title of the policy and other consequential amendments to make clear that it relates to 'local' GI Corridors for the policy to be effective.
221. It is not clear how the objectives of the policy would be achieved and furthermore, depending on the location of proposed development, it may not always be possible to connect to the GI network. Additional supporting text is, therefore, necessary which encourages developers to access the Natural England mapping tool and Policies Map to identify the GI network and to ensure that opportunities to connect to the GI network are considered early in the design process. Clarification is also required that the policy relates to the existing and proposed GI network, including local GI Corridors and the wider GI network for the policy to be effective. **MM16** and **MM17** remedy the above matters for the Policy to be justified, effective and consistent with national policy.
222. Policy EN8 seeks to ensure that development protects and enhances The Greenway, a priority GI project for the Council. Additional supporting text is included to clarify that contributions will only be sought in locations which have access to The Greenway. The policy itself is amended to reflect that it relates to both existing, proposed and aspirational Greenway routes. An additional criterion is also added to ensure that development protects heritage assets and their settings. **MM18** and **MM19** address these points for the policy to be justified, effective and consistent with national policy.
223. Policy EN9 sets out criteria for the designation of Local Green Space in NPs. The policy is amended to recognise that Local Green Space should be identified by the local community and is closely related to the settlement it is intended to serve. An additional criterion is included relating to beauty to reflect the Framework. Part c of the policy attempts to set a limit on the size of Local Green Space at 0.5ha or 10% of the existing main built-up area of the settlement. However, there is no evidence to support this size limit which goes beyond the guidance in paragraph 102 of the Framework. Part c is, therefore, amended to state that the gross area of the site should be proportionate to the existing main built-up area of the settlement and not an extensive tract of land. **MM20** remedies the above matters for the policy to be justified, effective and consistent with national policy.
224. Policy EN10 sets out the framework for the enhancement and provision of open space. Reference to the Local Football Facility Plan in the supporting text is removed as it is an investment plan and not an assessment of need. The supporting text and policy are amended to clarify that Rushden East will have its own bespoke sports and recreation facilities to be agreed in accordance with Policy EN33. I have made a minor amendment, post-consultation to **MM21** and **MM22** to clarify that open space provision at the SUE will be informed by Policy EN33 and the Open Space and Playing Pitch Strategy (or subsequent updates) and to delete reference to the MFD. These do not

alter the aim or objectives of the policy. **MM21** and **MM22** remedy the above matters so that the policy is justified, effective and consistent with national policy.

225. Policy EN11 deals with the enhancement and provision of sport and recreation facilities. It refers to new 'strategic development' which will be required to contribute to the provision of playing pitches. Footnote 73 defines strategic development as developments of 500 or more dwellings/5ha or more of employment uses. Reference is also made to 'qualifying development'; however, it is not clear what this means. Footnote 73 is, therefore, deleted and the threshold for 'major development' (10 or more dwellings/sites of 0.5ha or more) is included in the policy to be consistent with other policies in the Plan and the Framework. The supporting text and policy are amended to clarify that Rushden East will have its own bespoke sports and recreation facilities to be agreed in accordance with Policy EN33. I have made a minor amendment to **MM24** to clarify that sports and recreation provision at the SUE will be informed by Policy EN33 and the Open Space and Playing Pitch Strategy (or subsequent updates) and to delete reference to the MFD in the policy itself.

226. The cross reference to Table 7 is removed as this does not include sport and recreational facilities. **MM23** and **MM24** address the above matters for the Policy to be effective and consistent with national policy.

Conclusion

227. With the above MMs, I am satisfied the Plan has been positively prepared and that it is justified, effective and consistent with national policy and the JCS in relation to natural capital.

Issue 9 – Whether the Plan is positively prepared, justified, effective and consistent with national policy in relation to viability.

228. A Local Plan VA was submitted alongside the Plan. It has been subject to consultation at various stages and the points raised were addressed and considered in the report. Developers question some of the inputs to the assessment; however, undertaking a VA is not an exact science and there will always be an element of judgement in applying assumptions and reaching conclusion. From everything which I have read, and the evidence considered at the hearing sessions, I find the methodology consistent with the Guidance and the inputs applied grounded in recognised data sources.

229. The VA does not assess each housing site individually but identifies a number of typologies based on location, greenfield/brownfield, size of site and current and proposed use/type of development in line with advice in the Guidance. The viability of sites varies considerably depending on whether a site is greenfield or brownfield and also the location. Viability is best in the rural north and Oundle but lower in the urban areas in the south. Nevertheless, paragraph 7.3 of the VA confirms that the appraisals

have considered the cumulative impact of other plan policies, such as the JCS and that the proposed Plan (part 2) policy obligations would have a marginal cumulative impact on viability. Moreover, JCS Policy 30 and Plan policies have sought to provide a degree of flexibility to take viability into account for example, **MM62** amends Policy EN31 to incorporate a viability clause.

230. Furthermore, in terms of open space provision, the VA appraisals incorporate sufficient undeveloped space through a net to gross ratio site area adjustment of 60-65% on larger sites to facilitate provision of open space. The appraisals also incorporated a package of Section 106 obligation contributions.

231. Overall, taking account of the conclusions of the VA and the flexibility provided by Plan policies, I consider that the cumulative requirements of the JCS and the Plan would not undermine the delivery of the strategy of the Plan by threatening the viability of development. Consequently, the plan would be consistent with paragraph 34 of the NPPF and paragraphs 001-006 and 029 of the Guidance.

Conclusion

232. Subject to the MMs set out above, the Plan is positively prepared, justified, effective and consistent with national policy in relation to viability.

Issue 10 – Whether effective arrangements are in place for the monitoring of the Plan.

233. Chapter 11 of the Plan sets out the monitoring and implementation arrangements for the Plan. Paragraph 11.4, which sets out the various localised infrastructure priorities, requires amendments to: incorporate updates; make reference to the local education authority/national policies and; make reference to fire and rescue services. **MM86** addresses this matter in order for the Plan to be effective.

234. Table 29 sets out detailed performance indicators and targets for monitoring. **MM87** sets out changes to the objectives, indicators, aims and targets in Table 29 to ensure that there would be clear and effective mechanisms to monitor the implementation of the Plan. **MM87** is, therefore, required for effectiveness.

Conclusion

235. Subject to **MM86** and **MM87**, I consider that there are effective arrangements in place for the monitoring of the Plan.

Overall Conclusion and Recommendation

236. The Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

237. The Council has requested that I recommend MMs to make the Plan sound and legally compliant and capable of adoption. I conclude that the duty to cooperate has been met and that with the recommended MMs set out in the Appendix the East Northamptonshire Local Plan Part 2 2011-2031 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

CA Mulloy

Inspector

This report is accompanied by an Appendix containing the Main Modifications.