



**North  
Northamptonshire  
Council**

## **HARGRAVE NEIGHBOURHOOD PLAN DECISION STATEMENT**

### **Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)**

#### **Summary**

Following an independent examination, North Northamptonshire Council confirms that the Hargrave Neighbourhood Plan (the Plan), as revised by the modifications set out in Table 1 below, complies with the Basic Conditions and legal requirements, and can therefore proceed to a Neighbourhood Planning Referendum.

This Decision Statement and Examiner's Report will be available on North Northamptonshire Council's website and Hargrave Parish Council's website. A paper copy will be deposited at relevant council offices and libraries for inspection during opening hours.

#### **Background**

Under the Neighbourhood Planning (General) Regulations 2012 and the Localism Act 2011, Hargrave Parish Council have prepared a Neighbourhood Plan for the parish of Hargrave, with the help of the local community.

The Plan area, which comprises the whole of Hargrave parish, was designated by East Northamptonshire Council (now subsumed in North Northamptonshire Council) on 6th September 2019.

The Plan has been subject to two periods of statutory public consultation. The second of these consultations was organised by North Northamptonshire Council inviting representations on the Plan in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended), during a six-week period closing on 28 June 2021.

#### **Independent Examination**

North Northamptonshire Council appointed Nigel McGurk MRTPI of Erimax Land, Planning & Communities Limited with the consent of Hargrave Parish Council, to undertake the examination of the Plan and to prepare a report of the independent examination. The examiner determined that the Examination could be undertaken without the need for a public hearing.

The Examiner's Report was issued on 29 November 2021. The examiner concludes that, subject to recommended modifications, the Plan meets the Basic Conditions and all the Statutory Requirements set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990.

## Decision and Reasons

Having considered each of the recommendations made by the Examiner's Report and the reasons for them, in consultation with the Parish Council, North Northamptonshire Council has decided to accept the modifications to the draft plan as detailed in Table 1 below. North Northamptonshire Council is satisfied that the Neighbourhood Plan, as modified, complies with legal requirements and can proceed to referendum.

The Examiner recommended that there is no need for the referendum boundary to extend beyond the designated neighbourhood area. The Council agrees with this recommendation and concludes that any referendum that takes place in due course be contiguous with the boundary of the designated Plan area.

In line with the requirements of the Localism Act 2011 it is therefore proposed to hold a referendum to determine whether the Plan should be incorporated into the development plan for North Northamptonshire. The following question will be posed at the referendum, in line with the Neighbourhood Planning (Referendum) Regulations 2012 (as amended):

*"Do you want North Northamptonshire Council to use the neighbourhood plan for Hargrave to help it decide planning applications in the neighbourhood area?"*

The date for the referendum and further details will be published once a date is set by the Council. This is currently being discussed with colleagues in Electoral Services.

Signed:



George Candler  
Executive Director of Place and Economy

Dated:  
30 March 2022

**Table 1**

Recommended Modification Number	Examiners Report Reference	Hargrave Neighbourhood Plan Reference	Proposed Modification	North Northamptonshire Council Decision/Reasoning
1	Pages 5 - 6	Section 1 Introduction and Whole Plan	<p>In the Introduction and unless specifically referred to in other recommendations contained in this Report, change all references to East Northamptonshire Council to “North Northamptonshire Council”</p> <p>Changes to text:  <u>Page 5</u>, delete the third, sixth and seventh bullet points in “Key Facts”  <u>Para 1.1</u> change last sentence to “...of which the NDP forms part.”  Delete <u>paras 1.2, 1.4 and 1.5</u>  <u>Para 1.6</u>. For clarity, change to “...this Plan seek to allow the village...”  <u>Para 1.11</u> delete last two sentences (“The steps...consultation.”)  Delete <u>Figure 2</u>  <u>Para 3.5</u>, change to “...sustainable beyond 2031, principally...”</p> <p><u>Para 3.7</u> change to “...key issues, a number of...”  <u>Page 14</u> delete Objective 3  <u>Page 15</u> change Objective 7 to “To limit the impacts of traffic, air...”  Delete <u>Objective 8</u></p>	<p>Agree that for clarity and the avoidance of doubt an explanation should be provided in the introduction to the Neighbourhood Plan to explain that North Northamptonshire Council replaced East Northamptonshire Council and other Councils from 1<sup>st</sup> April 2021.</p> <p>Agree these small text changes are necessary where points have been overtaken by subsequent events. Other changes and deletions support the aim of clarity and avoidance of doubt.</p>

		Whole Plan	<p>Delete Para 3.8 (which appears out of place as an excerpt from the Consultation Statement)</p> <p>Unless specifically referred to in other recommendations contained in this Report, change all references to East Northamptonshire Council to “North Northamptonshire Council”</p>	
2	<p>Page 17</p> <p>Pages 19 - 33</p>	Neighbourhood Plan Policies – Introductory text	<p>Changes to text:</p> <p>Delete all references to Objectives in the Policy section</p> <p>Delete Para 4.0.1</p> <p>Change Para 4.0.2 to “Neighbourhood Development Plans must have regard to national...”</p> <p>Para 4.0.2 delete last sentence</p> <p>Para 4.0.3 change to “...published in July 2021...”</p> <p>Delete Paras 4.0.5 and 4.0.6</p> <p>There is no requirement for a Neighbourhood Plan to allocate land for development. Notwithstanding the above, the Neighbourhood Plan seeks to designate a housing site as part</p>	<p>Accept modifications and agree that objectives hold no land use planning policy status and detract from clarity and precision of the Plan, as stated in the Examiner’s Report.</p> <p>Agree NNJCS sets out an overall rural housing commitment of 820 dwellings for former East Northamptonshire area, to be distributed over 50 villages. The emerging LPP2 Spatial Development Strategy: Table 5 identifies Hargrave as</p>

			<p>of its approach to residential development in the Neighbourhood Area. However, when considered together, the first three Policies of the Neighbourhood Plan allocate a housing site and define a new settlement boundary within which development will be supported, whilst at the same time, seeking to limit new housing development to a maximum of six dwellings up until 2031.</p> <p>Policies HNNDP1, HNNDP2 and HNNDP3 do not meet the basic conditions and Report recommends:  <u>Delete Policies HNNDP1, HNNDP2 and HNNDP3 and all supporting text</u></p>	<p>a small freestanding (other) village where development would be limited to small scale infill/ rural exceptions. In addition to the 15 new homes constructed since 2011 – a balance of 6 more dwellings in the plan period would be required to reach the total of 21 homes identified.</p> <p>Agree, as stated in the Examiner’s Report, there are existing development plan policies which provide for sustainable development and for environmental protection, both within settlement boundaries and outside of them. Subject to following statutory processes, there is scope for the Neighbourhood Plan to be updated and/or altered beyond being made.</p>
3	Page 35	Policy HNNDP4 Housing Design	<p>This policy seeks to ensure that residential development reflects local character and in so doing, it meets the basic conditions. However, in stating that all residential development should enhance character and amenity,</p>	<p>Agree to modifications of this policy and supporting text; the first paragraph of the Policy imposes a requirement more stringent than that of national or District-wide planning policy. Also, by seeking to prevent development in the countryside or within green spaces, the policy would</p>

			<p>the first paragraph of Policy HN4 imposes a requirement more stringent than that of national or District-wide planning policy, even within say, Conservation Areas.</p> <p>Further, this paragraph goes on to seek to prevent development in the countryside or within green spaces. The countryside and green spaces are subject to other development plan policies and nowhere does national or local planning policy simply prevent development in these areas.</p> <p><u>Policy HN4, delete the second sentence (“Overall...village”)</u>  Delete from <u>“Local materials...”</u> to the end of the Policy and replace with <i>“The use of local materials and building styles, sustainable design and technologies – including the minimisation of water and energy use, and the incorporation of renewable energy, sustainable drainage and electric vehicle charging points, will be supported.</i>  <i>Development should respect highway safety and should retain and incorporate existing natural</i></p>	<p>impose a requirement more stringent than that of national or District-wide planning policy.</p>
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			<p><i>features, including trees and hedgerows and avoid loss of habitats for wildlife.”</i></p> <p>Delete the subjectively worded <u>Paras 4.5.6 to 4.5.8, inclusive</u> and replace with “<i>As part of the plan-making process, a design code for Hargrave has been created. This is intended to provide helpful background information and the Parish Council will seek to finalise the document and encourage prospective developers to make use of it.</i>”</p>	
4	Page 37	Policy HNPD5 Landscape Character	<p>Policy HNPD5, <u>delete the second sentence</u> (“Where...impact.”)</p> <p>Change start of second para to “<i>Landscaping should be used to soften...</i>”</p> <p>Delete <u>Para 4.6.8</u>, which does not relate to the Policy.</p>	Agree, as Examiner’s Report States, the wording of the Policy would serve to promote development that harms the landscape, <b>where there was some form of mitigation</b> . It is understood that this was not the intention of plan-makers.
5	Page 39	Policy HNPD6 Local Green Space	<p>Policy HNPD6, <u>delete the final paragraph</u> and replace with “<i>The management of development within areas of Local Green Space will be consistent with that for development within Green Belts as set out in national policy</i>”</p>	Agree. As stated in Examiner’s Report – national policy is explicit in respect of requiring policies for managing development within a Local Green Space to be consistent with those for Green Belts. The wording of Policy HNPD6 introduces scope for inconsistency with Green Belt policy.

			<p><u>Delete Site 5.6</u> from the list of designated areas of Local Green Space and delete from Figure 6. -</p> <p>- If Figure 6 is to be retained: Provide an additional Map or Maps, clearly identifying the precise boundaries of each designated Local Green Space</p> <p><u>Para 4.6.11</u>, change to "<i>Paragraphs 101 to 103 of the NPPF...</i>"</p> <p><u>Para 4.6.13</u>, change to "<i>the Hargrave Residents' Survey...</i>"</p> <p><u>Para 4.6.14</u>, change to "<i>Paragraph 102 of...</i>" (and change to "102" in the subsequent quotation from the Framework)</p> <p><u>Delete Para 4.6.17</u>, the majority of these points refer to factors that could apply to just about any open green area and are not necessarily demonstrably special qualities justifying designation as Local Green Space.</p>	<p>Accept Modifications to remove imprecise and potentially confusing text so that the policy is clearly written and unambiguous, as stated in the Examiner's Report</p>
6	Page 42	Policy HNPD7 Environment	<p><u>Delete Policy HNPD7</u> and supporting text</p> <p>National policy and advice requires plans to be deliverable and to contain clear, unambiguous policies so that it is</p>	<p>Agreed The Policy does not contribute to the achievement of sustainable development and does not meet the basic conditions, as stated in Examiner's Report.</p>



			<p>evident how a decision maker should react to development proposals.</p> <p>Policy HDNP7 is not a land use planning policy. Rather, it simply presents a vague statement about minimising pollution, rather than a land use planning policy supported by substantive evidence or information in respect of deliverability, viability or the decision-making process. In addition, the Policy sets out requirements in respect of lighting that sit outside the scope of land use planning.</p> <p>The Policy goes on to set out requirements in respect of vehicle movements, which in the absence of any base evidence, information or indication of how things might be measured, who by and on what basis, appear unrealistic and undeliverable.</p> <p>The Policy also includes vague references to “expected emissions” and seeks to impose planning application and development management requirements that in the absence of any justification or information to the contrary, appear to be</p>	
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			<p>beyond the scope of the Neighbourhood Plan. The Policy does not contribute to the achievement of sustainable development and does not meet the basic conditions.</p>	
7	Page 44		<p><u>Delete Policy HNDP8 and supporting text</u> The first paragraph of Policy HNDP8 requires development to “not put undue pressure on available infrastructure” or to provide “enhanced infrastructure.” Nowhere does the Neighbourhood Plan or its evidence base provide detailed information in respect of what infrastructure is currently available in the Neighbourhood Area or what “undue pressure” comprises. Consequently, the first part of the Policy appears ambiguous. There is no evidence to suggest that it is deliverable or that it makes it evident to a decision_maker how to react to a development proposal.</p>	<p>Agree with Examiner’s view that in summary - the final paragraph of Policy HNDP8 could serve to place an obstacle in the way of essential infrastructure. His recommendation is consistent with the fact that national and local planning policy provides for necessary infrastructure and environmental protection. As such this policy adds ambiguity and is not appropriate or required in a Neighbourhood Plan.</p>

			<p>The Policy seeks to impose unnecessary requirements on all forms of development. Notwithstanding that the Qualifying Body is not the Local Planning Authority and cannot set planning application requirements, in the absence of any evidence, no justification is provided for a requirement for all forms of development to demonstrate that they would not put pressure on available infrastructure, even if “pressure” and “available infrastructure” were known quantities.</p>	
8	Page 46		<p>Policy HNPD9, <u>change to</u>  <i>“Hargrave Village Hall and All Hallows’ Church are important community facilities. Proposals to enhance community facilities will be supported, whereas their loss will not be supported.</i></p> <p><i>The provision of new community facilities will be supported. New community facilities should respect local character, residential amenity and highway safety. Improvements to the Neighbourhood Area’s footpath</i></p>	Accept modifications and agree that the changes support the aim of clarity and avoidance of doubt.

			<i>and bridleway network will be supported.”</i>	
9	Page 49	HNDP10 Rural Diversification and Employment	<p>Policy HNDP10, change the first paragraph to “...<i>well sited and respects the rural character of the Neighbourhood Area.</i>”</p> <p><u>Delete rest of the Policy</u></p> <p>- Generally, the first part of Policy supports the diversification of the rural economy where development is of good design and respects local character. However, the opening paragraph requires development to “conserve” rural character, which goes beyond any national or local policy requirements and is an approach unsupported by any evidence or justification and this is a matter addressed in the recommendations below. The remaining part of the Policy seeks to introduce a completely new approach to development in the countryside, in conflict with national and local planning policy.</p>	Agree to modifications of this policy the Policy imposes a requirement more stringent than that of national or District-wide planning policy.
10	Page 52	Glossary	Glossary reference to Development Plan Document, <u>delete all after first sentence</u>	Accept modifications and agree that the changes support the aim of clarity and avoidance of doubt.

			<p>Glossary, <u>delete Roadside Infill definition</u> <u>Update the Contents, Policy, Plan/Map, paragraph and page numbering</u> to take into account the recommendations contained in this Report</p> <p>The Glossary refers to the Stratford on Avon Core Strategy which is not relevant to the Neighbourhood Plan; and to Roadside Infill, which, taking the recommendations above into account, is not relevant to the Neighbourhood Plan.</p> <p>The recommendations made in this Report will have a subsequent impact on Contents, including Policy, plan/map, paragraph and page numbering.</p>	
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