

LONGFRAMLINGTON NEIGHBOURHOOD PLAN Submission Draft Version

**A report to Northumberland County Council
into the examination of the
Longframlington
Neighbourhood Plan
by Independent Examiner, Rosemary Kidd**

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1.0 Summary

- 1.1 The Longframlington Neighbourhood Development Plan has been prepared to set out the community's wishes for the village of Longframlington and the surrounding countryside, all within the parish of Longframlington.
- 1.2 I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer, including improvements to the mapping of sites referred to in policies to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
 - Clarification of the wording of policies and the supporting text; and
 - The improvement of the shading of the Policies Map.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Longframlington Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

2.0 Introduction

Background Context

- 2.1 This report sets out the findings of the examination into the Longframlington Neighbourhood Plan.
- 2.2 The Parish of Longframlington lies within Northumberland and is situated on the A697, 11 miles north-west of Morpeth and 5 miles south-east of Rothbury. At 2011 there were 1032 people living in the parish.

Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner to conduct the examination on the Longframlington Neighbourhood Development Plan (LNP) by Northumberland County Council (NCC) with the consent of Longframlington Parish Council in June 2021. I do not have any interest in any land that may be affected by the LNP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies.

Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
- The Neighbourhood Development Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004, that is the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area; and
 - The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.
- 2.5 An Independent Examiner must consider whether a neighbourhood plan meets the "Basic Conditions". The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by

section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, as incorporated into UK law; and
5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

The following prescribed condition relates to neighbourhood plans:

- Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

- 2.6 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.
- 2.7 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

The Examination Process

- 2.8 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.
- 2.9 I have sought clarification on a number of factual matters from the Qualifying Body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.
- 2.10 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I

have considered the documents set out in Section 5 of this report in addition to the Submission draft of the LNP.

- 2.11 I have considered the Basic Conditions Statement and the Consultation Statement as well as the Screening Opinions for the Strategic Environmental Assessment and Habitats Regulation Assessment. In my assessment of each policy, I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.

Legislative Requirements

- 2.12 The neighbourhood plan making process has been led by Longframlington Parish Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process.
- 2.13 Paragraph 1.2.4 of the Plan confirms that Neighbourhood Plan area was designated by NCC on 11 March 2019.
- 2.14 A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Plan states that this is from 2021 to 2036.
- 2.15 The Plan does not include provision for any excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.16 The Neighbourhood Development Plan should only contain policies relating to the development and use of land. I am satisfied that the LNP policies are compliant with this requirement.
- 2.17 The Basic Conditions Statement confirms the above points and I am satisfied therefore that the LNP satisfies all the legal requirements set out in paragraph 2.4 above.

The Basic Conditions

Basic Condition 1 – Has regard to National Policy

- 2.18 The first Basic Condition is for the neighbourhood plan “*to have regard to national policies and advice contained in guidance issued by the Secretary of State*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “*consistent with national policy*”.
- 2.19 The Planning Practice Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”

- 2.20 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”

- 2.21 The NPPF of July 2021 is referred to in this examination in accordance with paragraph 214 of Appendix 1, as the plan was submitted to the Council after 24 January 2019.
- 2.22 The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the delivery of strategic policies set out in the Local Plan or spatial development strategy and should shape and direct development that is outside of those strategic policies*” and further states that “*A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum, the neighbourhood plan becomes part of the statutory development plan.*”
- 2.23 Table 1 of the Basic Conditions Statement includes comments on how the policies of the LNP have taken account of relevant sections of the NPPF. I consider the extent to which the plan meets this Basic Condition No 1 in Section 3 below.

Basic Condition 2 - Contributes to sustainable development

- 2.24 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government’s view of what sustainable development means in practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.
- 2.25 Table 1 of the Basic Conditions Statement considers how each policy supports the delivery of sustainable development.
- 2.26 I am satisfied that the Plan contributes to the delivery of sustainable development and therefore meets this Basic Condition.

Basic Condition 3 – is in general conformity with strategic policies in the development plan

- 2.27 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area. The adopted Development Plan relevant to the area comprises the Alnwick Core Strategy (2007) and the saved policies from the Alnwick District Local Plan (1997). A list of policies that NCC considers to be ‘strategic’ for the purposes of meeting this basic condition is set out in Appendix A of the Plan.

- 2.28 In considering the adopted strategic policies during the examination, I have taken into account that they were adopted some time ago and less weight should be attributed to them than previously, and that in some cases policies may be out of date and/or superseded by national planning policy.
- 2.29 NCC is in the process of preparing a Local Plan for the County. The emerging Northumberland Local Plan (NLP) has now finished examination and a consultation on main modifications took place between June and August 2021. The emerging Local Plan is therefore well advanced.
- 2.30 Where a neighbourhood plan is brought forward before an up-to-date local plan is in place, the PPG advises that “*The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies.*” In examining the LNP I have considered whether there would be any conflict with the policies of the emerging NLP.
- 2.31 Table 1 of the Basic Conditions Statement assesses how the Neighbourhood Plan policies conform to the relevant saved strategic planning policies and those of the emerging Local Plan.
- 2.32 I consider in further detail in Section 3 below the matter of general conformity of the Neighbourhood Plan policies with the strategic policies.

Basic Condition 4 – Compatible with EU obligations and human rights requirements

- 2.33 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.34 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment is submitted with a Neighbourhood Plan proposal or a determination from the competent authority (NCC) that the plan is not likely to have “significant effects.”
- 2.35 A screening opinion was carried out by NCC in January 2021 and determined that the LNP would not require a full SEA to be undertaken. Paragraph 5.4 of the screening opinion concluded:

“Longframlington Neighbourhood Plan is unlikely to have any significant positive or negative effects on the environment such that further assessment would be required under The Environmental Assessment of Plans and Programmes Regulations 2004 for the following reason:

- *“The Plan covers a relatively small area and does not allocate sites for development or expressly support further development in the Longframlington*

Neighbourhood Area other than that which would be supported through current development plan policies or national planning policy. Accordingly, significant positive or negative effects on the environment are considered unlikely to arise as a result of the introduction and implementation of the Neighbourhood Plan.”

- 2.36 Consultation was carried out with the statutory environmental bodies on the SEA Screening Report in December 2020. The responses from all three bodies concurred with the conclusions of the SEA screening report, that the LNP was not likely to have significant effects and that a full SEA was not required.
- 2.37 In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on a Special Area of Conservation or Special Protection Area, or other ecologically important European site (Ramsar) as a result of the plan’s implementation.
- 2.38 An HRA Screening Opinion was carried out by NCC in March 2021 on the Pre-Submission draft LNP in view of the proximity of the plan area to the Simonside Hills Special Areas of Conservation and the Northumberland Marine Special Protection Area.
- 2.39 Paragraph 7.2 states *“In accordance with Regulation 106 of the Conservation of Habitats and Species Regulations 2017 as amended, Northumberland County Council concludes that the Longframlington Neighbourhood Development Plan 2021 – 2036 Pre-Submission Draft Plan February 2021 will not have a likely significant effect on European Sites within 10km of the plan boundary, either alone or in combination.”*
- 2.40 NCC has confirmed that there were no changes to the submission draft plan that would affect the conclusions of the HRA screening.
- 2.41 Consultation with Natural England on the HRA screening opinion was carried out in March 2021. They responded to say that they agreed with the conclusion of the screening opinion.
- 2.42 I am satisfied that the SEA and HRA assessments have been carried out in accordance with the legal requirements.
- 2.43 Paragraph 4.31 of the Basic Conditions Statement the Plan on Human Rights and states that: *“The Longframlington Neighbourhood Plan is fully compliant with European Convention on Human Rights. There is no discrimination stated or implied, or threat to the fundamental rights and freedoms guaranteed under the Convention.”*
- 2.44 From my review of the Consultation Statement, I have concluded that the consultation on the LNP has had appropriate regard to Human Rights.
- 2.45 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have

drawn any others to my attention. Taking all of the above into account, I am satisfied that the LNP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

Consultation on the Neighbourhood Plan

- 2.46 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.47 The process of preparing the Neighbourhood plan began in 2018 with a village meeting organised by the Parish Council with a representative from Northumberland County Council giving a presentation to explain the neighbourhood planning process. Over 100 people attended the event. Following this, a questionnaire was put in the Parish Newsletter (Fram News) asking people how they felt about the area, and in particular, how they felt the village should grow in terms of housing. A total of 50 questionnaire responses were received.
- 2.48 Following the designation of the neighbourhood area in 2019, the following key stages of consultation were:
- a. In June 2019, a village presentation was held to explain the Neighbourhood Plan process. Approximately 80 people from the village attended. A survey was distributed at the event, and was also published in the parish newsletter, which is delivered to every household in Longframlington Parish. The survey was also available to complete online, with the link shared on the village Facebook page.
 - b. In September 2019, a drop-in session was arranged in the village Community Room (at the church). A stall was held at the village show, and children were asked for their views, wish-lists and pictures (mainly related to the play parks in the village). Display boards were set up showing the Parish, and people were asked for feedback on their views about the area. Just over 70 responses were received to the survey carried out over the summer.
 - c. Following on from these responses, the Parish Council produced a further consultation based on a draft vision and objectives which reflected the views of responses made in the September consultation. A pamphlet setting out the vision and objectives was delivered to every house in the Parish, along with a questionnaire for feedback. This questionnaire was also available online and advertised on the village Facebook page. To encourage more participation, a drop-in coffee morning was organised at St. Mary's Church on 5 September 2019, with a further drop-in session organised for October 2019. Approximately 83 responses were received.
 - d. During 2020, preparation of the Plan slowed down for a while. Then the Parish Council began drafting the Plan based on the vision and objectives agreed and consulted the community with regard to the settlement boundary, with posters, Facebook page and information on the Parish Council website. Most residents were in agreement with regard to the settlement boundary and the Parish Council progressed the plan to the first statutory consultation stage.
 - e. Consultation on the Pre-Submission (Regulation 14) Neighbourhood Plan took place between 1 March 2021 and 25 April 2021. Notices were placed on the Parish Council

website and the statutory consultees were written to or e-mailed with information about how to view and respond to the plan. No drop-in events were held due to the pandemic. However, the consultation was publicised in the village newsletter which is posted to every household. The Plan was also publicised on the village Facebook page. The Plan was available to view on the internet, and hard copies were also made available for those unable to access the online versions.

- f. Consultation on the submission draft Plan was undertaken by NCC between 6 July 2021 and 31 August 2021. In total, 7 representations were received from statutory consultees, all of which made no comments on the plan or referred to previous advice. No responses were received from residents of the plan area. NCC has submitted detailed comments on the plan which I will consider under the relevant policies.

2.49 I am satisfied that from the evidence presented to me in the Consultation Statement, adequate consultation has been carried out during the preparation of the LNP.

2.50 I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.

3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The PPG states that “*a policy should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area*”. I will consider this requirement as I examine each policy.
- 3.5 The LNP is a succinct plan that identifies a settlement boundary for Longframlington village and policies on the local economy, community facilities, green spaces, biodiversity and design.
- 3.6 The introductory sections of the Plan set out the background to the preparation of the plan, the planning policy context, a spatial portrait of the area, and the key issues facing the parish that have arisen through the consultation. Community projects are set out in Section 14 of the Plan and are identified as not forming part of the planning policies. There are appendices listing the strategic policies and background evidence documents.
- 3.7 Once the plan is finalised references to the Regulation 14 (pre-submission plan) in the introductory sections should be updated.
- 3.8 The policies are clearly distinguishable from the supporting text by surrounding coloured boxes. The justifications to the policies are clear and succinct and set out the background to the policies and the strategic context.
- 3.9 The Policies Map consists of a map of the whole of the plan area and an Inset Map of Longframlington village. It is difficult to identify the boundaries of sites shown on the Inset Map and it would be helpful to plan users if it was made available at a larger scale. I have made a recommendation under Policy LNP4 that the colour / shading of

the Outdoor Recreation Areas should be revised to ensure that it is more easily distinguishable.

The Neighbourhood Plan

Key Issues

- 3.10 Paragraph 3.3.1 of the Plan sets out the key issue facing the parish including ensuring that the significant new housing development is integrated into the village and is well designed and meets the needs of young families and local people; conserving the character and setting of the village; protecting the natural environment and biodiversity; and supporting the retention of community facilities.

Vision and Objectives

- 3.11 The Plan includes a succinct vision statement and six objectives.
- 3.12 Objective 1 refers to “locally valued landscapes around Longframlington”. No evidence has been provided in the plan or background documents about any designations or particular landscape character to support this statement. NCC has confirmed that they are not aware of any. I am recommending a modification to refer to preserving the countryside around Longframlington. Furthermore, the objective should be revised to better explain the purpose of the settlement boundary: that it is to direct development to sustainable locations.
- 3.13 Objective 2 seeks “to support housing development which meets an identified local need in the Neighbourhood Area.” This is also included in the Vision Statement. However, the Plan does not include a policy on this subject and no background evidence has been prepared to identify the local housing need. It is considered that the objective is overly restrictive as housing need of a service village in a rural area may include that arising from adjacent parishes where housing development may be unsustainable. I am therefore recommending that reference to housing development to meet an identified local need is deleted from this objective and the vision statement revised accordingly.
- 3.14 Objective 3 refers to “preserving” valued community facilities. It would be more appropriate to refer to “safeguarding.”

Recommendation 1: Revise the Vision and Objectives as follows:

Delete the following from the Vision “meets identified local need and”.

Revise Objective 1 to read: “In order to preserve *the countryside* around Longframlington and the rural setting of the village *and to direct development to the sustainable location of Longframlington village*, we will identify a settlement boundary for Longframlington.”

Delete “which meets an identified local need” from Objective 2.

Revise Objective 3 to read “.....and *safeguarding* our valued community facilities.”

Policies

- 3.15 Paragraph 5.1.1 links the policies to the objectives. This could be simplified by listing the objectives against the relevant policies in a table. If descriptions of the content of the policies is retained they should be revised to reflect the recommended modifications to the policies.
- 3.16 Section 5.2.1 explains that the Plan should be read as a whole. It does not refer to the Plan being part of the development plan and should be used alongside the relevant strategic plans as stated in paragraph 1.1.3. A modification is recommended to explain this.

Recommendation 2: Revise paragraph 5.2.1 to read:

“The Neighbourhood Plan (LNP) is part of the Development Plan *along with the policies of the Local Plan and Core Strategy*. Policies in the LNP will be used alongside other development plan policies to determine planning applications.”

POLICY LNP1 – Housing Development

- 3.17 Longframlington is defined as a service village in the emerging NLP. Paragraph 4.39 of the NLP states that *“settlement boundaries are defined in order to support a level of housing and economic growth over the plan period which is considered appropriate to its size, role and function.....The boundaries direct development to the most suitable and sustainable locations, to protect the countryside from ad hoc incursion. In a number of settlements where there are sufficient housing commitments in place to meet identified needs, boundaries are defined to accommodate these commitments, and restrict further expansion.”*
- 3.18 Emerging LP Policy HOU3 sets out the housing requirement for neighbourhood plans, but does not include Longframlington. Section 1 of the LNP Settlement Boundary Methodology Report states a figure of 47 from 2018 - 2036. NCC has confirmed that that the minimum housing requirement set out in the emerging NLP for the period 2016 – 2036 is 47.
- 3.19 NCC’s latest monitoring data shows that there have been 121 completions since 2016. There were also 160 commitments at 1 April 2021. This gives a total of 281 dwellings.
- 3.20 In view of the number of commitments and recent completions, well above the housing requirement figure, the plan makers have chosen not to allocate any further sites for housing development and instead to rely on defining a settlement boundary *“to determine the limits for new housing development”*.

- 3.21 The settlement boundary for Longframlington village matches that in the emerging Northumberland Local Plan with two small changes: the inclusion of the caravan site and a new dwelling adjacent to the Vicarage. The boundary has been drawn to include commitment sites that have received planning permission. The plan makers consider that there is some scope for windfall housing development in the settlement boundary.
- 3.22 NPPF paragraph 29 states that “*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.*”
- 3.23 The Planning Policy Guidance advises that “*Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.*” Further it explains that “*The scope of neighbourhood plans is up to the neighbourhood planning body. Where strategic policies set out a housing requirement figure for a designated neighbourhood area, the neighbourhood planning body does not have to make specific provision for housing, or seek to allocate sites to accommodate the requirement (which may have already been done through the strategic policies or through non-strategic policies produced by the local planning authority). The strategic policies will, however, have established the scale of housing expected to take place in the neighbourhood area.*”
- 3.24 I am satisfied that the LNP conforms with national and strategic policies on housing supply. The plan makers have considered the housing requirement for the parish and have determined that sufficient sites are currently available to provide a housing supply for the plan period well in excess of this requirement. The defined settlement boundary includes all the commitment sites and makes provision for limited windfall development. Following consultation the settlement boundary proposed in the emerging NLP has been revised to include two additional sites.
- 3.25 However, I have concerns about some of the wording of Policy LNP1 which has also been raised in their comments by NCC. The policy states that the settlement boundary is to be used “to determine the limits for new housing development” which is considered to be unduly restrictive.
- 3.26 In order to support the delivery of sustainable development and to better align the policy with national policy and emerging Local Plan Policy STP1, it is recommended that the approach to the use of settlement boundary should be that they identify the locations where sustainable development is to be supported. This should not be limited to housing development but should include various forms of development, including economic, retail and community uses. The justification should be revised to refer to the exceptional forms of development that may be acceptable in the countryside as set out in the NPPF.
- 3.27 Paragraph 6.3.1 refers to the policy supporting housing development being provided to meet the identified local need. However, as discussed previously this need has not been assessed and there are no policies in the Plan to provide for this. Development

in this service village may also provide for the housing needs of nearby smaller villages.

- 3.28 Minor amendments are recommended to the wording of Policy LNP1. As the Development Plan consists of the Local Plan and the Neighbourhood Plan, there is no need to refer to the LNP as well as the Development Plan. Reference to the “latest” national planning policy is unnecessary. The title of the policy should accord with the section heading in 6.3.

Recommendation 3: Revise Policy LNP1 as follows:

Revise the first paragraph of the policy to read: “*Development within the settlement boundary defined on the Policies Map, including new housing development and the redevelopment of previously developed land, will be supported subject to compliance with relevant policies elsewhere in the Development Plan.*”

Revise the third paragraph of the policy to read: “*Only exceptional development proposals that satisfy national and strategic planning policy will be supported outside the settlement boundary. New housing development will only be supported where it delivers affordable housing through rural exception sites, or proposals for isolated dwellings that satisfy one or more of the exceptional circumstances set out in the NPPF. Proposals for rural business and economic development proposals, diversification of agriculture and other land-based businesses, and proposals for community and leisure facilities and rural tourism will be supported where they accord with the NPPF and strategic policies.*”

Add the following after the first sentence of paragraph 6.1.3. “*The purpose of the settlement boundary is to identify the locations that are most suitable for sustainable development, including housing, economic, commercial and community uses.*”

Revise the second paragraph of 6.3.1: “*Outside the settlement boundary, only exceptional development proposals that satisfy national and strategic planning policy will be supported. This includes proposals for affordable housing delivered through rural exception sites, rural business and economic development proposals, diversification of agriculture and other land-based businesses, and proposals for community and leisure facilities and rural tourism. Isolated rural dwellings will only be supported where the proposal satisfies one or more of the exceptional circumstances set out in the NPPF.*”

Delete “New” from the section title in 6.3.

POLICY LNP2: The Local Economy

- 3.29 The policy supports the growth and development of businesses subject to them being in accordance with policies in the Development Plan. A list of the types of businesses

that are considered to be appropriate to the plan area is included in the policy. I have concerns about the approach set out in this policy as it is not clear how other forms of development are to be considered. I am recommending that reference to these being the most appropriate types of business in the Plan area should be deleted.

- 3.30 My recommended modifications to Policy LNP1 will ensure that economic development proposals outside the settlement boundary will be supported where they accord with national and strategic policies.
- 3.31 Policy LNP2 does not set out any local factors that are to be considered in determining the suitability of development proposals or include reference to the matters set out in NPPF paragraph 85. I am recommending modifications to incorporate matters set out in this paragraph on rural economic development in place of points a) and b).
- 3.32 Points c) and d) should be revised to more clearly set out the matters to be considered with reference to Policy LNP7. It is not clear what point e) is referring to; in any case any proposal would be considered against the rest of the policy.
- 3.33 Paragraph 7.1.4 of the justification states that “*The Parish Council also plan to register certain businesses and facilities as Assets of Community Value which will afford those services some protection if they become available for sale.*” This is not fully correct as registering a property as an Asset of Community Value does not afford the business any protection under planning policy. It is recommended that the wording should be revised to better explain the process.

Recommendation 4: Revise Policy LNP2 as follows:

Delete “The following types of business are considered to be particularly appropriate to the Longframlington Neighbourhood Area.”

Replace criteria a) and b) with

“a) *The development of rural businesses outside the settlement boundary should be:*

- i. located close to settlements or existing buildings, where the opportunities exist;***
- ii. make use of existing buildings, where possible;***
- iii. ensure new buildings are well designed and located sensitively in the landscape, respecting the character of the countryside; and***
- iv. should not have an unacceptable impact on highway safety.”***

Revise point c) to read: “The expansion of home based businesses *will be supported* provided that there are no *unacceptable* adverse impacts on residential *amenity* or highway safety.”

Revise point d) to read: “*New and extended commercial premises and business units should be well related to existing development and well designed, taking account of Policy LNP7.*”

Delete point e).

Revise paragraph 7.1.4 to read: “.... as Assets of Community Value which will afford *the community six months to determine if they can raise the finance to purchase the asset.*”

POLICY LNP3 – Community Facilities

- 3.34 The policy supports the development of new and expanded community facilities where they comply with the policies of the Development Plan. It also seeks to safeguard the retention of 11 community facilities including shops, pubs, doctors surgery, village hall and churches. The policy sets out tests to be followed by developments that would result in the loss of the facility. The properties and their curtilages are shown on the Policies Map.
- 3.35 It is considered that the policy helps to deliver the national planning policy of supporting community services and facilities. The policy sets out similar checks to those set out in the emerging Local Plan Policy INF2, although this is not identified as a strategic policy.
- 3.36 Paragraph 8.1.3 states that the policy will ensure local businesses and services are retained. However, as NCC has noted in its comments, this may be unachievable through a restrictive planning policy which may have no effect to changes of use within the same Use Class or changes of use that are permitted by statute. As drafted the policy could not be used by NCC to control the loss of a use where the change is permitted development. NCC has suggested that the policy should be revised to refer to changes of use that comprise development requiring planning permission. I agree that this would help to clarify when the policy can be applied.
- 3.37 It is recommended that this paragraph should be clarified to better explain that the safeguards in the policy to seek to retain the facility.
- 3.38 Paragraph 8.1.4 of the justification states that “*The Parish Council also plan to register certain businesses and facilities as Assets of Community Value which will afford those services some protection if they become available for sale.*” This is not fully correct as registering a property as an Asset of Community Value does not afford the business any protection under planning policy. It is recommended that the wording should be revised to better explain the process.

Recommendation 5: Revise Policy LNP3 as follows:

Revise the final paragraph of the policy to read: “Development proposal *that require planning permission that would result in the loss of*”

Revise the second sentence of paragraph 8.1.3 to read: “Policy LNP3 *seeks to ensure that local community facilities and businesses serving the community are safeguarded. Any proposals that require planning permission that would*

result in their loss will have to demonstrate that the existing facility is no longer needed or no longer economically viable.”

Revise paragraph 8.1.4 to read: “..... as Assets of Community Value which will afford *the community six months to determine if they can raise the finance to purchase the asset.*”

POLICY LNP4 – Outdoor Recreation Areas

- 3.39 The policy safeguards 10 outdoor recreation areas and sets out the tests to be applied to proposals that would result in their loss. These include the main playing field, allotments, cemeteries and smaller grassed amenity areas.
- 3.40 It is considered that the policy accords with national policy to safeguard open spaces and recreational land, Alnwick Core Strategy S20 and emerging Local Plan Policy INF5.
- 3.41 The sites are shown on the Policies Map however, the colour of the shading used makes it difficult to identify the location of the areas.

Recommendation 6: Use a more distinctive shading / colour for the areas identified under Policy LNP4 on the Policies Map.

POLICY LNP5 – Biodiversity

- 3.42 The policy requires all new development to secure net gain for biodiversity in accordance with latest government guidance. It is considered that the words “all” and “latest” are unnecessary.
- 3.43 NCC has suggested that the addition of the words “secured through planning conditions or planning obligations” at the end of the first sentence of the policy would strengthen it. I agree that this would help to clarify how this requirement is to be secured.
- 3.44 The second paragraph of the policy gives examples of how biodiversity net gain can be provided. This is an explanation of how the policy is to be applied and should be included in the justification.

Recommendation 7: Revise Policy LNP5 as follows:

Delete “All” and “latest” from the first paragraph.

Add “*secured through planning conditions or planning obligations*” at the end of the first paragraph.

Place the second paragraph of the policy in the justification.

POLICY LNP6: Local Green Spaces

- 3.45 The policy proposes that two areas should be designated as Local Green Spaces. They are shown on the Policies Map. They have been assessed in the Local Green Spaces Assessment Report against the criteria set out in paragraph 102 of the NPPF. The policy states that they are to be protected in a manner consistent with the protection of land in the Green Belt. To improve the clarity of the policy it is recommended that additional text should be included, in accordance with paragraph 103 of the NPPF, to explain how this is to be applied.

Recommendation 8: Add the following to the end of the first paragraph of Policy LNP6:

“Development on the Local Green Spaces will not be supported except in very special circumstances.”

POLICY LNP7: High Quality and Sustainable Design

- 3.46 The policy sets out a number of criteria to be taken into account to promote high quality, locally distinctive designs including open space and landscaping for new development in accordance with NPPF section 12. Sustainable design principles are also included in the policy covering SuDS, embedded renewables and car charging points.
- 3.47 NCC has requested that point d) should include reference to SuDS being primarily to manage flood waters. I agree that this would be a helpful clarification for plan users.
- 3.48 The final paragraph of the policy states that permission will be refused for development of poor design. It is acknowledged that this follows guidance in NPPF paragraph 134. However, NPPF paragraph 2 states that *“Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.”* Planning policies should not stipulate when permission should or should not be granted. It will be for the decision maker to take all matters into account. I am therefore recommending that the final paragraph of the policy should be deleted and a reference included in the justification to NPPF paragraph 134.
- 3.49 There are no up to date design policies in the adopted Core Strategy and Local Plan. Emerging Local Plan Policy STP3 (Principles of sustainable development) and Policy QOP1 (Design principles) set out similar principles to deliver sustainable development and high quality design. Whilst there is a degree of overlap between these emerging policies and Policy LNP7, the latter sets out matters that are considered to be locally important and will fill the void pending the adoption of the emerging Local Plan.

Recommendation 9: Revise Policy LNP7 as follows:

Revise point d) to read: “....(SuDS) to manage surface water drainage and which takes opportunities.....”

Delete the final paragraph of the policy.

Add the following to the justification: “NPPF paragraph 134 makes it clear that significant weight should be given to development that reflects local design policies and government guidance on design and/or that promote high levels of sustainability through outstanding or innovative designs. It also makes it clear that poorly designed development should be refused.”

Community Projects

3.50 NCC Strategic Estates Management Team has commented on the Community Project for the School Field Site. I make no comments on this.

Typographical Errors

Recommendation 10: Correct the typographical errors

Paragraph 1.4.2 - Section 14 includes a list of Community Projects

Paragraphs 1.5.1 – 1.5.2 update the version of the Plan

Correct the typographical error in paragraph 6.2.1 to refer to paragraph 2.3.2.

4.0 Referendum

- 4.1 The Longframlington Neighbourhood Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributes to the achievement of sustainable development;
 - is in general conformity with the strategic policies contained in the Development Plan for the area; and
 - does not breach, and is otherwise compatible with, EU obligations and human rights requirements
- 4.3 **I am pleased to recommend to Northumberland County Council that the Longframlington Neighbourhood Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by Northumberland County Council on 11 March 2019.

5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents

- Longframlington Neighbourhood Plan 2021-2036 Submission Draft Version
- Longframlington Neighbourhood Plan Basic Conditions Statement May 2021
- Longframlington Neighbourhood Plan Consultation Statement May 2021
- Longframlington Neighbourhood Plan SEA Screening Opinion January 2021
- Longframlington Neighbourhood Plan HRA Report March 2021
- Longframlington Neighbourhood Plan Settlement Boundary Methodology Oct 2020
- Longframlington Neighbourhood Plan Recent House Building Figures Feb 2021
- Longframlington Neighbourhood Plan Local Green Spaces Assessment Feb 2021
- National Planning Policy Framework July 2021
- Planning Practice Guidance (as amended)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- Alnwick Core Strategy (2007)
- Alnwick District Local Plan (1997) saved policies.
- Draft Northumberland Local Plan (2021)

6.0 Summary of Recommendations

Recommendation 1: Revise the Vision and Objectives as follows:

Delete the following from the Vision “meets identified local need and”.

Revise Objective 1 to read: “In order to preserve *the countryside* around Longframlington and the rural setting of the village *and to direct development to the sustainable location of Longframlington village*, we will identify a settlement boundary for Longframlington.”

Delete “which meets an identified local need” from Objective 2.

Revise Objective 3 to read “.....and *safeguarding* our valued community facilities.”

Recommendation 2: Revise paragraph 5.2.1 to read:

“The Neighbourhood Plan (LNP) is part of the Development Plan *along with the policies of the Local Plan and Core Strategy*. Policies in the LNP will be used alongside other development plan policies to determine planning applications.”

Recommendation 3: Revise Policy LNP1 as follows:

Revise the first paragraph of the policy to read: “*Development within the settlement boundary defined on the Policies Map, including new housing development and the redevelopment of previously developed land, will be supported subject to compliance with relevant policies elsewhere in the Development Plan.*”

Revise the third paragraph of the policy to read: “*Only exceptional development proposals that satisfy national and strategic planning policy will be supported outside the settlement boundary. New housing development will only be supported where it delivers affordable housing through rural exception sites, or proposals for isolated dwellings that satisfy one or more of the exceptional circumstances set out in the NPPF. Proposals for rural business and economic development proposals, diversification of agriculture and other land-based businesses, and proposals for community and leisure facilities and rural tourism will be supported where they accord with the NPPF and strategic policies.*”

Add the following after the first sentence of paragraph 6.1.3. “*The purpose of the settlement boundary is to identify the locations that are most suitable for sustainable development, including housing, economic, commercial and community uses.*”

Revise the second paragraph of 6.3.1: “*Outside the settlement boundary, only exceptional development proposals that satisfy national and strategic planning*

policy will be supported. This includes proposals for affordable housing delivered through rural exception sites, rural business and economic development proposals, diversification of agriculture and other land-based businesses, and proposals for community and leisure facilities and rural tourism. Isolated rural dwellings will only be supported where the proposal satisfies one or more of the exceptional circumstances set out in the NPPF.”

Delete “New” from the section title in 6.3.

Recommendation 4: Revise Policy LNP2 as follows:

Delete “The following types of business are considered to be particularly appropriate to the Longframlington Neighbourhood Area.”

Replace criteria a) and b) with

“a) The development of rural businesses outside the settlement boundary should be:

- i. located close to settlements or existing buildings, where the opportunities exist;*
- ii. make use of existing buildings, where possible;*
- iii. ensure new buildings are well designed and located sensitively in the landscape, respecting the character of the countryside; and*
- iv. should not have an unacceptable impact on highway safety.”*

Revise point c) to read: “The expansion of home based businesses *will be supported* provided that there are no *unacceptable* adverse impacts on residential *amenity* or highway safety.”

Revise point d) to read: “*New and extended commercial premises* and business units should be well related to existing development and well designed, taking account of Policy LNP7.”

Delete point e).

Revise paragraph 7.1.4 to read: “.... as Assets of Community Value which will afford *the community six months to determine if they can raise the finance to purchase the asset.*”

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Revise the final paragraph of the policy to read: “Development proposal *that require planning permission that would result in the loss of*”

Revise the second sentence of paragraph 8.1.3 to read: “Policy LNP3 *seeks to ensure that local community facilities and businesses serving the community are safeguarded. Any proposals that require planning permission that would result in their loss will have to demonstrate that the existing facility is no longer needed or no longer economically viable.*”

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