



**Intelligent Plans**  
and examinations

# **Report on the Stannington Parish Neighbourhood Plan 2017-2032**

**An Examination undertaken for Northumberland County Council with the support of the Stannington Parish Council on the October 2017 submission version of the Plan.**

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Date of Report: 24 April 2018

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### **Main Findings - Executive Summary**

From my examination of the Stannington Parish Neighbourhood Plan and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Stannington Parish Council;
- The Plan has been prepared for an area properly designated – the Stannington Neighbourhood Area and reference map - as identified on the Designation Map on page 6 of the Plan; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## **1. Introduction and Background**

### *The Stannington Parish Neighbourhood Plan 2017 - 2032*

- 1.1 Stannington Parish lies within the area of Northumberland County Council. The defined area for the Neighbourhood Plan (The Plan, or SPNP) covers the whole of the parish.
- 1.2 The area is predominantly rural and with an undulating topography. It is bisected by the A1 road which runs on a south/north alignment. Just to the south is Seaton Burn; and to the north is Morpeth. Development is limited to a number of small settlements, the largest being Stannington Village, by-passed by the A1. There are few community facilities, but a significant amount of new housing has been built in recent times; and more is under construction, notably at St Mary’s Park and Hepscott Park. A number of small business centres are scattered throughout the Parish, providing employment and some retail provision, including at Whitehouse Farm and the Milkhope Centre.
- 1.3 The whole of the Plan area is within the Green Belt (details below) with the exception of Stannington Village, which has a defined settlement boundary.

- 1.4 The Stannington Parish Council has prepared the Neighbourhood Plan through a Steering Group supported by neighbourhood representatives with input from Northumberland County Council. The Parish Council is the Qualifying Body (QB) for the neighbourhood area, the registration of which was approved by Northumberland County Council (NCC) on 18 October 2013.

*The Independent Examiner*

- 1.5 As the Plan has now reached the examination stage, I have been appointed as the Examiner of the SPNP by NCC, with the agreement of the Stannington Parish Council.
- 1.6 I am a chartered town planner and former government Planning Inspector, a Jersey Planning Inspector and a Professional Member of the Guernsey Planning Appeals Panel. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

*The Scope of the Examination*

- 1.7 As the independent examiner, I am required to produce this report and recommend either that:
- (a) the neighbourhood plan is submitted to a referendum without changes; or
  - (b) modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.8 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)('the 1990 Act'). The examiner must consider:
- whether the Plan meets the Basic Conditions;
  - whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
    - it has been prepared and submitted for examination by a qualifying body for an area that has been properly designated by the local planning authority;
    - it sets out policies in relation to the development and use of land;
    - it specifies the period during which it has effect;

- it does not include provisions and policies for ‘excluded development’;
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
  - whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended)(‘the 2012 Regulations’).

1.9 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

#### *The Basic Conditions*

1.10 The ‘Basic Conditions’ are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the NP must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations; and
- meet prescribed conditions and comply with prescribed matters.

1.11 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a NP. This requires that it should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2017) or a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007), either alone or in combination with other plans or projects.

## **2. The approach to the Examination**

### *Planning Policy Context*

- 2.1 The adopted development plan for Stannington, not including plans relating to excluded minerals and waste development, is, in terms of an adopted plan, the saved policies of the Castle Morpeth Local Plan (2003) (CMLP) and Saved Policy S5 of the Northumberland County and National Park Joint Structure Plan (February 2005) (JSP).
- 2.2 NCC submitted the Northumberland Core Strategy for independent examination on 7 April 2017. However, on 5 July 2017, it decided to formally withdraw it from the examination process. Following a review, the Council has agreed that a full Local Plan document (the Northumberland Local Plan) will be prepared and that it will no longer be proceeding with the Core Strategy or the proposed Delivery Document. I note that the Glossary of Terms in the Plan continues to refer to the Core Strategy. I recommend deletion of the reference [**PM11**].
- 2.3 NCC has produced a position statement regarding the general approach that will be taken to planning applications following the withdrawal of the Core Strategy. In relation to the SPNP, the position statement has a bearing on two policy areas: the protection of the countryside, and the Green Belt
- 2.4 Policies designed to protect the countryside will continue to be given due weight, including settlement boundary policies in so far as they can be regarded as up to date and consistent with the National Planning Policy Framework (NPPF). With respect to the SPNP area, the CMLP contains “saved policies” which aim to control the type of development permitted beyond defined settlement boundaries, including Stannington.
- 2.5 With regard to the Green Belt, roughly the southern half of the SPNP area up to Stannington Village is within the long-standing adopted Tyne and Wear Green Belt. The general extent of an extension to the Green Belt is identified in Saved Policy S5 of the JSP. So far as the Plan area is concerned, the precise boundaries, including those around settlements, are to be defined in the future Northumberland Local Plan. The extension includes the whole of the remainder of the Neighbourhood Plan area, with the exception of the Stannington Village inset designated in the CMLP. The lack of a defined boundary has been held in planning appeal decisions – and endorsed by the Secretary of State - to be insufficient justification to arbitrarily exclude any site contained within the general extent of the Green Belt. On that basis, and notwithstanding that the precise boundaries have not been identified, in effect the whole of the SPNP is

(with the exception of the Stannington Village inset) effectively within the Green Belt for the purpose of making planning decisions.

- 2.6 Against that background, and having regard to the advice in Planning Practice Guidance (PPG) Reference IDs: 41-075-20140306 & 41-076-20140306, for the purposes of this examination I take the saved policies of the CMLP and Saved Policy S5 of the JSP insofar as they address strategic matters relevant to the SPNP, as being strategic policies of the development plan for the area.
- 2.7 The planning policy for England is set out principally in the NPPF. The PPG offers guidance on how this policy should be implemented.

#### *Submitted Documents*

- 2.8 I have considered all policy, guidance and other reference documents I regard as relevant to the examination, including those submitted which comprise:
- The draft Stannington Parish Neighbourhood Plan 2017 – 2032 and Appendix A;
  - Map (on page 6 of the Plan) identifying the area to which the proposed neighbourhood development plan relates;
  - The Policies Map;
  - The Consultation Statement, October 2017;
  - The Basic Conditions Statement, October 2017;
  - All the representations that have been made in accordance with the Regulation 16 consultation;
  - The Strategic Environmental Assessment Screening Report (NCC) (February 2017); and
  - The Habitats Regulations Assessment Report (NCC) (November 2017).

#### *Site Visit*

- 2.9 I made an unaccompanied site visit to the Neighbourhood Plan Area on 12 March 2018 to familiarise myself with it, and to visit relevant sites and areas referenced in the Plan and evidential documents.

#### *Written Representations with or without Public Hearing*

- 2.10 This examination has been dealt with by written representations. I considered Hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan, and presented arguments for and against the Plan’s suitability to proceed to a referendum.

#### *Modifications*

- 2.11 Where necessary, I have recommended modifications to the Plan in this report - shown thus [**PMxx**] – to ensure that it meets the Basic Conditions and other legal requirements. Where appropriate, I have included some minor changes in the interests of clarity and/or accuracy<sup>1</sup>. For ease of reference, I have listed these modifications separately in the Appendix.

### **3. Procedural Compliance and Human Rights**

#### *Qualifying Body and Neighbourhood Plan Area*

- 3.1 The Stannington Neighbourhood Plan has been prepared and submitted for examination by the Stannington Parish Council which is a qualifying body for an area that was designated by NCC on 18 October 2013.
- 3.2 It is the only neighbourhood plan for the area, and does not relate to land outside the designated neighbourhood area.

#### *Plan Period*

- 3.3 The Plan period is clearly stated on the front cover as 2017-2032.

#### *Neighbourhood Plan Preparation and Consultation*

- 3.4 The Stannington Consultation Statement (October 2017) appears to be a comprehensive record of the varying types of consultation and engagement that were carried out since the application for designation was made. The first consultation after the Neighbourhood Area Designation occurred in March 2014. In total, there were four distinct rounds of consultation culminating in the Regulation 14 consultation which took place from 20 April to 2 June 2017 with other targeted consultation with specific groups also occurring. (See pages 4-8 of the Consultation Statement.)
- 3.5 The Consultation Statement shows that 55 statutory and other consultees were individually contacted at the pre-submission consultation stage, eliciting representations from 6. These Regulation 14 responses are in Appendix C of the Consultation Statement along with the Parish Council’s reaction, including some changes to the draft Plan.
- 3.6 The Plan, amended in instances in the light of the representations received, began its consultation under Regulation 16 on Wednesday 20<sup>th</sup> December and this concluded on 9 February 2018. I have taken the

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<sup>1</sup> Paragraph 10(3)(e) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) provides for the recommending of modifications for the purpose of correcting errors.



responses, including those from NCC, into account in writing this report. I am satisfied the statutory consultation requirements have been met and due regard has been had to the advice in the PPG concerning plan preparation and engagement.

#### *Development and Use of Land*

- 3.7 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

#### *Excluded Development*

- 3.8 The Plan does not include provisions and policies for ‘excluded development’.

#### *Human Rights*

- 3.9 Neither NCC nor any representor has suggested that the Plan breaches Human Rights (within the meaning of the Human Rights Act 1998), and from my independent assessment I see no reason to disagree.

### **4. Compliance with the Basic Conditions**

#### *EU Obligations*

- 4.1 NCC carried out Strategic Environmental Assessment (SEA) screening, reporting to the QB in February 2017 that the Plan does not need to be subject to SEA. It also carried out a Habitats Regulations Screening Assessment, reporting to the QB in November 2017 that the Plan is not likely to have a significant effect on any European Sites. From my own independent assessment, I agree with these conclusions.

#### *Overarching Assessment*

- 4.2 Having considered whether the Plan complies with the various legal and procedural requirements it is now necessary to deal with the question of whether it complies with the remaining Basic Conditions (see paragraph 1.10 of this report). In particular, the regard it pays to national policy and guidance, the contribution it makes to sustainable development and whether it is in general conformity with strategic development plan policies.
- 4.3 I test the Plan against the Basic Conditions by considering specific issues of compliance of the Plan’s policies. The Plan is divided into 5 main sections, which address the following topics: *Our Sustainable Community*, which includes Policies 1 – 3: *Natural Environment, Biodiversity and Open*

*Space*, which includes Policy 4; *Local Economy*, including Policies 5 and 6; *Transport and Access*, including Policies 7 – 9; and *Design and Character*, comprising Policy 10.

- 4.4 As there are just 10 policies, each broadly covering separate matters, I propose to consider each in turn, mostly individually, but in some cases in combination.

### ***Policy 1: Assets of Community Value***

- 4.5 This policy seeks to prevent the loss of Assets of Community Value (AsCV) unless alternative equivalent provision is made or it can be demonstrated that the existing asset is no longer viable in its current use. Presently no AsCV have been designated under the provisions of the Localism Act 2011 but, under Community Action 2, the SPNP seeks to list an undefined number, in consultation with the community. NCC understands that 3 are presently proposed: Stannington Village Hall, St Mary Park Village Hall and a community building presently sited at Stannington First School.
- 4.6 I was informed by NCC that the process of designation would be complete by around the middle of February 2018 and that I would be notified. In the event, I have heard nothing further. I note NCC’s concern that the policy is unusable until AsCV have been formally designated. But I see no difficulty with that, the policy is simply one of intent that will be triggered in due course. I am satisfied that it meets the Basic Conditions.

### ***Policy 2: New and Extended Community Facilities***

- 4.7 I consider this policy alongside Policy 5, as they share a number of issues.

### ***Policy 3: Stannington First School***

- 4.8 This policy supports the extension or relocation of Stannington First School to accommodate increased pupil numbers, together with new play areas at the school or nearby. This is largely an aspirational policy to take account of the effect of as-yet unimplemented housing approvals, as at present the existing school is not at capacity. In principle, it is uncontroversial. A number of criteria are included which relate to other policies in the Plan, including the need for safe access and good cycle and pedestrian access to the village (Policies 7, 8 & 9). However, the requirement for “sufficient” safe parking areas is not consistent with NCC’s *Sustainable Modes of Travel Strategy* (2012) which seeks to limit parking provision to operational use with possible overflow for community use on hard play areas. Although that document is not part of the development plan, it promotes sustainable travel modes in line with the NPPF. I agree that the provision of significant additional parking and drop-off facilities would only encourage travel by private car, contrary to the principles of

sustainability. I therefore recommend the removal of reference to provision of parking.

- 4.9 The Policy indicates that should the school be relocated to a site in the Green Belt, Green Belt policies will apply. In the interests of achieving clarity, I have taken the opportunity to simplify this section [PM4].

***Policy 2: New and Extended Community Facilities and  
Policy 5: New and Expanding Rural Businesses***

- 4.10 I propose to consider these 2 policies together as they raise similar issues with respect to sustainable development and to the Green Belt. I understand that NCC has been in discussion with the QB in relation to certain matters, but that its concerns have not been resolved. The QB has indicated that it wishes the examination process to address the outstanding issues.
- 4.11 Policy 2 supports the provision of new community facilities and extensions to existing facilities within the Plan area. It also gives strong support for the provision of a new shop, café, pharmacy, green space and play areas in the built-up areas of any of the defined settlements: Stannington Village, Stannington Station, St Mary’s Park, Netherton Park, Blagdon, Clifton and Hepscott Park.
- 4.12 Policy 5 supports small-scale business proposals to support the economy of the Plan area, particularly at the existing business centres of Horton Grange, The Milkhope Centre, Whitehouse Farm and New Kennels. Consistent with Policy 2, the provision of businesses having a community benefit, such as a restaurant, public house, village shop, pharmacy or café will be supported in the built-up area of the settlements. The Policy also supports proposals for farm diversification where they respect local character.
- 4.13 I fully appreciate the desire of the QB to promote development that will be of benefit to the community by way of supporting the local economy and services to the parish; and that this is in line with the urgings of the NPPF (notably elements of paragraphs 17, 28, 69 and 70). However, I have a number of concerns about these policies, some of which I share with NCC.
- 4.14 First, the support for development provided by Policies 2 and 5 relates to the whole of the Plan area. This indiscriminating approach in my view fails to address matters of sustainability. Both have the potential to give rise to uncoordinated development which in turn could lead to the creation of unsustainable patterns of development and travel, contrary to the principal thrust of the NPPF, which states clearly that the purpose of the planning system is to contribute to the achievement of sustainable development.

- 4.15 The greater support given by the policies to development at the 7 settlements and 4 existing business centres identified might, at first glance, appear more sustainable. There is logic in locating facilities close to the community(s) to be served by them; and the co-location of businesses has the potential to generate mutual benefit and efficiencies. I have therefore considered whether it might be appropriate to reduce the scope of the policies to give support only to development in the identified locations, thereby excluding the wider rural area. Topic Paper 1 *Sustainable Settlements* (September 2015), which forms part of the evidence base for the Plan, concludes that the settlements of Stannington Village and Stannington Station are the most viable in terms of accommodating new development over the Plan period. St Mary’s Park is not regarded as a sustainable settlement at present, but has the capacity to become one. Blagdon is characterised as dispersed and not a settlement as such. In my judgment, the analysis does not support the identification of all of the settlements and business centres for further development. I conclude that in view of the substantial number of locations identified, even limiting development to these would do little to promote sustainable patterns of development or travel.
- 4.16 Topic Paper 3: *Local Economy* suggests a supportive policy about business expansion, identifying business areas in the Plan area. Those put forward are the 4 ultimately identified in the Plan. However, it is clear that this conclusion was based on an assumption that development would be controlled by sequential policies proposed in the (then emerging) Core Strategy. That plan has since been abandoned and so its draft policies carry no weight.
- 4.17 PPG (Reference ID: 41-041-20140306) says that a policy in a neighbourhood plan should be supported by appropriate evidence. Topic Paper 3 indicates that the business community has expressed a need for more space, with nearly half of the consultation respondents saying that they intend to expand over the following 5-10 years. I acknowledge the likelihood that more space will be required during the Plan period, but compelling evidence to support development at the locations identified – let alone in the whole of the Plan area – is lacking.
- 4.18 In any event, the Plan does not define the physical extent of the “built-up areas” of the settlements under Policy 2 (other than Stannington Village) or of the “existing business centres” under Policy 5. Consequently, in practical terms there would be considerable uncertainty over the exact areas to which the policies would apply. The PPG (Reference ID 41-041-20140306) says that a policy in a neighbourhood plan 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. Regrettably, these policies do not have sufficient regard to that advice.
- 4.19 I go on to consider other aspects of the policies, but even at this stage I have no alternative but to conclude that neither would contribute to the achievement of sustainable development. Therefore, the policies as submitted do not meet the Basic Conditions.
- 4.20 Second, and related to the first, the whole of the Plan area (other than the Stannington Village inset) is within the Green Belt, though the precise boundary of the northern part – including potentially the definition of insets for other settlements - has yet to be defined. Paragraph 84 of the NPPF says that, when drawing up or reviewing Green Belt boundaries, local planning authorities should take account of the need to promote sustainable patterns of development. This emphasises the importance of such patterns not only for their own sake, but also in the context of the Green Belt.
- 4.21 The wording of Policies 2 and 5 and the associated supporting text makes it clear that they are intended to sit within the framework of the Green Belt; and therefore, they are not in principle contrary to Green Belt policy.
- 4.22 Green Belt policy is highly restrictive of development: there is a presumption against most built development – so called “inappropriate development”, though this does not apply in some circumstances. Subject to specific provisos, the NPPF says that the following are considered to be not inappropriate: buildings for agriculture and forestry; provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries; the extension or alteration of a building; the replacement of a building; limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land). Therefore, the fact that land is within the Green Belt does not necessarily prevent all provision of community facilities or the development of small businesses.
- 4.23 The supporting text to Policy 2 sets out the manner in which the QB envisages that Green Belt policy would be applied to inappropriate development. When considering the test as to whether “very special circumstances” exist in the context of outweighing harm to the Green Belt, the desire of the local community for more and better services, facilities and infrastructure should be given “weight”. Similarly, under Policy 5 the Plan itself is said to give “significant weight” to the importance of allowing rural businesses to start up and expand in the Plan area. In the built-up areas of the settlements and the existing business centres the support would respectively be “strong” and “particular”.

- 4.24 Doubtless, in carrying out the balancing exercise in relation to a planning application involving inappropriate development, material considerations, embracing local views and the need for a particular facility would be something that could be taken into account. But the weight accorded to those considerations will vary depending on the precise nature of the individual development. Just as the degree of harm to the Green Belt will vary in each case, so will the weight in favour of the development by reference to local circumstances.
- 4.25 Consequently, I consider it would not be right for the Plan to accord specified weight in favour of a wide range of developments over the whole of the Green Belt – still less to specified types of development - as a matter of course. To do so would, I believe, undermine the implementation of a strategic policy of the development plan contrary to paragraph 184 of the NPPF. There is no suggestion in the NPPF or elsewhere that a development plan may “pre-load” support for certain types of development otherwise considered inappropriate in the Green Belt.
- 4.26 For all of the above reasons, I conclude that Policies 2 and 5 fail to meet the Basic Conditions so far as their approach to sustainable development and the Green Belt is concerned. Consequently, I recommend that both policies, as submitted, be deleted from the Plan and replaced as suggested in the paragraph below.
- 4.27 Notwithstanding the foregoing, I am in broad agreement with the QB’s intentions to promote community facilities and the local economy. I have therefore considered whether the policies may be modified to give some effect to those aspirations without breaching the Basic Conditions. I therefore recommend modifications [**PM2**] [**PM7**] that give positive support to built development only in areas excluded from the Green Belt (ie insets). At present that would apply only to Stannington Village but, in the event that other settlements or areas were to be defined as insets in the future Northumberland Local Plan, they would also apply there. Elsewhere, Green Belt Policy would apply explicitly, but I propose a form of words to say that, in any balancing exercise with respect to individual proposals, the contribution that would be made to community cohesion and to the local economy would be capable of being considerations weighing in favour of the development.
- 4.28 In all cases, in line with my earlier comments, I recommend that it should be demonstrated that the proposed development would make a positive contribution to a sustainable pattern of development and travel. And, consistent with Policy 5, it should respect local character, residential amenity and highway safety. In order to take account of these modifications I also recommend revised supporting text to these policies



and to the section of the Plan *Green Belt and the application of Policies 2, 3 and 5* on page 13 [**PM1**] [**PM3**] [**PM8**].

- 4.29 In recognition of the support given in Policy 2 to green space and children’s play areas, I also recommend a modification to Policy 4, to be renamed *Local Green Space and recreational provision*, supporting the provision of recreational facilities in defined insets, and of appropriate facilities for outdoor sport and outdoor recreation in the Green Belt as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it [**PM5**]. A modified supporting text is also recommended to reflect this change [**PM6**].
- 4.30 Finally, under this heading I recommend in the interests of consistency that reference to Policies 2 and 5 be removed from the Policies Map in relation to the defined settlements and the business centres [**PM12**].

#### **Policy 4: Local Green Space**

- 4.31 This policy identifies the Stannington Playing Fields as Local Green Space (LGS). The playing fields are well located with respect to residential development in the village and presently include provision of a football pitch and a newly-constructed play area. The proposed designation meets the criteria for such designations as set out in paragraph 77 of the NPPF, in that it is:
- (a) in reasonably close proximity to the community it serves;
  - (b) demonstrably special to the local community and holds a particular local significance, for example because of its recreational value; and
  - (c) is local in character and is not an extensive tract of land.
- 4.32 The policy states that within the Green Space, no development will be allowed except that of small scale that would enhance the recreational value and community benefit, or where very special circumstances can be demonstrated showing that the benefits of the development clearly outweigh the harm arising to the LGS. The latter exception is broadly consistent with Green Belt Policy, in accordance with paragraph 78 of the NPPF, but does not exactly reflect it. In view of the importance in applying policy accurately and consistently, I recommend a modification to the detailed wording [**PM5**].
- 4.33 With that modification, the policy meets the Basic Conditions.
- 4.34 I have already proposed a further minor modification consequent upon my consideration of Policy 2.

**Policy 6: Broadband**

- 4.35 This Policy requires new dwellings and business premises to be served by superfast broadband connections on an open access basis, together with appropriate infrastructure to accommodate fibre connection in the future, unless this proves impossible, impractical or unviable.
- 4.36 The NPPF recognises the importance of advanced high quality communications infrastructure as being essential for sustainable economic growth, adding that the development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services. Such networks should be supported in Local Plans.
- 4.37 The policy is essentially consistent with the approach of the NPPF and promotes sustainable development. However, I agree with NCC that the proposed requirement goes beyond what may be considered reasonable for a developer to supply, and that it would be more appropriate to limit provision to the necessary infrastructure required to facilitate connection to broadband. I therefore recommend substituting for the first part of the policy the wording put forward by NCC [**PM9**]. The second part of the policy, relating to the detail of the connections, becomes redundant in that context.
- 4.38 As proposed to be modified, the policy meets the Basis Conditions.

**Policy 7: Safety improvements on the road network**

**Policy 8: Safe cycling and walking routes**

**Policy 9: Provision of Highway Safety Infrastructure**

- 4.39 These three policies are interlinked and are considered together.
- 4.40 Policy 7 is supportive of proposals that would improve safety for pedestrians, cyclists and other users of the road network.
- 4.41 Policy 8 similarly supports the development of safe cycling and walking routes within the Plan area, including those that would link the settlements, existing routes; and the creation of new pavements or a public footpath along Stannington Station Road.
- 4.42 Policy 9 seeks provision of, or financial contribution towards additional infrastructure associated with highway safety improvements and the development or expansion of safe cycling and walking routes, by means of planning obligations or conditions.



- 4.43 All 3 policies are inherently sustainable in character, particularly so far as they relate to the promotion of the use of alternative modes of travel, and are supported by a number of the community actions listed in the Plan. They are uncontentious and meet the Basic Conditions.

### ***Policy 10: Design and Character***

- 4.44 This policy expects development proposals to demonstrate how they will integrate satisfactorily into their surroundings, having regard to criteria relating to context, character, historic setting, design, sustainable drainage, integration with access by sustainable means, landscaping, open space and play provision, access to broadband and amenity.
- 4.45 The policy reflects current national policy with respect to design and character and sustainability and has relevance to a number of other policies in the Plan, including those concerned with pedestrian and cycle links, green space and recreational provision.
- 4.46 Reference to securing access to broadband for future occupiers does not relate to matters of design or character and so appears out of place in this policy. In any event it is repetitious of Policy 6 and is therefore detrimental to the clarity of the Plan. I recommend the deletion of that part [**PM10**]. The remainder meets the Basic Conditions.
- 4.47 From my reading of the Stannington Parish Neighbourhood Plan submission document, the Regulation 16 consultation responses and the supporting evidence base documents for the Plan, and having undertaken the site visit, I consider that overall, subject to the detailed modifications I recommend, that individually and collectively the policies in the Plan will contribute to the achievement of sustainable patterns of development and meet the Basic Conditions.

### ***Policies Map***

- 4.48 The Policies Map for the Plan area is reproduced at a small scale. It shows the adopted Green Belt, the settlements and business centres identified under Policies 2 and 5 and the LGS in Stannington Village proposed under Policy 4. I agree with NCC that the physical extent of the settlements and the business centres is not clear. If they were critical to the practical application of any policy in the Plan I would recommend that they be defined at an appropriate scale in the interests of clarity and certainty. However, in view of the fact that I have recommended modifications to Policies 2 and 5, so that the locations are no longer identified, I am satisfied that the information on the Map is sufficiently detailed. I have already recommended that reference to these policies on the map should be deleted [**PM12**].

## 5. Conclusions

### *Summary*

- 5.1 The Stannington Parish Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

### *The Referendum and its Area*

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Stannington Parish Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated neighbourhood plan boundary, requiring the referendum to extend to areas beyond the plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated neighbourhood plan area.

### *Overview*

- 5.4 Finally, I would like to thank all those who have contributed to the preparation of the Neighbourhood Plan. I recognise that this will have been no easy task, the more so when undertaken by those who may be doing it for the first time. I appreciate the amount of work that has gone into its production and the obvious care for Stannington and its locality which has driven the project.

*Jonathan G King*

Examiner



## Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 13 Green Belt & application of Policies 2, 3 & 5	<p><b><u>Substitute with:</u></b></p> <p>“With the exception of Stannington Village, all the settlements and the business areas defined on the Policies Map, are within the general extent of the Green Belt as defined in ‘saved’ Policy S5 of the Northumberland County and National Park Joint Structure Plan (2005).</p> <p>Within that general strategic context, Policies 2 and 5 support proposals for new and improved community facilities and new and expanding rural businesses. Policy 3 supports future proposals to re-locate Stannington First School should the need arise.</p> <p>Most new building is regarded by the NPPF as “inappropriate development”. Paragraphs 87 and 88 state: “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.</p> <p>In applying this balancing exercise to proposals for inappropriate development, its contribution to community cohesion and to the local economy are important local considerations that may weigh in favour of individual proposals.”</p>
PM2	Page 15 Policy 2	<p><b><u>Substitute with:</u></b></p> <p>“The provision of new community facilities and extensions to existing community facilities, including businesses which have a community benefit, will be supported in areas excluded from the Green Belt.</p> <p>Within the Green Belt, proposals for such development will be subject to Green Belt policy. In the case of inappropriate development, the contribution of the development to community cohesion and to the local economy are important</p>

		<p>local considerations that may weigh in favour of individual proposals.</p> <p>In all cases:</p> <ul style="list-style-type: none"> <li>(i) it should be demonstrated that the proposed facilities will make a positive contribution to a sustainable pattern of development and travel; and</li> <li>(ii) the development should respect local character, residential amenity and highway safety.”</li> </ul>
<b>PM3</b>	<p>Page 15</p> <p>Policy 2 Explanation</p>	<p><b><u>Substitute with:</u></b></p> <p>“There was significant local feedback from consultation, suggesting that the settlements in the Plan area would be more vibrant if there were more provision of local services to meet people's day-to-day needs. There was particular support for the provision of a pharmacy, as well as a local shop and café. This policy seeks to provide support for proposals that come forward for new community facilities in areas not subject to Green Belt policy. At present, this is limited to Stannington Village, for which an inset to the Green Belt has been defined. However, the policy will also apply to any other insets that may be defined in the future Northumberland Local Plan. Elsewhere, proposals will be subject to Green Belt Policy as summarised in the box on page 13. The contribution of the development to community cohesion and to the local economy are important local considerations that may weigh in favour of individual proposals.”</p>
<b>PM4</b>	<p>Page 16</p> <p>Policy 3</p>	<p><b><u>From the first paragraph of the policy delete the words:</u></b></p> <p>“the provision of sufficient safe parking areas,”</p> <p><b><u>and for the second paragraph, substitute:</u></b></p> <p>“Any proposals to relocate the school to another site within the Green Belt will be subject to policy relating to development in the Green Belt.”</p>
<b>PM5</b>	<p>Page 17</p> <p>Policy 4</p>	<p><b><u>Rename as</u></b></p> <p><i>Local Green Space and recreational provision</i></p> <p><b><u>Substitute the second paragraph of the policy with:</u></b></p>

		<p>“Within this Local Green Space, no development will be allowed except that of small scale that is consistent with the designation of the land for community recreational purposes. All other development is considered inappropriate and will not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Local Green Space by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”</p> <p><b><u>Add the following:</u></b></p> <p>“The provision of recreational facilities will be supported in areas excluded from the Green Belt. The provision of appropriate facilities for outdoor sport and outdoor recreation in the Green Belt will be supported as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.”</p>
<p><b>PM6</b></p>	<p>Page 17 Policy 4 Explanation</p>	<p><b><u>Add the following as a third paragraph:</u></b></p> <p>“The policy additionally supports the provision of recreational facilities in defined insets to the Green Belt, presently only Stannington Village, but potentially elsewhere if defined in the future Northumberland Local Plan. Facilities for outdoor sport and outdoor recreation is also supported in the Green Belt subject to national policy.”</p>
<p><b>PM7</b></p>	<p>Page 19 Policy 5</p>	<p><b><u>Substitute with:</u></b></p> <p>“To create and retain a sustainable local economy in the Plan area, small-scale proposals for new business uses or the opportunity to expand existing uses, will be supported in areas excluded from the Green Belt.</p> <p>Within the Green Belt, proposals for such development, including those for farm diversification, will be subject to Green Belt policy. In the case of inappropriate development, the contribution of the development to community cohesion and to the local economy are important local considerations that may weigh in favour of individual proposals.</p> <p>In all cases:</p> <ul style="list-style-type: none"> <li>(i) it should be demonstrated that the proposed development will make a positive contribution to a sustainable pattern of development and travel; and</li> <li>(ii) the development should respect local</li> </ul>

		character, residential amenity and highway safety.”
<b>PM8</b>	Page 19  Policy 5 Explanation	<b><u>Replace the third paragraph with:</u></b>  “To maintain a sustainable local economy, it is important that small businesses in rural areas have the opportunity to become established and to expand. This policy seeks to provide support for proposals that come forward for business development in areas not subject to Green Belt policy. At present, this is limited to Stannington Village, for which an inset to the Green Belt has been defined. However, the policy will also apply to any other insets that may be defined in the future Northumberland Local Plan. Elsewhere, proposals will be subject to Green Belt Policy as summarised in the box on page 13. The contribution of the development to community cohesion and to the local economy are important local considerations that may weigh in favour of individual proposals.”  <b><u>Delete the fourth and fifth paragraphs</u></b>
<b>PM9</b>	Page 20  Policy 6	<b><u>Substitute with:</u></b>  “All new dwellings and businesses proposed in the Plan area should be provided with the infrastructure necessary to allow the property to be served by a superfast broadband connection which can be installed on an open access basis, unless it can be demonstrated through consultation that this would not be either possible, practical or economically viable.”
<b>PM10</b>	Page 25  Policy 10	<b><u>Delete section (f)</u></b>
<b>PM11</b>	Page 30  Glossary	<b><u>Delete the following from “Core Strategy”:</u></b>  “When adopted, the Core Strategy for the Plan area will be Northumberland County Council’s Core Strategy Document.”
<b>PM12</b>	Policies Map	<b><u>Delete</u></b> Reference to Policies 2 & 5.