

APPENDIX A

LOCAL PLANS AND THE NATIONAL PLANNING POLICY FRAMEWORK COMPATIBILITY CHECK LIST MAY 2014

THIS FRAMEWORK IS BASED ON AN INTERNAL ASSESSMENT OF EACH POLICY, TAKING INTO ACCOUNT THE ADVANCEMENT OF THE WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY AND THE PUBLISHED NATIONAL PLANNING POLICY FRAMEWORK. THE ASSESSMENT PROVIDES JUSTIFICATION FOR THE WEIGHT TO BE ASSIGNED TO POLICIES. DECISIONS WILL NEED TO WEIGH UP ALL APPROPRIATE EVIDENCE IN DETERMINING THE OUTCOME OF PLANNING APPLICATIONS. IT IS IMPORTANT THAT THESE RECOMMENDATIONS ARE USED AS GUIDANCE ONLY.

The following assessment has been undertaken on the saved policies of the Northampton Local Plan (1997). **SAVED POLICY WEIGHTING**

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| SIGNIFICANT: | <p>For a saved policy to carry significant weight, it must be considered necessary to assist in determining planning applications in the absence of a strategic policy and be compliant with the spirit of the NPPF.</p> |
| MODERATE : | <p>For a saved policy to carry moderate weight, it must be considered necessary as an interim measure to assist in determining planning applications alongside strategic policy, (expected to be adopted late 2014), and to support the principles contained in relevant supplementary guidance.</p> |
| LIMITED: | <p>A saved policy would carry minimum weight, where it was considered unlikely to be in conformity with the NPPF. In addition where the strategic policy had relatively limited, or no unresolved objections and is intended to replace the saved policy the more up to date policy would further reduce the weight of the saved policy.</p> |
| NON -COMPLIANT OR NO LONGER RELEVANT AS THE POLICY HAS BEEN DIRECTLY SUPERSEDED BY MORE UP TO DATE POLICY/EVIDENCE OR NO LONGER REQUIRED | <p>For a saved policy to be non-compliant it may be directly superseded by an up-to-date evidence base/policy or be contrary to the objectives of the NPPF.</p> |

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| ENVIRONMENT | | | | | | |
| E1 | Landscape and Open Space | <p>The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution.</p> <p>The policy wording is likely to raise issues of concern in respect of para 14 the presumption in favour of sustainable development.</p> | Updated in the JCS through policies including BN2, BN3 and BN4 | Policy 4 Planning Obligations SPD | <p>The policy seeks to resist development which is likely to be detrimental to the character and structure of the landscape</p> <p>The policy is negatively worded and non-enabling, and is likely to be contrary to the presumption in favour of sustainable development</p> <p>The emerging JCS policies consider the presumption in favour of sustainable development as a starting point and attach criteria for assessing weight to be given to environmental designations in determining applications.</p> <p>The policy carries limited weight.</p> | |
| E2 | Riverside Landscape | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. | Updates in the JCS through policies including BN1 and BN8 | Policy 4 | The policy is likely to be superseded by emerging JCS policies that seek to protect the strategic corridor of the River Nene, and SPA and RAMSAR sites. | |
| E4 | Water Environment | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. | Updates in the JCS through policies including BN1 and BN8 | Policy 4 | <p>Policy E4 seeks to manage the formation of new water areas.</p> <p>In the Central Area, CAAP Policy 4 requires new development to deliver/contribute to the provision of Green Infrastructure and includes criteria and requirements for green infrastructure.</p> <p>In other areas, the policy is likely to be superseded by emerging policies of the JCS which seek to deliver a network of green infrastructure and net gains in biodiversity.</p> | |
| E6 | Greenspace | The policy may be consistent with the ethos of the 12 principles set | Updated in the JCS through | Policy 4 | In the Central Area, CAAP Policy 4 replaces LP Policy E6. In other areas, the | |

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| | | out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. | policies including BN2, BN3 and BN4 | | JCS will seek to deliver a network of GI and provide net gains in biodiversity. In addition, the SUE policies identify areas of structural green-space. However, in other areas Local Plan Policy E6 continues to play an important role in identifying important green spaces of various typologies on the Proposals Map and their function in associated appendices. Until such time as these green spaces are updated further in the NRDA emerging Local Plan, the policy is considered to have medium weight. | |
| E7 | Skyline development | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | Policy BN5 | Policy 1 and Policy 2 | The policy applies special importance to the effect of the development on the skyline and its identification of specific areas. In the Central Area, policy 1 seeks to deliver design excellence which responds to various character areas. Policy 2 provides criteria for proposals which seek to deliver tall buildings which break the skyline. Various emerging JCS policies make reference to the effects on historic environment and sensitive landscapes, in order to sustain their contribution for example in siting renewable energy technologies and in developing major sites. The NPPF (Chapter 11) seeks to protect and enhance valued landscapes. The Northampton Landscape Sensitivity Study identifies the sensitivity of landscapes in Northampton. It is expected that the NRDA will formulate policies which include design principles, including the impact on skyline. . | |

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| E9 | Locally important landscape areas | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. | Updated in the JCS through policies including BN1, BN2, BN3 and BN4 | Policy 1 Policy 4 | The policy identifies through Proposals Maps designation Locally Important Landscape Areas, although the information is dated, many are still relevant designations. NRDA will include details of the green infrastructure network based on more updated evidence base. Existing JCS, CAAP and NPPF are sufficient to support delivery | |
| E10 | Hedgerows, trees and woodland | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. | BN3 | Policy 4 | The policy sought to deliver new woodland between Great Houghton and Hardingstone along the fringes of the Brackmills Business Area. The policy has been implemented and is therefore no longer required. | |
| E11 | Hedgerows, trees and woodland | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. | BN3 | Policy 4 | The policy seeks to protect trees, hedgerows and woodland of significant value to the environment or public. In the Central Area, policy 4 of the CAAP seeks to deliver a network of green infrastructure. Chapter 11 of the NPPF seeks to protect and enhance the natural environment including through minimising impacts on biodiversity. Emerging JCS policy BN1 seeks to provide a network of green infrastructure. BN2 seeks to maintain and enhance habitats and deliver net gains in biodiversity. BN3 seeks to enhance existing, and create new woodland. The NRDA may identify important local assets such as woodlands. The policy therefore holds limited weight. | |

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| E12 | Hedgerows, trees and woodland | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. | BN3 | Policy 4 | The policy seeks to protect trees, hedgerows and woodland of significant value to the environment or public. In the Central Area, policy 4 of the CAAP seeks to deliver a network of green infrastructure. Chapter 11 of the NPPF seeks to protect and enhance the natural environment including through minimising impacts on biodiversity. Emerging JCS policy BN1 seeks to provide a network of green infrastructure. BN2 seeks to maintain and enhance habitats and deliver net gains in biodiversity. BN3 seeks to enhance existing, and create new woodland. The NRDA may identify important local assets such as woodlands. The policy therefore holds limited weight. | |
| E14 | Corridors of travel | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | BN1 | Policy 4 | The policy is unique in that it seeks to protect landscapes as viewed from main corridors of travel. In the Central Area, policy 1 seeks to deliver design excellence which responds to various character areas. Policy 2 provides criteria for proposals which seek to deliver tall buildings which break the skyline. The emerging JCS policy BN5 seeks to sustain and enhance the features which contribute to the character of the area and is sympathetic to locally distinctive landscape features, design styles and materials in order to contribute a sense of place. | |
| E17 | Nature conservation | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For | BN1, BN2, BN3, BN4 | Policy 4 | In the Central Area, policy 4 of the CAAP seeks to deliver a network of green infrastructure. | |

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| | | <p>example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. However, the policy is likely to relate to a variety of designations some only of local significance which require greater flexibility than is allowed in the policy, e.g. off-site mitigation.</p> | | | <p>Chapter 11 of the NPPF seeks to protect and enhance the natural environment including through minimising impacts on biodiversity.</p> <p>Emerging JCS policy BN1 seeks to provide a network of green infrastructure. BN2 seeks to maintain and enhance habitats and deliver net gains in biodiversity. BN3 seeks to enhance existing, and create new woodland. Policy BN4 seeks to ensure that new development does not adversely affect the Upper Nene Valley Gravel Pits SPA and Ramsar site.</p> <p>The NRDA may identify important local assets such as woodlands. The policy therefore holds limited weight.</p> <p>The emerging green infrastructure implementation plan will help inform the NRDA and update this policy.</p> | |
| E18 | Sites of acknowledged conservation value | <p>The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution.</p> | BN1, BN2, BN3, BN4 | Policy 4 | <p>In the Central Area, policy 4 of the CAAP seeks to deliver a network of green infrastructure.</p> <p>Chapter 11 of the NPPF seeks to protect and enhance the natural environment including through minimising impacts on biodiversity.</p> <p>Emerging JCS policy BN1 seeks to provide a network of green infrastructure. BN2 seeks to maintain and enhance habitats and deliver net gains in biodiversity. BN3 seeks to enhance existing, and create new woodland. Policy BN4 seeks to ensure that new development does not adversely affect the Upper Nene Valley Gravel Pits SPA and Ramsar site.</p> <p>The NRDA may identify important local assets such as woodlands.</p> <p>The policy therefore holds limited weight.</p> | |

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| | | | | | The emerging green infrastructure implementation plan will help inform the NRDA and update this policy. | |
| E19 | Implementing development | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants – however it does not provide any additional locally specific focus than that contained within NPPF. | INF1 and INF2 | Policy 37 Planning Obligations SPD CIL in progress | In the Central Area, CAAP policy 1 sets criteria to deliver design excellence. In addition, policy 36 requires the delivery of new infrastructure through developer contributions. The Planning Obligations SPD provides further guidance on infrastructure requirements and the role of developer contributions. Emerging JCS policy S10 sets out a broad range of principles to ensure proposals deliver sustainable development. In addition, policies INF1 and INF2 indicate the authorities' approach to delivering infrastructure through developer contributions. The Council is currently working up a CIL to deliver strategic infrastructure through developer contributions. | |
| E20 | New development (design) | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants – however it does not provide any additional locally specific focus than that contained within NPPF | S10 | Policy 1 | CAAP policy 1 sets out criteria to deliver design excellence. Emerging JCS policy S10 sets out a broad range of principles to ensure proposals deliver sustainable development. Updated evidence base will be used to inform design principles to be applied within the new local plan. | |
| E26 | Conservation Areas: development and advertisements | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through conserving heritage assets in a manner appropriate to their significance. – however it does not provide any additional locally | | Policy 1 | In the Central Area, CAAP policy 1 sets criteria to deliver design excellence. Place-specific policies (17-35) set out development principles, including in places designated as Conservation Areas. Emerging JCS policy BN5 seeks to sustain and enhance the features which contribute | |

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| | | specific focus than that contained within NPPF paragraph 135 | | | to the character of the area including conservation areas. Chapter 12 of the NPPF provides additional guidance for the determination of planning applications in historic environments. This policy is considered to carry limited weight. | |
| E28 | Use of upper floors and other commercial premises | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. However, it provides no locally specific aspect that would differentiate it from broad policies in the NPPF. | | Policy 1 | Permitted development rights are likely to provide opportunities for residential development and other appropriate uses to take place in the upper floors of vacant and under-used shops. NPPF chapter 2 recognises the importance of residential development in promoting the vitality of town centres. | |
| E29 | Shopping environment: new or replacement shop fronts | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. It identifies specific criteria that will be assessed in the determination, thus provides some local distinctiveness compared to NPPF. | | Policy 1 and Policy 13 Shopfront Design Guide SPD | This policy is still required as a policy hook for the SPD until such time as it is replaced by the new local plan | |
| E30 | Shopfront: external security protection | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. It identifies specific criteria that will be assessed in the determination, thus provides some local distinctiveness compared to NPPF. | | Policy 1 and Policy 13 Shopfront Design Guide SPD | This policy is still required as a policy hook for the SPD until such time as it is replaced by the new local plan | |

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| E35 | Advertisement in conservation areas | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through conserving heritage assets in a manner appropriate to their significance, but does not provide a locally specific element that would differentiate it from general policy in NPPF. | | Policy 1 Shopfront Design Guide SPD | In the Central Area, CAAP policy 1 seeks to preserve and enhance the character, appearance and setting of the central area's heritage assets. The NPPF provides further guidance in chapter 12 through sustaining and enhancing heritage assets. Emerging JCS policy S10 sets out principles for sustainable development, including through conserving heritage assets. Emerging policy BN5 seeks to protect and enhance the historic environment, including through minimising harm to heritage assets. This policy is considered to carry limited weight. | |
| E36 | Advertisement hoardings: express consent | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants; and through conserving heritage assets in a manner appropriate to their significance but does not provide a locally specific element that would differentiate it from general policy in NPPF. | | Shopfront Design Guide SPD | The policy acknowledges the positive contribution advertisements can make in screening derelict or vacant sites, whilst noting the harm that can be caused by some adverts. The NPPF provides further guidance, seeking an approach which is efficient, effective and simple in concept and operation. The Shopfront Design Guide SPD provides additional guidance. CAAP policy 1 requires all new development to positively contribute to the character of an area. The policy therefore carries limited weight. | |
| E38 | Historic landscapes: nationally important ancient monuments / | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by | BN5 | | Some key areas of archaeological and historic landscapes have been identified. Until such time as updated evidence base is available to inform the new local plan, this policy is necessary and is considered to carry medium weight. | |

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| | landscapes | reducing pollution. | | | | |
| E39 | Renewable energy | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through supporting the transition to a low carbon future in a changing climate. However the focusses on mitigation rather than provide clear directions on a wide ranging set of measures and considerations. but does not provide a locally specific element that would differentiate it from general policy in NPPF | SN10 and SN11 | Policy 1 Energy Efficiency and Design Guide SPD is in progress | The lack of a locally specific relevance means that the NPPF and the JCS are sufficient to guide planning applications. In addition, Policy 1 of the CAAP, to an extent, will provide the necessary guidance for the town centre and its adjoining area | |
| E40 | Crime and vandalism | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17 and identified in paragraph 58. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | S10 | | In the Central Area, the CAAP seeks to reduce crime through the regeneration of Northampton. This is explored in more detail in some of the site-specific policies. The emerging JCS seeks to ensure high quality safe environments in Policy S10 and bring about community regeneration through policies RC1 and N11, including through reducing crime. The NPPF provides further guidance in chapter 8: promoting healthy communities. The policy is therefore considered to hold limited weight. | |
| HOUSING | | | | | | |
| H1 | Sites for major new residential development | The policy provides clarity on areas that will meet housing need. However, it is particularly aged. In the context of the April 2014 assessment of 5 year housing supply it can however be regarded as out of date – nevertheless for those allocations that have not been built, it can be seen as | Together with SUEs, supports Policy S3, S4 and S5 | Policy 16, IDP and Planning Obligations SPD | The policy identifies sites for major new residential development. Remaining undeveloped land (including at Upton, Berrywood and Kings Heath) continues to provide opportunities for new housing development. However those remaining sites are identified within the boundaries of SUEs by the JCS. Development of those sites is expected to | |

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| | | supporting the requirement to meet objectively assessed housing needs. | | | be delivered in accordance with the emerging policies of the JCS, and new infrastructure, services and facilities should be provided in accordance with the IDP and Planning Obligations SPD. The policy is therefore not required. | |
| H4 | Sites for major new residential development | The policy is locally specific; nevertheless the inclusion of the list of facilities within an Appendix diminishes the weight that can be attached to them. The age of the policy also has implications for the relevance of facilities sought. | Together with SUEs, supports Policy S3, S4 and S5 | Policy 16, IDP and Planning Obligations SPD | The policy seeks to provide new community facilities and infrastructure to support development of Upton and Berrywood. Those remaining sites are identified as SUEs by the emerging JCS. New facilities and infrastructure are expected to be delivered in accordance with the policies of the emerging JCS, IDP and Planning Obligations SPD. It is likely that the policy has been superseded by more up-to-date evidence and is therefore not required. | |
| H5 | Sites for major new residential development | The policy is locally specific; nevertheless the age of the Plan means that certain aspects of the policy are no longer relevant having been overtaken by events. | Together with SUEs, supports Policy S3, S4 and S5 | Policy 16, IDP and Planning Obligations SPD | The policy includes site-specific criteria and additional facilities and infrastructure for the development of King's Heath site. The site is identified as an SUE by the emerging JCS. Development of the site and new facilities and infrastructure is expected to be delivered in accordance with the policies of the emerging JCS, IDP and Planning Obligations SPD. The policy is therefore not required. | |
| H6 | Other housing development: within primarily residential area | The policy is locally distinctive in that residential areas are identified, however the date of the Plan and generic content of the policy provides no significant differentiation from the content of the NPPF. | S3, S10 | Policy 1 | In the Central Area, CAAP Policy 1 provides criteria for promoting design excellence. There is potential that policy H6 could conflict with CAAP Policy 1. Therefore in the Central Area, policy H6 should be considered superseded by CAAP Policy 1. In other areas, policy H6 continues to be relevant in shaping the character, scale | |

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| | | | | | and amenity of new development. Development management policies to be set out by the NRDA and emerging JCS Policy S10 will replace policy H6, in due course. | |
| H7 | Other housing development: outside primarily residential areas | The generic content of the policy provides no significant differentiation from the content of the NPPF and as such could be viewed as being contrary to the NPPF's presumption in favour of sustainable development. | S3, S10 | Policy 1 | <p>In the Central Area, CAAP Policy 1 provides criteria for promoting design excellence. There is potential that policy H7 could conflict with CAAP Policy 1. Therefore in the Central Area, policy H7 should be considered superseded by CAAP Policy 1.</p> <p>In other areas, policy H7 continues to be relevant in shaping the character, scale and amenity of new development, with the exception of the parking standards and Highway Design Guide (superseded by Northamptonshire Parking Strategy (2013) and Northamptonshire Highway Development Management Strategy (2013)).</p> <p>Development management policies to be set out by the NRDA and emerging JCS Policy S10 will eventually replace policy H7.</p> | |
| H8 | Other housing development: list of sites | Whilst it is locally specific in identifying sites appropriate for housing, the policy is particularly aged, particularly in the context of the April 14 5 year housing supply. | S3, S10 | Policy 16 and site specific policies | <p>The policy identifies sites for development, sites with planning permission and sites approved in principle. Many of the sites are likely to have been developed or in an active alternative use.</p> <p>The CAAP identifies locations and opportunities for new residential development. Therefore in the Central Area the policy is considered to be superseded by the CAAP.</p> <p>In other areas, remaining undeveloped sites may continue to offer a suitable location for development. Regard should</p> | |

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| | | | | | be had to the policies of the emerging JCS and the NPPF. | |
| H10 | Backland development | The policy is likely to be compliant with NPPF para. 53. However it is not locally specific and therefore in reality adds little to the policies related to the presumption of sustainable development. | | | This policy is in conformity to para 53 of the NPPF which seeks to resist inappropriate development of residential gardens, if, for instance, they would cause harm to the local area. This carries medium weight because it will be required until the new local plan is progressed | |
| H11 | Other housing development: commercial property in primarily residential areas | This policy supports the spirit of para 51 of the NPPF, which seeks to approve planning applications for change to residential use and any associated development from commercial buildings where there is an identified need for additional housing in the area. | S10 | Policy 1 | Within the Central Area the policy is superseded by the CAAP, which provides a range of policies for employment and residential development. In other areas the policy may have limited weight. However para 51 of the NPPF provides further guidance on how this issue can be resolved through the development management process | |
| H14 | Residential development, open space and children's play facilities | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | | Policy 4, Planning Obligations SPD | The policy seeks to bring about children's play facilities in association with residential development. The policy is superseded by the Planning Obligations SPD which includes formulae for calculating open space and recreation by typology. | |
| H16 | Housing for the elderly | Compliant with para 17 (bullet point 3) Section 6. Delivering a wide choice of high quality homes" The evidence base to support the type, amount and location of such dwellings does not currently exist. | H4 | | The NPPF seeks to deliver housing which meets the needs of older people in "Delivering a wide choice of high quality homes". Emerging JCS policy H4 seeks to provide housing which meets the needs of specific groups, including older people. The policy therefore has limited weight. | |
| H17 | Housing for people with disabilities | In principle, the policy is not dissimilar from the requirements of the NPPF. However due to the age of the policy, it may not reflect up-to-date evidence of housing | H4 | | The NPPF seeks to deliver housing which meets the needs of disabled people in "Delivering a wide choice of high quality homes". Emerging JCS policy H4 seeks to provide housing which meets the needs of | |

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| | | need and has not taken account of changes to building regulations. | | | specific groups, including disabled people. The policy therefore has limited weight. | |
| H18 | Extensions | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. The policy is not locally specific, is perhaps overly prescriptive in relation criteria 2 and adds little to the high level NPPF interpretation of what is sustainable development. | S10 | Policy 1 | Changes to permitted development rights means that many household extensions do not require planning permission. In the Central Area, Policy 1 seeks to deliver design excellence in new development. In other areas, the NPPF seeks to secure high quality design and a good standard of amenity. The policy therefore holds limited weight. | |
| H21 | Conversion to flats | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. However it is insufficiently clear and open to wide range of interpretation and in the context of the presumption in favour of development could be seen as too restrictive. | S10 | Policy 1 Policy 16 | The policy seeks to resist the conversion of houses to flats. The approach taken by the policy may not be compliant with the NPPF's presumption in favour of sustainable development. In the Central Area, such proposals should be determined in accordance with the policies of the CAAP. In other areas, the emerging JCS provides sustainable development principles and the NPPF provides guidance on good design. | |
| H23 | Conversion to flats | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. However, it's unclear of the evidence base that was used to justify the policy. Changes to the GDPO effectively allow smaller dwellings than allowed through the | S10 | Policy 1 Policy 16 | Changes to permitted development rights and a more positive approach to residential applications mean that this policy is no longer as relevant | |

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| | | policy, which effectively means that in reality the interpretation of the policy will be on the assessment of whether a suitable residential environment can be obtained. | | | | |
| H24 | Conversion to flats | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | S10 | Policy 1 | The policy includes criteria for the development of flats in basement areas. Limited weight should be applied to the policy, as more up-to-date policies promoting good design and sustainable development are provided by the CAAP, NPPF and emerging JCS. | |
| H26 | Conversion to flats – flats above shops | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. Nevertheless, the majority of development that falls in this category is allowed through permitted development rights. | S10 | Policy 1 | Change of use to provide up to two flats above a shop are permitted development. For other development proposals, CAAP, NPPF and emerging JCS policies relating to good design and sustainable development should be referred to. The policy should therefore be given limited weight in decision-making. | |
| H28 | Hostels | The policy may be prescriptive and inflexible, and open to wide interpretation which may be contrary to the NPPF's presumption in favour of sustainable development. | H4 | Policy 1 | The policy includes criteria for the development of hostels in residential areas. Limited weight should be applied to the policy as up-to-date policies promoting good design and sustainable development are provided by the CAAP, NPPF and emerging JCS. | |
| H29 | Residential institutions | The policy is probably inconsistent with equalities legislation, may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. | H4 | | The JCS policy and NPPF are sufficient to assist with determining planning application | |
| H30 | Multiple occupation with a single | In principle, the policy is not dissimilar from the requirements of the NPPF. However due to the | H6 | Policy 16 of the CAAP seeks the | Although the JCS policy and NPPF are sufficient to assist with determining planning application, this policy has a role | |

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| | dwelling | age of the policy, it may not reflect up-to-date evidence of housing need. Therefore the policy may not be compliant with the NPPF. | | provision of a mix of dwelling types and tenures. | in providing the necessary policy hook for the preparation of a HiMO SPD | |
| H31 | Cumulative effect | The policy approach may conflict with the presumption in favour of sustainable development. | H6 | | The policy prevents the development of C1 and C2 use classes in certain streets. The evidence to support such a policy approach, if it ever existed is almost certainly out of date. The policy approach may conflict with the positive approach advocated by the NPPF. | |
| H32 | Affordable housing | In principle, the policy is not dissimilar from the requirements of the NPPF. However due to the age of the policy, it may not reflect up-to-date evidence of housing need. Therefore the policy may not be compliant with the NPPF. | H1 and H2 | Policy 16 | An Interim Planning Policy Statement on Affordable Housing has been approved by the Council's Cabinet, which provides further guidance on affordable housing based on Policy H32 and more up-to-date evidence base on local needs. This policy is therefore still required but carries limited weight because the Joint Core Strategy policy contains policies that are consistent with the requirements of the NPPF, particularly around setting the amount of affordable housing and take account of viability. | |
| H34 | Gypsy caravan sites | In principle, the policy is not dissimilar from the requirements of the NPPF. However due to the age of the policy, it may not reflect up-to-date evidence of housing need. Therefore the policy may not be compliant with the NPPF. | H7 | | The emerging JCS policy H7 indicates a requirement for additional pitches for Gypsies and Travellers. Local Plan policy H34 includes criteria relating to the impact on character and amenity. It is likely that the CAAP, emerging JCS and NPPF provide an adequate policy framework in addressing those issues. A Gypsy & Travellers site local plan will be prepared. This policy therefore carries some limited weight in the absence of that plan. | |
| H35 | Childcare | The policy is likely to be compliant | | Policy 1 | The policy relates to the provision of new | |

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| | facilities | with the NPPF through planning positively for facilities and services. | | | childcare facilities, and is concerned with maintaining amenity. It is likely that policies of the CAAP, NPPF and emerging JCS provide a robust framework for assessing the impact on amenity (alongside other relevant issues). | |
| BUSINESS AND INDUSTRY | | | | | | |
| B1 | Land allocations for business and industry: proposed business areas | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. However, it conforms to the spirit of the NPPF in the sense that it seeks to allocate sites for business uses which will contribute towards building a strong, competitive economy. | E1, E2, E3, E8 | Policy 15 | This policy is required to identify the sites which should be safeguarded for employment in the new local plan. New evidence through a revised employment land assessment will demonstrate which sites should be retained and which can be released. | |
| B2 | Land allocations for business and industry: existing business areas | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. However, it conforms to the spirit of the NPPF in the sense that it seeks to allocate sites for business uses which will contribute towards building a strong, competitive economy. | E1, E2, E3, E8 | Policy 15 | This policy is required to identify the sites which should be safeguarded for employment in the new local plan. New evidence through a revised employment land assessment will demonstrate which sites should be retained and which can be released | |
| B3 | Land allocations for business and industry: business developments | The policy is inflexible and is contrary to the NPPF's presumption in favour of sustainable development. | | | This policy is not required because it is restrictive and does not support the need to support existing business sectors if required – in line with Para 21 of the NPPF | |
| B4 | Land allocations for business | The policy is generally consistent with the presumption in favour of development – but has no locally | S10, C2 | Policy 1 | This policy is essentially about securing a business use that is acceptable in design and highway terms. The NPPF, the CAAP | |

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| | and industry: sites less than 1 ha | specific aspects that would differentiate it from the NPPFs general presumption in favour of development. | | | and the JCS are sufficient to address these issues and this policy is not considered necessary | |
| B5 | Development policies for proposed business areas: Brackmills, Milton Ham and Pineham | The policy sought to meet specific employment needs through that were relevant at the time, with the exception of Milton Ham these have been predominantly developed for these purposes. | E1, E2, E3, E8, S10 | Policies 1 and 15 | This policy is required to identify the sites which should be safeguarded for employment in the new local plan. New evidence through a revised employment land assessment will demonstrate which sites should be retained and which can be released | |
| B6 | Support services | The policy is consistent with the NPPF in that it sets out facilities required to support a good business environment, based on evidence at the time the plan was made. This has been delivered through S.106 agreements in terms of reserving the land, however as yet there have not been any commercial take up. | | | The policy has essentially been delivered through S.106 obligation – commercial interest is the main issue in terms of delivery. | |
| B7 | Brackmills: height consideration | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. Nevertheless it is prescriptive when without up to date evidence a greater emphasis is likely to be on visual impact and the likely harm caused. | N6, S10 | | Emerging JCS policy will supersede this requirement. . The NPPF guidance on requiring good design, combined with the JCS policy, is considered sufficient to guide design considerations in this area. | |
| B8 | Northampton Cattlemarket | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. | | | Site is developed for non-cattlemarket uses so no longer relevant | |
| B9 | Pineham and | The policy may be consistent with | BN1, S10 | | The new local plan will include details of | |

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| | Milton Ham: landscaping zone | the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. Nevertheless, the 50metres could be considered arbitrary when the real test would be the harm caused should it be of a lessor width. | | | the green infrastructure network based on more updated evidence base. Existing JCS, CAAP and NPPF should be sufficient to support delivery. However, as this relates to specific sites, the requirements are bespoke to the areas and are therefore considered to carry, in the case of Milton Ham at least, moderate weight | |
| B11 | Milton Ham: height considerations | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | S10 | | As this relates to a specific site, the requirements are bespoke to the area but still considered relevant given the proximity to residential development | |
| B13 | Satisfactory residential environment | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | INF1 and INF2 | Planning Obligations SPD CIL in progress | Although it is NPPF compliant, it is not considered necessary because more up to date mitigation measures and infrastructure delivery policies are in place | |
| B14 | Delivery of non-business uses in business areas | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. It is also based on evidence base that is out of date. | E1, E2, E3, E8, S10 | Policies 1 and 15 | This policy is required to identify the sites which should be safeguarded for employment in the new local plan. This would be compliant with para 51 of the NPPF. New evidence through a revised employment land assessment will demonstrate which sites should be retained and which can be released. This policy is still useful in determining planning applications. | |
| B17 | Use of land for open storage, salvage and recycling | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. | E1, E2, E3, E8, S10 | Policy 1 | The policy adds little to what can be considered 'good planning'/sustainable development in the NPPF. | |

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| B19 | Existing business premises in primarily residential areas | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. | E1, E2, E3, E8, S10, BN9 | Policy 1 | Taking account of the NPPF and the emerging it is considered that the policy has limited weight. | |
| B20 | Working from home | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants occupants and the general requirement to secure economic growth and job creation. | | | The policy can be regarded as 'good planning' however it is difficult to see what it adds to normal development management considerations and sustainable development as set out in NPPF. | |
| B22 | Small businesses: up to 200 sq.m | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. | | | This policy is considered to be too prescriptive and unnecessary, particularly as the NCC Car Parking SPG superseded this | |
| B23 | Repair and maintenance of vehicles | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. | E1 | Policy 1 and 15 | This policy is required to identify the sites which should be safeguarded for employment in the new local plan. New evidence through a revised employment land assessment will demonstrate which sites should be retained and which can be released. This policy therefore carries limited weight. This also relates to parking provision, and the standards have been replaced by NCC's Parking SPG. | |
| B31 | Environmental impact of business development: new locality | The policy focusses on mitigation rather than providing clear direction on a wide ranging set of measures and considerations. The policy may not be compliant with the NPPF. | BN9 | | It is difficult to try to understand what this policy is seeking to achieve and it is not considered necessary | |
| B32 | Environmental impact of business | The policy focusses on mitigation rather than providing clear direction on a wide ranging set of measures | BN9 | NBC Planning Obligations | Both policy BN9 and the SPD are considered sufficient to deal with these matters. This policy adds nothing and is | |

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| | development: amelioration | and considerations. The policy may not be complaint with the NPPF. | | SPD NCC Planning Obligations SPG | considered to be no longer relevant, if it ever was. | |
| B33 | Environment al impact of business development: hazardous development | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. | BN9 | | The Health and Safety Executive provides standing advice on hazardous development which is sufficient to address the determination of planning applications. The new local plan may include policies which will amplify policy BN9. Until the JCS is adopted, this policy carry limited weight | |
| TRANSPORT | | | | | | |
| T4 | Proposals for main distributor and primary roads: impacts of major developments | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | Policies on sustainable urban extensions (policies N1, N2, N3, N4, N5, N6. N7. N8/ N9. N9A) have been examined and some have already had planning applications / masterplans submitted. Policies INF1 and INF2 are also relevant | CAAP Policy 36 CIL in progress | Major development sites have been identified in the JCS. This policy is somewhat outdated and irrelevant and is superseded by current evidence base used to inform emerging policies. Although the JCS policies are yet to be adopted, some planning applications have come forward and major developments can be considered in light of the NPPF and existing evidence base | |
| T5 | North West Bypass and | The policy may be consistent with the ethos of the 12 principles set | N7, INF1, INF2 | | Planning application has been submitted. New evidence base informed the | |

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| | town centre link | out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | | | formulation of Policy N7 which has now been examined. However, this policy is still considered necessary to support the delivery of the SUE | |
| T11 | Commercial uses in residential areas | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | S10, BN9 | | Whilst the policy is intended to protect residential amenity, it is unnecessary to have a specific policy when a high level policy that covers either highway safety or existing amenity would suffice. This will be replaced by JCS policies | |
| Policy T12 | Development requiring servicing | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | INF1 | | This policy is a generic sensible development management /highways transport policy which can be covered by NPPF. It carries limited weight because of this and the fact it will be superseded by JCS Policy INF1 | |
| T14 | Public transport – rail corridors | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling. | C1 | Policy 8 | This policy has been superseded in part by CAAP Policy 8. Outside the Central Area there are redundant train lines, but these are in the ownership of NCC as transport authority or Sustrans – nevertheless the policy is considered to be of relevance and have weight unless replaced through the Local Plan. | |
| T16 | Taxi services | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | C1 | | This policy is too specific and is not considered to be effective. The NPPF and the JCS policies focus on a range of alternatives to the private car and changing behaviours. The preparation of a new local plan will include the use of more updated evidence base to formulate policy. | |
| T22 | Provision for people with a disability | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | | | This policy is superseded by new legislation (Equalities Act) and the NCC Parking Standard SPG. | |
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| RETAIL | | | | | | |
| R5 | Town centre: change of use | The policy takes a significantly different approach from the NPPF in that it does not plan collectively for town centre uses, and does not include requirements for sequential tests or impact assessments. The policy may not be complaint with the NPPF. | | Shopfront Design SPD | The changes to the Permitted Development Rights regulations supersedes part of the policy. This policy is also superseded by the adopted CAAP (Policy 11) | |
| R6 | Town centre: primary shopping frontages | The policy takes a significantly different approach from the NPPF in that it does not plan collectively for town centre uses, and does not include requirements for sequential tests or impact assessments. The policy may not be complaint with the NPPF. | | | Superseded by Policy 13 of the adopted CAAP, which provides updated guidance on primary shopping frontages in order to improve the town centre's retail offer | |
| R7 | Town centre: secondary shopping frontages | The policy takes a significantly different approach from the NPPF in that it does not plan collectively for town centre uses, and does not include requirements for sequential tests or impact assessments. The policy may not be complaint with the NPPF. | | | Superseded by Policy 13 of the adopted CAAP which provides updated guidance on primary shopping frontages in order to improve the town centre's retail offer | |
| R9 | District Centres: change of use from shops | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through seeking high quality design and a good standard of amenity for all existing and future occupants. | S2 | | The new local plan will determine the boundaries of the hierarchy of centres referred to in policy S2. In the meantime, this policy is still considered necessary to aid the determination of planning applications. | |
| R11 | Shopping facilities / local centre in major residential development | The policy seeks to create sustainable development by providing new housing areas with appropriate levels of retail facilities. | N3, N4, N5, N6, N7, N8, N9, N9a | | The developments outlined within this policy have been delivered with the local centres identified or in the case of Upton a S.106 that delivers the facilities. Policy N7 in the emerging Joint Core Strategy addresses the need at King's Heath. | |
| R15 | Car | The policy may be prescriptive and | | | This policy is not considered effective as | |

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| | showrooms | inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. | | | planning applications for car showrooms will be assessed on their impacts on the surrounding areas in any case and in line with the NPPF and JCS locational policies. This policy is not therefore considered necessary, irrespective of the fact that newer policies are not yet adopted. | |
| R16 | Retail sales from petrol filling stations | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. The sequential approach applies to retailing. | | | The NPPF and sequential and impact assessment approach to retailing takes precedence over this policy. Most petrol stations either have links to supermarkets so is unlikely to provide retail sales which will jeopardise the main retailer or the service area is not large enough to accommodate retail sales which would be deemed to be a threat to the town, district or local centres | |
| R17 | Retailing from industrial premises | The policy may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. The sequential approach applies to retailing, whilst ancillary retailing is permitted development. | | | The NPPF and sequential and impact assessment approach to retailing takes precedence over this policy. | |
| LEISURE AND TOURISM | | | | | | |
| L1 | Existing recreational facilities | The policy is likely to be compliant with the NPPF through planning positively for facilities and services but in reality offers nothing significantly different from considerations normally associated with determining a planning application in accordance with the NPPF. | BN1 | Planning Obligations SPD | The policy is based on sound principles; nevertheless the protection sought for local communities will be sufficiently covered in emerging policies in the JCS. There are many updated studies to help inform the NRDA, so this list is not current and therefore carries limited weight | |
| L2 | Community use of existing | The policy is likely to be compliant with the NPPF through planning positively for facilities and services | RC2 | NBC Planning Obligations | The policy is based on sound principles; nevertheless the protection sought for local communities will be sufficiently covered in | |

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| | schools and colleges | but in reality offers nothing significantly different from considerations normally associated with determining a planning application in accordance with the NPPF.. | | SPD NCC Planning Obligations SPD | emerging policies in the JCS. Updated studies are in place to inform the NRDA. SPDs are in place. On this basis the policy has limited weight.. | |
| L3 | Other existing local open space | The policy is likely to be compliant with the NPPF through planning positively for facilities and services but in reality offers nothing significantly different from considerations normally associated with determining a planning application in accordance with the NPPF. | RC2 | NBC Planning Obligations SPD | JCS policies are based on updated evidence base. Updated studies are in place to inform the preparation of a new local plan. SPD is based on updated open space and recreational assessment. On this basis the policy has limited weight. | |
| L4 | New recreational land | The policy is likely to be compliant with the NPPF through planning positively for facilities and services. However, it is dated and inflexible. | RC2, BN1 | NBC Planning Obligations SPD | JCS policies are based on updated evidence base. Updated studies are in progress to inform the preparation of a new local plan. SPD is based on updated open space and recreational assessment. In this context the policy is outdated and has limited weight. | |
| L6 | Maintenance of open space | The policy is likely to be compliant with the NPPF through planning positively for facilities and services, but the circular it refers to is no longer relevant. | BN1 | NBC Planning Obligations SPD | The 40 years set out in the policy on the basis of decisions elsewhere is considered to be unreasonable, placing too greater burden on developers. Generic policies related to infrastructure provision in the JCS will replace this policy. | |
| L10 | Bradlaugh Fields | The policy is likely to be compliant with the NPPF through planning positively for facilities and services, however is also inconsistent with paragraph 14 with regards to the presumption in favour of sustainable development. | RC2, BN1 | NBC Planning Obligations SPD | The policy relates to land that was in private ownership at the time the Plan was drafted; subsequently this land has passed to NBC. Updated studies are in place to inform the preparation of a new local plan. SPD is based on updated open space and recreational assessment. On the basis that generic policies related to recreational/greenspace and landscape | |

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| | | | | | are being advanced in the JCS, this policy is considered to have limited weight. | |
| L12 | Motor sports and motorised water sports | The policy is not locally specific and does not go beyond the strategic issues associated with what can be regarded as sustainable development in the NPPF and in terms of its wording is of limited flexibility. | S10, E5, BN8, BN9 | | As identified the policy adds little to generic assumptions associated with sustainable development in NPPF. A generic development management policy will replace this type of policy | |
| L13 | Local community facilities | Whilst it seeks to meet NPPF objectives of supporting communities, the policy is very prescriptive and inconsistent with the NPPF as each case would have to be dealt with on its merits and the harm that would be caused by the loss of the community facility. | RC2 | NBC Planning Obligations SPD NCC Planning Obligations SPD | This policy due to its age and inconsistency with NPPF holds limited weight. It will be superseded by policy contained in the JCS, the SPDs and more up to date studies. | |
| L16 | River Valley Policy Area | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. Nevertheless it is inconsistent with paragraph 14 the presumption in favour of sustainable development. | BN1, BN8 | Policy 4 and some site specific CAAP Waterside policies | Whilst it is positive is setting out appropriate uses, the policy is inconsistent with paragraph 14. Policies in CAAP and the emerging JCS have / will replace this policy and hold greater weight. | |
| L17 | Use of river and canal | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. | BN1, BN8 | Policy 4, Policy 25 | Superseded by CAAP policies in the central area, whilst it adds little if anything to the general policies of NPPF | |
| L20 | Managed countryside recreation: | The policy is likely to be compliant with the NPPF through planning positively for facilities and services. | | | Implemented | |

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| | Upton Country Park | | | | | |
| L24 | Allotment gardens | The policy is likely to be compliant with the NPPF through planning positively for facilities and services. It has a locally specific aspect in identifying sites – however a comprehensive evidence base to support the use of the allotments is not available. | RC2 | NBC Planning Obligations SPD | The Plan identifies allotments, but will be superseded by JCS policy together with updated Local Plan allocations taking account of more updated open space, sport and recreation study | |
| L25 | Alternative use of allotment land | No longer relevant as the sites have been redeveloped for alternative uses. | | | Redeveloped for other uses. | |
| L26 | Leisure proposals: site specific | The policy is likely to be compliant with the NPPF through planning positively for facilities and services, however the reference to development for any other purpose not being permitted is unreasonable especially in the context of the presumption in favour of development. | RC2 | NBC Planning Obligations SPD | Will be superseded by JCS policy, NBC SPD and more updated open space, sport and recreation study. Also, the policy is considered to be worded in a prescriptive and inflexible manner | |
| L29 | River Valley Policy Area: provision of new facilities | The policy may be consistent with the ethos of the 12 principles set out in NPPF para. 17. For example through contributing to the conservation and enhancement of the natural environment and by reducing pollution. Nevertheless, the river valley policy area is essentially undefended zone 3 flood zone, so there would be a presumption in NPPF against development in this area. | BN1, BN8, E7 | | The policy is in conflict with the NPPF by promoting development in the floodplain. In addition when looking at the policy justification it is doubtful that the types of facilities identified would be consistent with more recent regulations related to planning obligations. In addition it has been / will be superseded by JCS policies and updated studies | |
| DEVELOPMENT POLICIES | | | | | | |
| D1 | Land adj | The policy has some locally | | | Implemented | |

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| | Bedford Road and Liliput Road, Brackmills: employment | relevant elements that differentiate it from the NPPF general presumption in favour of development. B1 uses (as offices) are main town centre uses so would be subject to the sequential approach. | | | | |
| D4 | Crow Lane (north) | Leisure is a NPPF main town centre use and so should be subject to the sequential approach. Some of the site is also within the undefended floodplain, so is inconsistent with the sequential approach to development allocations in floodplains. | E1 | | The site falls foul of NPPF in respect of the leisure use proposed and the fact that some of it is in the undefended floodplain. In these respects it is considered that it should have limited weight. | |
| D6 | Delapre Abbey | The policy is inconsistent with the NPPF in that it promotes a main town centre use in an out of centre location. | BN5 | | The policy is inconsistent with the NPPF. In any case circumstances which required the policy have been superseded by more updated studies and funding approvals | |
| D7 | Duston Mill, Duston Mill Lane | The policy is not in conformity with the NPPF as it promotes a main town centre use in an out of town location. | | | The policy is very old and inconsistent with the town centre first approach advocated by the NPPF. The site however has consent for a hotel. | |
| D9 | M1 Junction 15a / A43 | The policy has some locally specific elements, but nevertheless may be prescriptive and inflexible, which may be contrary to the NPPF's presumption in favour of sustainable development. | S10, C2 | | The policy is of its time, the height and emphasis on landscaped frontages are however very prescriptive and do not take into account assessment of impact of any proposal based on its merits. This carries limited weight because any proposals that come forward will need to be compliant with NPPF para 58 and policies S10 and C2 of the JCS | |
| D12 | Land north west of Kings Heath | Although the policy is positive in identifying land available for development, it essentially provides no greater detail than the high level assessments of what can be considered to be sustainable | E1, N7 | | Required to support employment land reviews but carries limited weight because it will be superseded by JCS policy N7 | |

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| | | development as set out in the NPPF.. | | | | |
| D13 | Overstone Scout camping ground | The policy is positive in identifying uses appropriate, nevertheless in terms of the uses appropriate is very dated. Hotels are a main town centre use, so the policy in this respect is incompatible with the NPPF's sequential approach. . | S3, S4, E7 | | The site has been developed for residential purposes, but is heavily wooded and has been retained by the scouts as a camping area. In other respects in promoting a hotel it is incompatible with NPPF. | |
| D14 | Pineham | The policy is positive, so accords with the presumption in favour of development. The emphasis on B1 however is contrary to the sequential approach. Para 17 (bullet point 3), para 21 and the residential element will deliver paras 47 and 50 | SN4, S7, S3, S4, E1 | | Required to support employment land reviews, to meet NPPF para 22. Carries limited weight as some areas are already implemented / being implemented | |
| D16 | St Edmunds Hospital | The policy is positive with regards to identifying the site for development and adds to the NPPF's general presumption in favour of development by identifying a comprehensive approach being needed for the site.. | BN5 | | The policy has an internal conflict, requiring a comprehensive redevelopment, whilst identifying the listed status of buildings on site which NPPF and statute would seek to preserve and enhance. | |
| D17 | Southbridge Area and power station site | Not part of the development plan - superseded by CAAP Policies | | CAAP Policy 28 | Superseded by CAAP, Enterprise Zone designation and updated planning approvals | |
| D20 | Tweed Road (Pioneer Aggregates) | The policy is so vague that it adds nothing to the general presumption in favour of sustainable development in the NPPF. | E1 | | Required to support employment land reviews, to meet NPPF para 22 | |
| D22 | Angel Street / Bridge Street | Not part of the development plan - superseded by CAAP Policies | | CAAP Policy 21 and Policy 22 | Superseded by adopted CAAP policies | |
| D23 | Castle Yard, | Not part of the development plan - | | | Carries no weight because exercises | |

| LOCAL PLAN: POLICY | TOPIC | NPPF COMPLIANCE | JCS POLICY REFERENCE | CAAP AND RELEVANT GUIDANCE | COMMENTARY | WEIGHT |
|--------------------|--------------------------|----------------------------------------------------------------|----------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| | St Andres Road | superseded by CAAP Policies | | | undertaken as part of the Enterprise Zone and Station development indicate that development on this site is subject to constraints which are difficult to overcome | |
| D26 | Freeschool Street | Not part of the development plan - superseded by CAAP Policies | | CAAP Policy B15 | Superseded by adopted CAAP policy | |
| D27 | Lower Mounts | Not part of the development plan - superseded by CAAP Policies | | | Development for education on part of site. This policy is no longer considered necessary | |
| D28 | St Andrews Street | Not part of the development plan - superseded by CAAP Policies | | CAAP Policy 24 | Superseded by CAAP | |
| D29 | St Johns car park | Not part of the development plan - superseded by CAAP Policies | | | Implemented (student accommodation) | |
| D30 | British Gas land | Not part of the development plan - superseded by CAAP Policies | | CAAP Policy 26 | Superseded by CAAP policy and Enterprise Zone designation | |
| D31 | Victoria Street car park | Not part of the development plan - superseded by CAAP Policies | | CAAP Policy 17 | Superseded by CAAP policy | |
| D32 | Western Island | Not part of the development plan - superseded by CAAP Policies | | CAAP Policy 17 | Superseded by CAAP policy | |
| D33 | Wellington Street | Not part of the development plan - superseded by CAAP Policies | | CAAP Policy 12 | Superseded by CAAP policy | |
| D35 | York Road | Not part of the development plan - superseded by CAAP Policies | S2 | In preparing the CAAP, the site was not considered for re-allocation and this conforms to para 22 of the NPPF. | The allocation has been superseded by the policies in the CAAP. | |