

WEST NORTHAMPTONSHIRE COUNCIL

23rd March 2023

**Report by:
Assistant Director, Planning**

Report Title **Northampton Local Plan Part 2:
Adoption**

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List of Appendices

- Appendix A - Adopted Northampton Local Plan Part 2**
- Appendix B – Adopted Northampton Policies Map**
- Appendix C – Adopted Central Area Inset Map**
- Appendix D – Planning Policy Committee report 28 February 2023**

1. Purpose of Report

- 1.1. The Northampton Local Plan Part 2 (the plan) was submitted to the Secretary of State for independent examination in February 2021. Government-appointed Planning Inspectors conducted hearings about the plan in November 2021. Following the hearings, proposals for the modification of the plan and the policies map were prepared to reflect the outcome of the hearing sessions and a note produced by the Inspectors following the close of the hearings.
- 1.2. The Proposed Main Modifications were released for public consultation in July 2022, with Further Main Modifications consultation taking place in November 2022. Comments received were considered by the Inspectors who have subsequently issued their Final Report in February 2023. In their report, the Inspectors concluded that, with the recommended main modifications, the plan was sound. The Proposed Additional Modifications and Changes to the Policies Map have also been consulted on and the responses to these were considered by the officers.
- 1.3. A final version of the adopted Northampton Local Plan Part 2 has been produced to take on board the recommendations in the Inspectors' Final Report as well as comments from the consultation on the Additional Modifications and Changes to the Policies Map (Appendix A). At its meeting of 28 February 2023, Planning Policy Committee recommended that the Council should adopt the plan.
- 1.4. Accordingly, the purposes of the report are:
 - To seek Council's approval to formally adopt the Northampton Local Plan Part 2 and its policies maps as recommended by Planning Policy Committee on 28 February 2023
 - To agree that on adoption of the Northampton Local Plan (Part 2) all of the remaining saved policies from the Northampton Northamptonshire Local Plan (1997) and the Northampton Central Area Action Plan (2013) are formally replaced
 - To authorise the Executive Director for Place, Economy and Environment, in consultation with the Portfolio Holder for Planning Portfolio Holder for Planning, Built Environment and Rural Affairs, to make minor editorial and presentational changes to the plan as deemed necessary ahead of publication

2. Executive Summary

- 2.1 The Northampton Local Plan Part 2 (the plan) was submitted to the Secretary of State for independent examination in February 2021. Government-appointed Planning Inspectors conducted hearings about the plan in November 2021. Following the hearings, proposals for the modification of the plan and the policies map were prepared to reflect the outcome of the hearing sessions and a note produced by the Inspectors following the close of the hearings.
- 2.2 The Proposed Main Modifications were released for public consultation in July 2022, with Further Main Modifications consultation taking place in November 2022. Comments received were

considered by the Inspectors who have subsequently issued their Final Report in February 2023. In their report, the Inspectors concluded that, with the recommended main modifications, the plan was sound. The Proposed Additional Modifications and Changes to the Policies Map have also been consulted on and the responses to these were considered by officers.

- 2.3 A final version of the adopted Northampton Local Plan Part 2 has been produced to take on board the recommendations in the Inspectors' Final Report as well as comments from the consultation on the Additional Modifications and Changes to the Policies Map (Appendix A). At its meeting of 28 February 2023, Planning Policy Committee recommended that the Council should adopt the plan.

3. Recommendations

It is recommended that the Council:

- Adopts the Northampton Local Plan Part 2 and its policies maps as recommended by Planning Policy Committee on 28 February 2023, to form part of the Council's policy framework
- Agree that on adoption of the Northampton Local Plan (Part 2) the Central Area Action Plan (2013) and all the remaining saved policies within the Northampton Local Plan (1997) are formally replaced
- Authorise the Executive Director for Place, Economy and Environment, in consultation with the Portfolio Holder for Planning Portfolio Holder for Planning, Built Environment and Rural Affairs, authority to make minor editorial and presentational changes to the plan as deemed necessary ahead of publication

4. Reason for Recommendations

To adopt the plan so that it forms part of a suite of development plans for West Northamptonshire which will be used to determine planning applications.

5. Report Background

INTRODUCTION

- 5.1 In January 2021, Northampton Borough Council approved the submission of the Northampton Local Plan Part 2 (the plan) for independent examination by the Planning Inspectorate. The plan contains policies which will be used to determine planning applications. It also includes site specific allocations, showing where sites for housing and employment developments are considered acceptable and a range of policies including those related to design, sustainable development, housing, employment, retail, built environment, natural environment, transport and infrastructure. The plan seeks to supplement and where necessary refine and supersede the strategic policies contained in the adopted West Northamptonshire Joint Core Strategy Local Plan Part 1, which was adopted in December 2014. This includes the requirement to deliver around 18,870 dwellings and contribute towards the creation of 28,500 new jobs from 2011 to 2029.

- 5.2 The plan was submitted to the Secretary of State for independent examination in February 2021. In March, the Council was informed that two Planning Inspectors had been appointed to conduct the examination into the plan. Part of the examination process includes the hearings, which were conducted in November 2021.
- 5.3 Following the conclusion of the hearings, the Inspectors concluded that the plan could be found legally compliant and sound subject to consultation on Main Modifications to the plan as well as the resolution of some matters highlighted during the hearings. The modifications (comprising Main Modifications, Additional Modifications and Proposed Changes to Policies Map) were subject to public consultation in July 2022. The Main Modifications included proposed changes to policies as well as new policies which were considered necessary to make the plan sound. The Additional Modifications were minor changes which relate primarily to grammar and presentation. The Proposed Changes to the Policies Map reflect the changes set out in the main and additional modifications, as well as corrections to identified errors. Further Main Modifications were consulted on in November 2022. Responses to this consultation were taken into consideration in the Inspectors' Final Report.
- 5.4 The plan was supported by a Sustainability Appraisal and a Habitats Regulations Assessment through the consultation process. The Inspectors were satisfied with the outcome of these assessments.
- 5.5 The Inspectors issued their Final Report in February 2023. They were satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan, and that the Duty to Cooperate has been met. To ensure that the plan could be found sound, they recommended some modifications to the plan. The recommendations provided in the Final Report have been incorporated into the adopted version of the plan.
- 5.6 The modifications include recommendations to
- strengthen policies (for example policies associated with the natural environment and some site-specific policies)
 - introduce new policies to provide more detailed policy guidelines
 - remove policies which were deemed to be unsound or ineffective
- 5.7 On 28 February 2023, Planning Policy Committee agreed to recommend that the Council should adopt the plan (Appendix D). Further details of the Inspectors' recommendations can be found in this report.

NEXT STEPS

- 5.8 If Members agree to the adoption of the plan, preparations will be made for an Adoption Statement to be placed on the website alongside the adopted versions of the plan and Policies Map. A six-week judicial challenge period will begin on 24 March and end on 5 May 2023 (which is a period of 6 weeks beginning the day after the date on which the Local Plan is adopted). Under Section 113 of the Planning and Compulsory Purchase Act 2004 any person aggrieved by the

Northampton Local Plan Part 2 may make an application to the High Court. Any challenge must be made on the grounds that either the document has not been prepared within the powers conferred by Part 2 of that act and/or alternatively, that a procedural requirement of the act or associated regulations has not been complied with. On adoption, the plan would replace all the saved policies of the 1997 Northampton Local Plan and the policies contained in the 2013 Central Area Action Plan.

6. Issues and Choices

6.1 Option 1: Agree the recommendations

6.2 If Members agree to adopt the Plan, then Northampton, alongside the Daventry and South Northamptonshire areas, will have Part 2 plans to deliver the West Northamptonshire Joint Core Strategy. If the plan is adopted, it will become part of the development plan for the Northampton area. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.3 Option 2: Not agree with the adoption of the plan

6.4 If Members choose not to approve the adoption of the plan, then Northampton will remain as the only area within West Northamptonshire without a Part 2 plan. In determining planning applications for the Northampton area, the planning authority would have to continue to rely on policies which are likely to become out of date or national guidance which is generic and not locally specific.

7. Implications (including financial implications)

7.1 Resources and Financial

7.1.1 The Council's costs in respect of adopting the plan will be met from existing budgets associated with the plan preparation process.

7.2 Legal

The plan will be adopted as part of the local plan preparation process set out in Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012. It will form part of the statutory development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004. The law also requires that the local plan forms part of the council's policy framework as set out in the Schedule 3 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).

7.3 Risk

7.3.1 There are no significant risks arising from the proposed recommendations in this report.

7.4 Consultation and Communications

7.4.1 The plan has been prepared in compliance with the regulations set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and consultation forms a key element of the process. There are several stages that the plan has been through, namely the Issues stage (spring 2016), the Options stage (autumn 2016) and Proposed Submission stage (summer 2019 and summer 2020). Consultation on the Proposed Modifications took place in July and August 2022 and consultation on Further Main Modifications took place in November and December 2022. During each of these stages, local organisations and members of the public were consulted. Consultation was also undertaken with colleagues within the authority (including Development Management and Environmental Health), external stakeholders (such as the Environment Agency, Natural England, Historic England and Anglian Water) landowners (such as Network Rail) and developers. The consultation was also undertaken in conformity with the Statement of Community Involvement for Northampton.

7.4.2 Communications has played a key role throughout the local plan preparation process, particularly in publicising and encouraging participation in the consultation stages. The council has continued to keep the public and all other stakeholders informed and engaged throughout the local plan preparation process, in line with planning law, the Council's Statement of Community Involvement and the Communication and Engagement Strategy. The council used its corporate communications channels including media releases and social media.

7.5 **Consideration by Overview and Scrutiny**

7.5.1 The plan was considered at Overview and Scrutiny committee on 7 February 2023.

7.6 **Climate Impact**

7.6.1 Policies in the plan, including those relating to flooding, sustainable construction and the provision for electric vehicle charging points, should assist in mitigating the effects of climate change.

7.7 **Community Impact**

7.7.1 The plan will ensure that developments are directed to the right locations and that they are constructed in a manner that meets the required standards. It will ensure that a balance is secured between the built and natural environment, therefore continuing to supply houses and employment for existing and future residents whilst enhancing the quality and quantity of open spaces and protecting the area's heritage assets. All these will have a positive impact on the community.

8. Background Papers

8.1 [Northampton Local Plan Part 2 | West Northamptonshire Council](#)