

WEST NORTHAMPTONSHIRE COUNCIL PLANNING POLICY COMMITTEE

28 June 2022

Councillor Rebecca Breese

Cabinet Member for Strategic Planning, Built Environment and Rural Affairs

Report Title	Northampton Local Plan Part 2: Proposed Modifications consultation
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List of Appendices

- Appendix A – Proposed Main Modifications
- Appendix B – Proposed Additional Modifications
- Appendix C – Proposed Changes to the Policies Map
- Appendix D – Northampton Local Plan Part 2 (with tracked changes)
- Appendix E – Sustainability Appraisal
- Appendix F – Habitats Regulations Assessment
- Appendix G – Viability Assessment (addendum)

Appendix H – Community and Engagement Strategy

1. Purpose of Report

- 1.1. To seek Members' approval on:
- A. the contents of the Proposed Modifications to the Northampton Local Plan Part 2 comprising the Main Modifications, Additional Modifications and changes to the Policies Map as shown in Appendices A, B and C; and
 - B. their release for public consultation.

2. Executive Summary

- 1.2. The Northampton Local Plan Part 2 'the plan' was submitted for independent examination in February 2021. Government-appointed Inspectors conducted hearings about the Plan in November 2021. Following the hearings, proposals for the modification of the plan and the policies map have been prepared to reflect the outcome of the hearing sessions and a note produced by the Inspectors following the close of the hearings. The Proposed Main Modifications are necessary to make the plan sound and will need to be released for public consultation; any comments made on them will then be considered by the Inspectors before they issue their final report.
- 1.3. The Proposed Additional Modifications and Changes to the Policies Map have been identified by the Council. Consultation on these two documents is also considered necessary, it will be for the Council to determine how to deal with any responses.

3. Recommendations

- 3.1 It is recommended that the Committee:
- a) Approves the Proposed Main Modifications to the Northampton Local Plan Part 2 for consultation
 - b) Approves the Proposed Additional Modifications to the Northampton Local Plan Part 2 for consultation
 - c) Approves the Proposed Changes to the Policy Map for consultation
 - d) Delegates to the Assistant Director: Growth, Climate and Regeneration, in consultation with the Portfolio Holder for Planning, Built Environment and Rural Affairs, authority to make minor editorial and presentational changes to the consultation documents in their final published form

4. Reason for Recommendations (NOTE: this section is **mandatory** and **must** be completed)

- To accord with legislation on local plan preparation and to enable the plan to proceed towards adoption.

5. Report Background

INTRODUCTION

- 5.1 In January 2021, Northampton Borough Council approved the submission of 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 allocations, showing where sites for housing and employment developments are considered acceptable. 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 over the plan period.
- 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. During the hearings, the Inspectors sought information and clarification on a number of policies from representatives from the Council as well as participants comprising landowners, developers, consultants and statutory organisations such as the Environment Agency.
- 5.3 Following the conclusion of the hearings, the Inspectors, in their letter dated 24 January 2022, 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. In their post hearings letter, they outlined where modifications to the plan would be necessary to make the plan sound which is a key requirement of the National Planning Policy Framework. These recommendations have been taken on board by Officers and developed into Proposed Modifications. Appendix D is the modified plan, which contains tracked changes of these modifications.

OVERVIEW

- 5.4 The Proposed Modifications are in three parts. The first is the Proposed Main Modifications (Appendix A) which contains proposed changes to policies as well as the formulation of new policies. For example, there were some policies which have been amended to reflect the recommendations set out by statutory consultees including those associated with the natural environment. Some changes were made following the discussions held at the hearing, where it was concluded that the policies could be set out more clearly. For example, the policies associated with housing developments and employment were rewritten in a manner which would make them clearer by splitting them into their individual topic areas. There were other policies which were recommended for removal including the policies on hot food takeaways; and gypsies, travellers and travelling showpeople. In addition, the Planning Inspectors recommended further discussions with key stakeholders which resulted in changes to and the formulation of additional site-specific allocations policies for Hunsbury Hill and the former Abington Mill Farm.

- 5.5 The Proposed Main Modifications also include updates on site allocations. Following further assessments on the status of the sites allocated for development, it was concluded that some of these sites were no longer required or considered suitable for allocations.
- 5.6 The second part of the Proposed Modifications is the Additional Modifications (Appendix B). These are modifications to the plan to correct spelling errors and make minor changes to presentation. They do not affect the way the plan would be used. The Inspectors have advised that these should also go out to public consultation separately, but at the same time as, the Main Modifications.
- 5.7 The third part of the Proposed Modifications is the Proposed Changes to the Policies Map (Appendix C). There are changes to the map, some as a consequence of Main Modifications and some corrections and also changes to the key. The Inspectors have advised that these should also go out to public consultation separately, but at the same time as, the Main Modifications.

MAIN MODIFICATIONS

- 5.8 The key main modifications are as summarised as follows:

Chapter 5: Quality of New Development

- 5.9 This chapter focuses on matters associated with place making and the principles of high-quality design. Policy 2 (Placemaking) and Policy 3 (Design) have been merged to make the Plan simpler to read and follow. Policy 4 has been modified to take out the requirement for housing developments to meet the Nationally Described Space Standards, because the Inspectors were of the view that this was not justified. Policy 6 (Health and wellbeing) has been revised to provide more details on rapid health impact assessments. Policy 7 (Flood risk and water management) has been strengthened to require all development proposals to demonstrate that they will assist in the management of flood risk, ensure flood risk is not increased elsewhere and provide flood risk reduction or betterment.

Chapter 6: Northampton Regeneration Strategy

- 5.10 This chapter outlines the policy direction for the town centre and the Central Area. Policy 12 (Development of Main Town Centre Uses) has been updated to remove reference to the Central Area because evidence shows that the role of the town centre is changing, and more emphasis should be given to promoting main town centre uses in the town centre rather than the wider Central Area. Accordingly, the Central Area is not considered suitable for the application of this policy.

Chapter 7: Housing

- 5.11 This chapter provides details on housing allocations and housing policy. There were modifications made to Policy 13 (residential and residential led allocations) following the Planning Inspectors' recommendation to review the provision of amenity open spaces in terms of the impacts of their losses on the overall quantity within the affected areas, as well as factual updates on the status of the sites. Some of the sites have been removed from allocation because

they were on areas of amenity green space or allotments that could not readily be replaced or because they have gained planning permission and are being built out. The preamble to this policy has been significantly updated and altered such that housing supply is now monitored against the trajectory in the Joint Core Strategy. Policy 14 (Type and Mix of housing) has been modified to provide clarity on the implementation of self-build and custom build housing. Policy 16 (Gypsies, travellers and travelling showpeople) has been deleted following the Inspectors' advice, with this matter being addressed through the West Northamptonshire Strategic Plan.

Chapter 8: Economy

- 5.12 This chapter deals with matters associated with the area's economy and employment. Following recommendations from the Inspectors to clarify the policies, a new Policy 17A (Employment Allocations) has been formulated listing sites allocated for employment use.

Chapter 9: Hierarchy of centres, retail and community services

- 5.13 Policy 19 (new retail developments and retail impact assessment) has been modified to clarify the additional amounts of convenience and comparison retail floorspace provision that will be supported in the retail hierarchy to 2029. Policy 20 (hot food takeaways) has been deleted because the Inspectors considered the restriction requiring hot food takeaways to be located more than 400m from school entrances was not justified by the evidence.

Chapter 10: Built and natural environment

- 5.14 The policies in this chapter provide guidelines on applications which affect the natural and built environment, from open spaces to heritage assets. Policy 28 (Providing open spaces) is proposed to be updated to include reference to SANG (Suitable alternative natural greenspace) which are existing areas of open land improved to attract residents of new developments away from designated sites such as Special Protection Areas and Special Areas of Conservation. Policy 29 (supporting and enhancing biodiversity) has been split into two separate policies (Policies 29A and 29B), to address biodiversity and nature conservation more comprehensively. Policy 29B (Nature Conservation) ensures that development will not adversely affect Special Protection Areas (SPAs), Ramsar sites and Sites of Special Scientific Interest. Policy 30 (Upper Nene Valley Gravel Pits Special Protection Area) has been amended to ensure that developments likely to have significant effects of the Upper Nene Valley Gravel Pits SPA satisfy the requirements of the Habitats Regulations.

Chapter 11: Movement

- 5.15 Policy 34 (Transport schemes and mitigation) has been strengthened through the addition of guidelines on addressing air quality issues. It has also been altered to make reference to the former railway routes linking Northampton with Market Harborough and Northampton station with Brackmills being investigated for future transport use in a local plan review. The Inspectors' view was that there was not sufficient robust evidence to justify safeguarding the route of the former Northampton – Market Harborough railway line in this plan.

Chapter 13: Site specific allocations and policies

- 5.16 This chapter deals development allocations and provide details on how specific sites will be developed. The Planning Inspectors recommended that Policy 38 (development allocations) be reviewed so there is clarity between the types of allocations proposed. For this reason, the policy has been deleted, Policy 13 continues to focus on housing development and a new Policy 17A has been drafted listing sites allocated for employment uses. Policy 41 (The Green, Great Houghton) has been updated to reflect the contents of the signed Statement of Common Ground between the Council, Homes England and Natural England. These included changes to the extent of the land covered by the policy. Policy 43 (Ransome Road) has been updated to reflect the correct number of dwellings which will be delivered on the site. A new site- specific policy for site 1100 (land at Hill Farm Rise, Hunsbury Hill) has also been formulated (new Policy 45).

ADDITIONAL MODIFICATIONS

- 5.17 The Proposed Additional Modifications set out at Appendix B, are relatively minor and few in number.

PROPOSED CHANGES TO THE POLICIES MAP

- 5.18 The Proposed Changes to the Policies Map set out at Appendix C. The Inspectors have recommended that this list of Proposed Changes should be accompanied by an updated version of the Policies Map incorporating all of those proposed changes.

OTHER DOCUMENTS PROPOSED TO BE MADE AVAILABLE DURING PUBLIC CONSULTATION

- 5.19 The proposed modifications to the Plan were also subject to a Sustainability Appraisal (Appendix E), and a Habitats Regulations Assessment (Appendix F), as part of the legal plan preparation process requirements. Both assessments conclude that the modifications were acceptable and the majority did not result in any change to the conclusions reached concerning the submitted version of the plan. These documents will also be consulted upon as part of this consultation. The proposed modifications were also subject to an updated Viability Assessment (Appendix G) which concluded that the policies in the plan remain viable. This document will be made available as background information to the consultation.

NEXT STEPS

- 5.20 If approved, it is envisaged that the Proposed Modifications will be released for public consultation. There will be a six week consultation period. At this stage of the plan preparation process, only comments relating to the proposed modifications will be accepted. A consultation and engagement strategy, which conforms to legal requirements as well as Northampton's Statement of Community Involvement, has been prepared to set out the detail of the consultation process (Appendix H).

6. Issues and Choices

- 6.1 Option 1: Agree the recommendations The plan has been prepared to provide guidance on the implementation of strategic policies contained in the West Northamptonshire Joint Core Strategy, adopted in December 2014 and contains more detailed policies which will be used in the determination of planning applications. Part 2 plans have already been adopted for the Daventry and South Northamptonshire areas.
- 6.2 The Main Modifications have been prepared for public consultation at the request of the Planning Inspectors, in order for the plan to be considered sound. The Inspectors have also advised that Additional Modifications and Proposed Changes to the Policies Map be prepared for public consultation alongside the Main Modifications. If Members agree to release the proposed modifications for public consultation, then the plan will be on track towards adoption. The timetabling of this process will need to be in conformity with the West Northamptonshire Local Development Scheme, an updated version of which is set out elsewhere on this agenda. When the consultation on the proposed modifications concludes, the Planning Inspectors will prepare their report and recommendations for the adoption of the plan. This phase is expected to take between 4 to 6 months. Once 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 Proposed Modifications and their release for public consultation
- 6.4 The plan in its current state, needs to be modified in order for it to be made sound. If Members choose not to approve the modifications for public consultation, then the plan cannot proceed to adoption. 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 consulting on the Proposed Modifications to the plan will be met from existing budgets associated with the plan preparation process.

7.2 Legal

- 7.2.1 The independent examination part of the local plan preparation process is set out in Part 24 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Once the consultation on the Proposed Modifications is completed, and relevant comments are taken into account, provided there are no outstanding planning matters to consider for further consultation, the Planning Inspectors will prepare a report. Subject to the outcome of the report, the Council would then be in a position to adopt the plan.

7.3 Risk

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

7.4 Consultation

7.4.1 The plan preparation process was undertaken 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). During each of these stages, local organisations and members of the public were consulted. Consultation was also undertaken both 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 to Northampton's Statement of Community Involvement.

7.5 Consideration by Overview and Scrutiny

7.5.1 Not applicable.

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, will have a beneficial impact on 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.

7.8 Communications

7.8.1 Communications plays a key role throughout the local plan preparation process, particularly in publicising and encouraging participation in the consultation stages. The council will continue to keep the public and all other stakeholders informed and engaged in this consultation using its corporate communications channels including media releases, social media and targeted marketing activity.

8. Background Papers

- 8.1 [Northampton Local Plan Part 2 Submission & Examination | Northampton Local Plan Part 2 Submission & Examination | West Northamptonshire Council - Northampton Area](#)
- 8.2 [EXAM 40 Inspectors Post Hearings Letter 24012022 | West Northamptonshire Council - Northampton Area](#)