

From: Ginns, Kerrie [REDACTED]
Sent: 13 June 2019 10:18
To: Planning Policy
Subject: RE: NORTHAMPTON LOCAL PLAN PART 2 PROPOSED SUBMISSION CONSULTATION
Attachments: 2019.06.13 EA_Representation_Form.pdf; 2019.06.13_EA_comments.pdf

Dear Sirs

Please find attached a copy of the Environment Agency's response to the Northampton Local Plan Part 2 Proposed Submission Consultation.

If I can be of any further assistance please do not hesitate to contact me on the number below.

Kind regards

Kerrie Ginns
Planning Specialist

Lincolnshire and Northamptonshire Area
Environment Agency
Sustainable Places - Planning Team

My working days are Tuesday to Friday

☎ Internal using Jabber [REDACTED]
☎ External: [REDACTED]
✉ Environment Agency, Nene House, Pytchley Lodge Road Ind Est, Pytchley Road, Kettering, Northants NN15 6JQ
📞 [REDACTED]
Team email [REDACTED]



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From: Planning Policy [REDACTED]
Sent: 29 April 2019 17:14
To: LN Planning [REDACTED]
Subject: NORTHAMPTON LOCAL PLAN PART 2 PROPOSED SUBMISSION CONSULTATION

Dear Sir/Madam

In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council is consulting on the Proposed Submission of the Northampton Local Plan Part 2, Sustainability Appraisal and Habitats Regulations Assessment.

The Draft Plan was approved for consultation by the Council's Cabinet on 3 April 2019. A Statement of Fact and a Statement of Representation Procedure can be downloaded through the following links:

<https://www.northampton.gov.uk/downloads/file/10945/05-statement-of-fact-nbc-2019>
<https://www.northampton.gov.uk/downloads/file/10947/06-statement-of-representations-procedure-notice-nbc-2019>

If you have any representations to make, please do so, preferably using the online survey, by 5pm on 14 June 2019. Consultation begins on the 1 May 2019, and further information can be found by accessing the following link: www.northampton.gov.uk/lp2proposedsubmission.

The online representation form and evidence base documents will be available from 1 May.

Yours faithfully

Paul Everard
Planning Policy and Heritage Manager

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REPRESENTATION FORM FOR THE NORTHAMPTON LOCAL PLAN PART 2 PROPOSED SUBMISSION DRAFT (REGULATION 19 CONSULTATION)

Northampton Borough Council is preparing a Local Plan Part 2 for the Borough which will supplement the West Northamptonshire Joint Core Strategy and will replace Saved Policies in the Northampton Borough Council Local Plan (1997). The Local Plan Part 2 will cover the period to 2029. This stage is the Proposed Submission Draft Local Plan Part 2 (Regulation 19) and is the version of the plan that the Council intends to submit to the Planning Inspectorate for independent examination.

This form should be used to make representations on the Northampton Borough Council Local Plan Part 2 Draft Submission.

You can submit your representation online using our electronic form through the link below:

www.northampton.gov.uk/lp2proposedsubmission

A downloadable version (MS Word) is also available on the same page.

Under the General Data Protection Regulation (GDPR), Northampton Borough Council needs to inform you of the reasons why we are capturing your data and what we will do with your data. Any personal data collected and/or processed will be dealt with in accordance with the Data Protection Legislation and the Council's Data Protection Policy. Data is held securely and accessed by, and disclosed to, only individuals where relevant to this policy / procedure.

View Northampton Borough Council's Privacy Policy here:

<https://www.northampton.gov.uk/info/200031/data-protection/175/data-protection>

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the consultation website and included as part of the submission to the Inspector. Address and contact details will be removed from published responses.

I agree to the Council collecting my personal data so that they can process my reply to the Northampton Local Plan Part 2 Proposed Submission Draft Regulation 19.

☒

Yes (please tick)

**Please complete and submit by 5pm on Friday 14 June 2019.
Responses received after this time will not be accepted**

Ref:

(For official use only)

This form has 2 parts:

Part A Personal details

Part B Your representation(s).

Please fill in a separate sheet for each representation you wish to make

Part A: Personal Details

Q1: Are you making this representation as? (Please tick as appropriate)

- a) Resident or member of the general public ☐
- b) Local Authority or Town/Parish Council ☐
- c) Landowner ☐
- d) Agent / Consultant (on behalf of) ☐
- e) Other organisation (please specify which type of organisation below):

Environment Agency

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in column 2.*

	Personal Details	Agent's Details (if applicable)
Title	Mrs	
First name	Kerrie	
Last name	Ginns	
Job title (where relevant)	Planning Specialist	
Organisation (where relevant)	Environment Agency	
Address line 1	Nene House	
Line 2	Pytchley Lodge Road	
Line 3		
City / Town	Kettering	
County	Northants	
Postcode	NN15 6JQ	
Telephone number		

Email (if provided we will always contact you this way)		
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Part B: Representation(s)

Please use a separate sheet for each representation

Please read the accompanying notes before completing Part B. The notes explain what we mean by soundness and legal compliance. These are questions that we are expected to ask consultees.

Please note all comments will be made publicly available. If you do not have sufficient space in the box, please continue on a separate sheet or expand the box.

2: Do you consider the Northampton Local Plan Part 2 to be legally compliant?	Yes	X	No	
If NO , is this because it is: (please tick all that you think apply)				
Not prepared in accordance with the Local Development Scheme				
Not prepared in accordance with the Statement of Community Involvement				
Not consistent with the regulatory requirements for consultation				
Not compliant with the duty to cooperate				
Not accompanied by a compliant Sustainability Appraisal				

2 (1): Please give details of why you consider the Northampton Local Plan Part 2 Submission Draft document is not legally compliant. Please be as precise as possible.

3: Do you consider the Northampton Local Plan Part 2 to be sound?	Yes	X	No	
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3 (1): If NO, is this because it is: (please tick all that you think apply)	
Not positively prepared	
Not justified	
Not effective	
Not consistent with national policy	

4: To which part of the Local Plan does this representation relate?	Paragraph number	Policy number	Policies Maps
Please see separate attachment			

4 (1): Please set out the changes that you consider are necessary to make the Northampton Local Plan Part 2 Submission Draft document legally compliant and / or sound including revised wording of any policy text, and reasons why the proposed change would make it legally compliant and/or sound. Please be as precise as possible.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested changes, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

SUSTAINABILITY APPRAISAL

5. Which part of the document do you wish to comment on? (please give the relevant paragraph or policy number).	
Paragraph	
Comments	

HABITATS REGULATIONS ASSESSMENT

6. Which part of the document do you wish to comment on? (please give the relevant paragraph or policy number).	
Paragraph	
Comments	

7: If your representation is seeking a change, do you consider it necessary to take part and speak at the examination hearing(s) if invited to do so by the Inspector?

No , I do not wish to participate at the oral examination	X	Yes , I wish to participate at the oral examination	
--	---	--	--

8: If you wish to take part at the oral examination, please outline why you consider this to be necessary (please note the Inspector will determine who will be invited to be heard at the examination hearing(s))

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9: Please tick a box if you wish to be notified of further progress of the Local Plan Part 2 (please tick all that apply)

When the Northampton Local Plan Part 2 has been submitted for independent examination under Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended)	X
When the report of any person appointed to carry out an independent examination of Northampton Local Plan Part 2 is published	X
When the Northampton Local Plan Part 2 has been adopted	X
Other (please specify)	

10: Signature	K A Ginns	Date	13/06/2019
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**Thank you for taking the time to complete the form.
Please return it to:**

Email: [REDACTED]

By **post** or by **hand** to:
Northampton Borough Council
Planning Policy, The Guildhall, St Giles Square, Northampton, NN1 1DE

To which part of the Local Plan does this representation relate?

Objective 10 – Green Infrastructure: To conserve natural habitats and species, seek to provide net gains in biodiversity where possible and enhance the existing strategic green infrastructure network by incorporating and designing these into sustainable urban extensions.

The Government has recently consulted on a proposal to mandate biodiversity net gain therefore the words, 'where possible' should be removed should this approach transpire.

Policy Number

Policy 6 – Flood Risk and Water Management

Proposals that assist in the management of flood risk and ensure flood risk is not increased elsewhere, **provide flood risk reduction/betterment** and proposals which comply with relevant guidance for flood risk management and standards for surface water will be supported.

For all new development, suitable access must be provided and maintained for water supply and drainage infrastructure

Policy 14 Delivering Houses in Multiple Occupation

The final sentence '*They should not result in an increase in flood risk and risks arising from surface water drainage*' is not clear enough to ensure the safety of future occupants.

Some Houses in Multiple Occupation are located in flood hazard areas. It should be demonstrated that the future occupants of any ground floor bedrooms are protected from flood risk.

Policy 23 Sustaining and enhancing existing, and supporting the creation of, Northampton's Green Infrastructure

The Policy wording to be changed to Northampton's Green and Blue Infrastructure. By including blue infrastructure recognises Northampton's broader benefits such as its canal, rivers, streams, ponds, lakes and their borders.

Paragraphs

Paragraph 46

Reference to the Northampton marina should be included, as Northampton is ideally placed within the national canal network providing all necessary facilities boat users.

Paragraph 66

We recommend that the information included in the site investigation information and competent person parts of the glossary is added to this paragraph.

Reference could also be made to the following information to ensure developers are aware of current land contamination guidance:

We recommend that developers should:

1. Follow the risk management framework provided in [CLR11, Model Procedures for the Management of Land Contamination](#), when dealing with land affected by contamination
2. Refer to the Environment Agency's [Guiding principles for land contamination](#)

for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health

3. Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed
4. Refer to the [contaminated land](#) pages on gov.uk for more information

Paragraph 68

Reference should be made to the economic opportunities associated with the River Nene that could contribute towards Northampton's future. Northampton marina is integral part of the Becketts park area and enabled waterway users a safe place to stay as well as contributing towards Northampton's cultural and economic fortunes.

Paragraph 93

West Northamptonshire Core Strategy Policy BN7 supports development that comply with the flood risk assessment and management requirements set out in NPPF, and the West Northamptonshire Strategic Flood Risk Assessments *and the Environment Agency hazard maps*.

Paragraph 94

Identifies Northamptonshire County Council as the lead local flood authority (LLFA). The glossary should include the role of the LLFA.

Their responsibility is for the coordination and management of 'local' flood risk involving flooding from surface water, ordinary watercourses and groundwater.

The Environment Agency is responsible for flood risk management activities on main rivers across Northamptonshire

Reference should be made to the Northamptonshire Flood Toolkit <https://www.floodtoolkit.com/> which signposts Who is responsible for what when it comes to flooding.

Table 10 Local Plan Implementation and Monitoring Framework

6. Flood Risk and Water Management implies that the Environment Agency comments on all flooding matters. The Indicators/Monitoring details should be updated to reflect all relevant bodies.

Appendix B

Superseded Policies

Northampton Local Plan 1997

Saved Policies in the Adopted Northampton Local Plan 1997

D4 – Crow Lane (north): business or leisure

Based on our advice given earlier this year when reviewing the site allocations, we identified this site unsuitable for business/leisure use due to its location in functional floodplain. Therefore the Local Plan Part 2 considers the site unsuitable for

allocation.

Having further assessed the modelled flood data information this site could be considered for allocation as it is located in Flood zone 3a and therefore suitable for 'Less vulnerable uses' as detailed in the Planning Practice Guidance.

Glossary

The Environment Agency description should be updated to remove reference to Wales as no longer part of the Environment Agency.

General comments

The maps should be legible.

It would be useful if the same legend was used on the figures within the written report as the Policies Map

Future opportunities

Waterspace

A waterspace study should be explored as they are intended to provide a framework for promoting river related projects, which will help stimulate long-term regeneration of the river corridor within the area. Such strategies highlight the value that the river brings from an environmental, social and economic perspective. The following link provides an useful example <https://www.bedford.gov.uk/planning-and-building/planning-policy-its-purpose/technical-reports/>

Environmental net gain

In December 2018 Defra consulted on proposals to make biodiversity net gain for new development mandatory. This is with a view to expanding it in the future to cover environmental net gain.

Environmental net gain is a key principle of the 25 Year Environment Plan. It builds on the biodiversity net gain approach and is a more inclusive way recognising the broader suite of benefits that carefully planned development can bring - for example natural flood management, recycling waste materials, carbon neutrality, and water efficiency.

It's an approach that puts in place measurable improvements for the environment, while ensuring cost-effective, sustainable development. This means all new homes will be built to the highest environmental standards, and environmental protection is taken into account with any new development.

We promote the expectation that new developments and local planning policy should be contributing to environmental net gain and are keen to engage with your Authority and others to adopt this approach and to work together to provide updated guidance to enable greater focus on the quality of environmental enhancements.