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From: Richard Agnew [REDACTED]
Sent: 14 June 2019 14:43
To: Planning Policy
Cc: Richard Crosthwaite
Subject: Northampton Local Plan part 2 Proposed Submission Consultation
Attachments: Northampton Local Plan Part 2 Reg 19 .pdf



Dear Sir/Madam,

Please find attached representations to the above consultation submitted by Gladman. I would appreciate if you could confirm receipt of this submission by responding to this email.

Kind regards,
Richard

Richard Agnew - Planner | [REDACTED] | DDI: [REDACTED]

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Northampton Borough Council Local Plan Part 2

Submission Draft Consultation



June 2019

CONTENTS

1	Introduction	2
1.1	Introduction	2
1.2	Structure of Representations	2
1.3	Context	2
2	National Planning Policy	4
2.1	National Planning Policy Framework and Planning Practice Guidance	4
3	Planning Practice Guidance	7
4	Legal Requirements	9
4.1	Duty to Cooperate	9
4.2	Sustainability Appraisal	9
5	Northampton Local Plan Part 2	11
5.1	Context	11
5.2	Policy 1: Presumption In Favour Of Sustainable Development	11
5.3	Housing Delivery and Policy 12: Housing And Other Housing Led Allocations	11
5.4	Policy 13: Type and Mix Of Housing	12
6	Conclusions	14
6.1	Overall Conclusions	14

1 INTRODUCTION

1.1 Introduction

- 1.1.1 These representations are submitted by Gladman in response to the current consultation on the Submission Draft Northampton Local Plan Part 2. Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure.
- 1.1.2 Gladman has considerable experience in the development industry across a number of sectors, including residential and employment development. From that experience, we understand the need for the planning system to provide local communities with the homes and jobs that are needed to ensure that residents have access to a decent home and employment opportunities.
- 1.1.3 Gladman also has a wealth of experience in contributing to the Development Plan preparation process, having made representations on numerous local planning documents throughout the UK and having participated in many Local Plan public examinations. It is on the basis of that experience that the comments are made in this representation.
- 1.1.4 Through this submission, Gladman have highlighted areas where the Local Plan's policies require further clarity or justification in order to be found sound at Examination. **Gladman would welcome the opportunity to discuss these at the Local Plan Examination in Public hearing sessions.**

1.2 Structure of Representations

- 1.2.1 These representations are structured to follow the consultation document where possible and will cover the following key topic areas:
- National Planning Policy and Guidance
 - Legal Compliance – Duty to Cooperate and Sustainability Appraisal
 - Housing delivery and detailed policies

1.3 Context

- 1.3.1 The National Planning Policy Framework 2019 sets out four tests that must be met for Local Plans to be considered sound. This is the basis for which the Northampton Local Plan Part 2 will be examined against, the four tests are highlighted below. Local Plans must be:
- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.

2 NATIONAL PLANNING POLICY

2.1 National Planning Policy Framework and Planning Practice Guidance

2.1.1 On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the revised National Planning Policy Framework (NPPF18). This publication forms the first revision of the Framework since 2012 and implements changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft Revised Framework 2018 consultation. This version was itself superseded by the National Planning Policy Framework 2019 (NPPF19), published on the 19th February 2019. The latest version largely only made alterations to the Government's approach for the Appropriate Assessment as set out in Paragraph 177, along with changes to the definition of 'deliverable'.

2.1.2 The NPPF19 introduces a number of major changes to national policy and provides further clarification to national planning policy as well as new measures on a range of matters. Crucially, the changes to national policy reaffirms the Government's commitment to ensuring up-to-date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. In particular, paragraph 16 of the NPPF19 states that Plans should:

- a) *Be prepared with the objective of contributing to the achievement of sustainable development;*
- b) *Be prepared positively, in a way that is aspirational but deliverable;*
- c) *Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
- d) *Contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
- e) *Be accessible through the use of digital tools to assist public involvement and policy presentation; and*
- f) *Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*

2.1.3 To support the Government's continued objective of significantly boosting the supply of homes, it is important that the Local Plan provides a sufficient amount of variety of land that can come

forward where it is needed and that the needs of groups with specific housing requirements are addressed and land with permission is developed without unnecessary delay¹.

2.1.4 In determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment, conducted using the standard method as set out in the PPG unless exceptional circumstances justify an alternative approach. It is imperative that the emerging Local Plan is formulated on the basis of meeting this requirement as a minimum.

2.1.5 Once the minimum number of homes that is required is identified the strategic planning authority should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. In this regard, paragraph 67 sets out specific guidance that local planning authorities should take into account when identifying and meeting their housing need. It states:

“Strategic policy-making authorities should have a clear understanding of the land available in their areas through the preparation of a strategic housing land availability assessment. From this planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Strategic plans should identify a supply of:

- a) specific, deliverable sites for years one to five of the plan², and*
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.*

2.1.6 Once a local planning authority has identified its housing needs, these needs should be met in full, unless any adverse impacts would significantly and demonstrably outweigh the benefits of doing so³. Local planning authorities should seek to achieve each of the economic, social and environmental dimensions of sustainable development, resulting in net gains across all three. Adverse impacts on any of these dimensions should be avoided, where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed or, where this is not possible, compensatory measures should be considered.⁴

2.1.7 To be considered sound at Examination the emerging Local Plan will need to meet all four of the soundness tests set out in paragraph 35 of the NPPF19. Paragraph 35 states:

- **Positively Prepared** – *providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that*

¹ Revised NPPF – Paragraph 60

² Footnote 26 – With an appropriate buffer, as set out in paragraph 74

³ Revised NPPF - Paragraph 11

⁴ Revised NPPF - Paragraph 32

unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

- **Justified** – *an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- **Effective** – *deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
- **Consistent with National Policy** – *enabling the delivery of sustainable development in accordance with the policies in this Framework.*

3 PLANNING PRACTICE GUIDANCE

- 3.1.1 The Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018. The updated PPG provides further clarity on how specific elements of the NPPF19 should be interpreted when preparing local plans. In particular, the updated Housing Needs Assessment chapter of the PPG confirms that the NPPF19 expects local planning authorities to follow the standard method for assessing local housing needs, and that the standard method identifies the minimum housing need figure and not a final housing requirement⁵.
- 3.1.2 The calculation of objectively assessed needs (OAN) for housing has been a subject of much debate as part of Local Plan examinations and s.78 appeals since its initial introduction through the Framework in 2012 with interested parties grappling with the issue of OAN with varying outcomes depending on local circumstances. To simplify the assessment the Government through the NPPF19 has introduced the standardised method which should be undertaken through the 3-stage process outlined at paragraph 005 of the PPG⁶.
- 3.1.3 On 20th February 2019 the Government confirmed further revisions to the PPG on Housing and Economic Development Needs Assessments, identifying that the 2014-based household projections should now form the starting point when assessing an authority's Local Housing Need figure.
- 3.1.4 This update has been introduced to ensure that the outputs of the standard method are consistent with the Government's goal in the Planning for the Right Homes in the Right Places consultation to build 300,000 homes per annum by the mid-2020s. This follows the release of the 2016-based household projections in September 2018, which forecast a lower level of household growth than previously envisaged.
- 3.1.5 Accordingly, the Council should now ensure that the assessment of East Hampshire's Local Housing Need is based on the updated PPG and 2014-based household projections, as the starting point for establishing an appropriate housing requirement for the emerging Local Plan.
- 3.1.6 Whilst the PPG advises that the standard method is not mandatory, there is an expectation that other methods can be used in exceptional circumstances based on robust evidence in order to deviate from the standard method. Indeed, the PPG is clear that the standard method only identifies the minimum number of housing required to meet population needs and does not take into account the variety of factors which may influence the housing required in local areas such as changing economic circumstances or other factors which may change demographic behaviour. Where additional growth above historic trends are likely to occur then local planning authorities should include an appropriate uplift to the housing numbers to meet the need in full. It is important

⁵ PPG Paragraph: 002 Reference ID: 2a-002-20180913

⁶ Reference ID: 2a-005-20180913.

that this uplift is undertaken prior to and separate from the consideration of the demographic baseline assessment of need and how much of this need can be accommodated in a housing requirement figure. Circumstances where the need to apply an uplift may be appropriate include, but are not limited to:

- *Where growth strategies are in place, particularly where those growth strategies identify that additional housing above historic trends is needed to support growth or funding is in place to promote and facilitate growth (e.g. housing deals);*
- *Where strategic infrastructure improvements are planned that would support new homes;*
- *Where an authority has agreed to take on unmet need, calculated using the standard method from neighbouring authorities, as set out in a statement of common ground;*
- *Historic delivery levels where previous delivery has exceeded the minimum need identified it should be considered whether the level of delivery is indicative of greater housing need; and*
- *Where recent assessments such as Strategic Housing Market Assessments suggest higher levels of need than those proposed by a strategic policy making authority, an assessment of lower need should be justified.⁷*

3.1.7 In addition, it is important for local planning authorities to consider the implications of the standard method on delivering affordable housing need in full. The PPG is clear that the total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, taking into account the probable percentage of affordable housing to be delivered by market housing led development. If it becomes clear that affordable housing need will not be delivered in full then an increase to the total housing figures included in the plan should be considered where it could help to deliver the required number of the affordable homes.⁸

3.1.8 In the event that an alternative approach is used it should only be considered sound if it exceeds the minimum starting point. The PPG is clear that any alternative approach with results in lower housing need figure than the standard method should be considered unsound as it does not meet the minimum housing need required.⁹

⁷ PPG Reference ID: 2a-010-20180913

⁸ PPG Reference ID: 3a-027-20180913

⁹ PPG Reference ID: 2a-015-20180813

4 LEGAL REQUIREMENTS

4.1 Duty to Cooperate

- 4.1.1 The Duty to Cooperate (DtC) is a legal requirement established through section 33(A) of the Planning and Compulsory Purchase Act 2004, as amended by Section 110 of the Localism Act. The DtC requires local planning authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues through the process of ongoing engagement and collaboration.¹⁰
- 4.1.2 The NPPF19 has introduced a number of significant changes for how local planning authorities are expected to cooperate including the preparation of Statement(s) of Common Ground (SOCG) which are required to demonstrate that a plan is based on effective cooperation and has been based on agreements made by neighbouring authorities where cross boundary strategic issues are likely to exist. The NPPF19 sets out that local planning authorities should produce, maintain, and update one or more statement(s) of common ground (SOCG), throughout the plan making process¹¹. The SOCG should provide a written record of the progress made by the strategic planning authorities during the process of planning for strategic cross-boundary matters and will need to demonstrate the lengths local authorities have taken to ensure cross boundary matters have been considered and what actions are required to ensure issues are proactively dealt with i.e. unmet housing needs.
- 4.1.3 Gladman are aware of the ongoing issues regarding housing delivery in the Northampton Related Development Area (NRDA). It is disappointing that the current outcomes of discussions around this issue is that this is to be deferred to a review of the JCS. The failure of delivery of the Sustainable Urban Extensions (SUEs) has led to Northampton being continually unable to demonstrate a five-year housing supply. A situation unlikely to change in the near future, despite the production of the Local Plan Part 2.
- 4.1.4 The Council need to be realistic about housing delivery in the remainder of the plan period and be prepared to request greater assistance from its neighbouring authorities through the JCS review. This issue will no doubt be wrapped up in the formation of the new unitary authority however the delivery of the housing needs of Northampton will continue to be a key issue that will need to be tackled.

4.2 Sustainability Appraisal

- 4.2.1 In accordance with Section 19 of the Planning and Compulsory Purchase Act 2004, policies set out in Local Plans must be subject to a Sustainability Appraisal (SA), and also incorporate the

¹⁰ PPG Reference ID: 61-021-20180913

¹¹ PPG Reference ID: 61-001-20180913

requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA regulations).

- 4.2.2 The SA/SEA is a systematic process that should be undertaken at each stage of the Plans preparation, assessing the effects of the emerging Local Plan Review proposals on sustainable development when judged against all reasonable alternatives. The Council should ensure that the future results of the SA clearly justify its policy choices. In meeting the development needs of the area, it should be clear from the results of this assessment why some policy options have progressed, and others have been rejected. This must be undertaken through a comparative and equal assessment of each reasonable alternative, in the same level of detail for both chosen and rejected alternatives. The Council's decision making, and scoring should be robust, justified and transparent.

5 NORTHAMPTON LOCAL PLAN PART 2

5.1 Context

- 5.1.1 This section is in response to the Northampton Local Plan Part 2 consultation document and the supporting evidence base. Gladman highlight below concerns and set out where we feel modifications will need to be made for the plan to be found sound.

5.2 West Northamptonshire Joint Core Strategy Review

- 5.2.1 The Northampton Local Plan Part 2 makes inadequate reference to the scope and timetable for the review of the adopted JCS. The JCS was adopted with a commitment to review the document, to have been submitted for examination. The latest Joint Local Development Scheme indicates that the authorities will miss this date by a considerable length of time.
- 5.2.2 As the authorities are seeking to defer issues of slower than anticipated delivery in the NRDA to a review of the JCS this should be referenced and included within a policy of the Local Plan Part 2. This policy should be clear, easily understandable, and effective, setting out expected timescales of the JCS review.

5.3 Policy 1: Presumption In Favour Of Sustainable Development

- 5.3.1 Gladman support the inclusion of Policy 1, which sets out the Local Planning Authority's commitment to making local planning decisions based on a presumption in favour of sustainable development. It provides assurance of a local approach to planning that is proactively seeking to improve the social, environmental and economic well-being of the area, confirming that the process of 'weighing up' the relevant factors in decision making will aim to strike an appropriate 'planning balance' across the three pillars of sustainability.

5.4 Housing Delivery and Policy 12: Housing and Other Housing Led Allocations

- 5.4.1 As set out in Paragraph 23 of the NPPF19 the strategic policies of the of the LPP2 should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period. In this regard, Policy S3 of the West Northamptonshire Joint Core Strategy (JCS) has set the housing requirement that Northampton Borough must deliver between 2011 to 2029 at about 18,870 dwellings. In line with Paragraph 67 of the NPPF19 the LLP2 should identify a supply of specific deliverable sites for years 1-5 of the plan period and specific developable sites or broad locations for years 6-10 and where possible for years 11-15. These sites will need to deliverable and developable sites in accordance with the definitions set out in the Glossary of the NPPF19.

- 5.4.2 Table 6 of the Local Plan Part 2, confirmed in the Council's Housing Technical Paper (March 2019), indicates that the five SUEs within Northampton will not be delivered as envisaged in the plan. It is expected only 6,168 dwellings will be completed; 905 dwellings short of the 7,073 dwelling requirement established in the JCS. In response to the under-delivery of the SUEs the Council is proposing to allocate 81 sites for 4,538 dwellings through the Local Plan. This would result in a total delivery of 21,824 dwellings over the plan period, an over provision of 2,951 dwellings. This equates to around a 15% flexibility factor, if all sites come forward as envisaged but it must be noted that most of this figure comes from windfall allowance. For this strategy to be as positive as it appears, the Council will need to be able to justify this windfall allowance.
- 5.4.3 Further, robust evidence will be required to demonstrate that the allocated sites are deliverable in line with the requirements of the NPPF19. Many of these sites are brownfield development including large scale redevelopment of the Northampton University Park Campus. The delivery assumptions of these sites need to be realistic to ensure planned trajectories do not falter further, further delaying housing delivery. The Council should be working with neighbouring authorities Daventry and South Northamptonshire through the review of the JCS to ensure the delivery of the housing requirement with a realistic expectation of what can be delivered within the boundaries of Northampton.
- 5.4.4 The Council cannot currently demonstrate a five-year housing land supply including and excluding the NRDA requirement in neighbouring authorities. At Paragraph 121 of the Submission Plan the Council state that it is considered unreasonable to envisage that the historic under-delivery against the JCS housing trajectory can be addressed in the first five years of the Local Plan Part 2. Whilst Gladman agree it is unlikely we object to the Council's proposed solution, to amend the adopted JCS trajectory and introduce a stepped trajectory, reducing the housing requirement in the early years of the Local Plan Part 2.
- 5.4.5 Whilst Gladman agree it may be reasonable to make up the shortfall over the remainder of the plan period (the Liverpool method) introducing a new trajectory reduces the requirement in the early years of the plan period. The Council should be using the production of the Local Plan Part 2 seek to rectify the issue, and whilst we welcome that the Council is proposing to allocate sites to meet the overall housing provision this should be made up of sites that can come forward in the short term. It is not positive planning to backload the trajectory, a response likely to see affordability worsen in the early years of the Local Plan Part 2.

5.5 Policy 13: Type and Mix Of Housing

- 5.5.1 This policy sets out an overly prescriptive type and mix for both market and affordable housing. All households should have access to different types of dwellings to meet their housing needs. Market signals are important in determining the size and type of homes needed. When planning for an acceptable mix of dwellings types to meet people's housing needs the Council should focus on ensuring that there are appropriate sites allocated to meet the needs of specifically identified

groups of households without seeking overly prescriptive housing mix on individual sites. The Local Plan Part 2 should ensure that suitable sites are available for a wide range of developments across a wide choice of appropriate locations.

6 CONCLUSIONS

6.1 Overall Conclusions

6.1.1 These representations have highlighted a number of concerns with the Submission Draft Northampton Local Plan Part 2. These concerns relate to issues at the heart of the Plan and therefore need to be addressed if the Plan is to be found sound when it reaches examination stage.

6.1.2 The key concerns identified within this submission are as follows:

- Inconsistency with the adopted WNJCS in particular not meeting housing needs and changes to proposed housing trajectory.
- Potential for there to be a lack of five-year housing land supply upon adoption.
- Overly prescriptive requirements for housing mix of market and affordable dwellings.
- There is insufficient reference to the JCS review. This should be set out in a clear, easily understandable, and effective policy, setting out expected timescales of the JCS review.

6.1.3 **Gladman would welcome the opportunity to discuss these at the Local Plan Examination in Public hearing sessions.** Should you have any questions regarding the contents of this submission do not hesitate to get in touch with one of the Gladman team.