



**West
Northamptonshire
Council**

West Northamptonshire Council

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Mr Philip Lewis & Mr Mark Sturgess
Planning Inspectors
c/o Mr Ian Kemp
Programme Officer
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BY EMAIL

Dear Mr Lewis and Mr Sturgess

Examination of the Northampton Local Plan Part 2 2011-2029

1. I am writing in response to your initial letter dated 17th March, which sets out your initial concerns about the legal compliance and soundness of the Plan. I address the points you have raised in your letter in turn below.

The scope of the Examination

2. I confirm that Northampton Local Plan Part 2 (NLPP2) Policy 16 - Gypsies, Travellers and Travelling Showpeople seeks to replace West Northamptonshire Joint Core Strategy (WNJCS) Policy H6 – Gypsies, Travellers and Travelling Showpeople. This is the only Plan policy that seeks to replace a strategic WNJCS policy. Unfortunately, this change was omitted from Appendix B of the Plan as submitted, so it is proposed as a Main Modification MMOD59.

Habitats Regulations Assessment

3. The Council is at an advanced stage in the preparation of the Mitigation Strategy for Unit 1 of the Upper Nene Valley Gravel Pits Special Protection Area, including the Plan area and the appropriate area within the former South Northamptonshire district. This has been the subject of discussions with Natural England and the Council will commit to have adopted the Mitigation Strategy before the Northampton Local Plan Part 2 is adopted. I attach a draft of the Mitigation Strategy, which is with Natural England for their agreement. It is not anticipated that the costs of mitigation measures

will have a significant effect on viability. Proposed main modification MMOD20 as originally proposed has been superseded by MMOD22 to ensure that Policy 30 refers to the Mitigation Strategy being prior to the adoption of the Plan.

4. On issues of functionally linked land for the SPA, an over-wintering birds survey has just been completed on behalf of Homes England for the proposed allocation at The Green, Great Houghton (LAA1098). The final report of that survey is expected to be available during the week commencing 7th June 2021. There is scope for the introduction of an area of Suitable Alternative Natural Greenspace in association with the development of this site, and this has been discussed with Natural England, Homes England and their agent. Proposed main modification MMOD45 shows how we intend to modify Policy 41 to reflect the latest position.
5. For land at The Farm, Hardingstone (LAA0204), it should be noted that only a small area of the site (which we have assessed to be of the order of 0.16ha) was assessed as being optimal supporting habitat in relation to Golden Plover and Lapwing habitat in the Habitats Regulations Assessment. The rest of the site has been assessed as being unsuitable as habitat for those species. This is unlikely to alter the number of dwellings that can be accommodated, but it will mean that a consequential change needs to be made to the Policies Map.
6. The Council is in the process of preparing a statement of common ground with North Northamptonshire Council, Bedford Borough Council and Natural England to address the issue of functionally linked land concerning the Upper Nene Valley Gravel Pits Special Protection Area and Ramsar Site relating to plan-making. Once this statement has been agreed, we will forward it to you.

Flood risk

7. Your comments on the Exceptions Test in relation to certain sites proposed to be allocated are noted. We have contacted the Environment Agency about this, and they have indicated that they have no objection to the approach adopted (see attached letter). The only exception to this is in respect of site LAA1099 – Upton Park (Upton Reserve Site) which is entirely within Flood Zone 3b and would not, therefore, pass the Exceptions Test. It is proposed that main modifications MMOD6, MMOD32 and MMOD56 be made to the Plan to delete reference to this single site from Policies 13 and 38 and the trajectory respectively.

8. The Council is in the process of commissioning an updated site-specific Strategic Flood Risk Assessment in relation to those sites where the Exceptions Test has identified the need for this. We will update you as soon as the consultants give us a timescale for completing this work.

Gypsies, Travellers and Travelling Showpeople

9. The consultant who undertook the work has confirmed that the methodology and assessment of need set out in the West Northamptonshire Travellers' Accommodation Needs Study, 2017 has been tested repeatedly at Examination and found to be sound. The West Northamptonshire Needs Study also forms part of the evidence base for the Part 2 Local Plans for Daventry and South Northamptonshire. Both Plans have been adopted.
10. Officers have been in discussion with the Council's portfolio-holder for Planning, Built Environment and Rural Affairs about how to ensure that the Plan would meet the housing needs of ethnic Gypsies and Travellers arising from unknown households and for those who do not meet the definition set out in the Planning Policy for Traveller Sites. We have concluded that the best approach is to amend the criteria-based Policy 16 in the Plan and the supporting text as set out in MMOD9 and MMOD8 respectively. This allows for proposals for private sites to come forward during the Plan period to meet the needs identified.
11. We do not have sufficient evidence that these other categories of need will translate into a need for additional pitch provision so as to justify the allocation of a new site now, but if evidence being commissioned to support the West Northamptonshire Strategic Plan indicates a different level of need for the period to 2029, this can be addressed in a review of the Local Plan Part 2.

Housing Land Supply

12. As you point out, a number of representors have made comments regarding strategic matters relating to the review of the Joint Core Strategy and the preparation of the West Northamptonshire Strategic Plan. I confirm that in the Examination of this Part 2 Local Plan, such strategic matters are not before you and are beyond the scope of your examination. I attach a letter from the West Northamptonshire Joint Planning Unit which confirms this point.

13. The Council can confirm that it is not seeking to secure a five-year housing land supply through the Examination. In relation to the Trajectory, the Council has sought to liaise with developers/promoters for larger sites. In some cases, developers respond to that request, but in many cases they do not, and the local authority cannot compel them to do so. In cases where no response is made, the Council has to make a judgement about build-out rates, based on their professional knowledge of the site itself, similar sites and the rate at which they come forward within the Borough; and the local housing market. Outside the plan-making process, the Council is also liaising with promoters of the smaller sites allocated in the Plan. Through this work, we will establish separately that a five-year housing land supply exists at the point of adoption and that housing land supply can be maintained over the plan period. We will update you on the findings of these work streams together with the HRA and Flood risk work as soon as the work is completed and the trajectory at Appendix A to the Plan can then be updated accordingly.

Other matters

Duty to Co-operate

14. I attach a summary of the outcomes of co-operation undertaken in respect of the Plan until submission, with the notes of relevant meetings attached.

Proposed Main Modifications and changes to the Policies Map

15. I can confirm that, should it be necessary, the local planning authority formally requests you to make recommendations to modify the Plan to make it sound and compliant with legislative requirements as set out in Section 20(7C) of the Planning and Compulsory Purchase Act 2004.

16. The Council has now separated what was previously referred to as the Schedule of Proposed Minor Modifications into a Schedule of Proposed Main Modifications, a Schedule of Proposed Additional Modifications and a Schedule of Proposed Changes to the Policies Map.

17. As regards soundness implications for the Plan arising as consequence of changes to the Use Classes Order, we consider that these would be fully

addressed by the changes set out in main modifications MMOD12, MMOD34 and MMOD50.

18. The Policies Map has been modified to incorporate a notation for the Sustainable Urban Extensions. This will be added to the examination library.

19. I confirm that your letter has been made available on the Council's website. Similarly, this response will be added.

20. If you require any clarifications or further information, please let me know via the Programme Officer.

Yours sincerely

Paul Everard

Planning Policy and Heritage Manager