

## **Examination of the Northampton Local Plan Part 2 2011 – 2029**

### **Inspectors:**

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### **INSPECTOR'S INITIAL MATTERS, ISSUES AND QUESTIONS**

We are Philip Lewis and Mark Sturgess, chartered Town Planners appointed by the Secretary of State for Housing, Communities and Local Government on 9 February 2021 to examine the soundness of the Plan, and whether it meets the requirements of the Planning and Compulsory Purchase Act 2004 (the Act) and associated Regulations.

The Plan being examined is the Northampton Local Plan Part 2 2011 – 2029 Proposed Submission – Round 2 June 2020. Prior to publishing the above Plan for consultation, the Council undertook consultation on the Northampton Local Plan Part 2 Proposed Submission draft (Regulation 19) in May and June 2019. Insofar as they relate to matters unchanged between the two versions of the document, we will take into account representations made in both rounds of the consultation.

Our Examination of the Plan commenced with our appointment and to date we have undertaken initial reading of the Plan, the evidence base documents and representations, following which we posed a number of initial questions to the Council. Our letter and the Council's response have been published on the Examination website.

We have now identified the matters and issues and have posed the key questions for the examination. These are set out in this document.

In drafting this document, we have also had regard to the Council's response to our initial questions and the various evidence base documents which have been published by the Council to accompany their response. We advise you to read the Council's further submissions when you prepare your statements.

**Please read and be familiar with the accompanying Inspectors Guidance Note which sets out important details of the organisation and conduct of the Examination and the hearings, and regarding the preparation of hearing statements.** We shall assume that the Guidance Note has been read by participants at the Hearings.

It may be that some of the questions set out in this document will be answered in written statements. Consequently, we will not need to consider them further at the Hearings as we would have sufficient information. The scope of specific hearing sessions will be confirmed in the agendas published on the Examination website. **It is important to note that written representations and oral representations carry the same weight, and we will have equal regard to views put at a hearing or in writing.** Representors should only address those matters, issues and questions relevant to their original representations.

Any reply to our questions should be in accordance with the guidelines set out in our Guidance Note and should be sent electronically to the Programme Officer by **5.00 pm on Friday 5 November 2021**. It is expected that hearing statement will only be submitted electronically.

Only those who have made representations seeking to change the Plan have a right to appear before, and be heard by, the Inspectors. If you have a right to be heard, and you wish to exercise that right, you should contact the Programme Officer by **5.00 pm on Friday 15 October 2021** indicating the appropriate Matter and the session you wish to attend (see the draft Programme). You need to do this regardless of what you may have indicated on the representation form. Please note that if you do not contact the PO by that date it will be assumed that you do not wish to appear and be heard, and you will not be listed as a participant.

### **Revised National Planning Policy Framework**

One of the four tests of whether a plan is sound is if it is consistent with national policy. The Government published a revised version of the National Planning Policy Framework (the Framework) on 20 July 2021. When responding to our questions set out in this document, please consider whether the Plan needs to be modified to take account of the revised Framework, and if you think it does, please say why the Plan as submitted is unsound and how you would wish it to be changed to make it sound.

*Philip Lewis and Mark Sturgess*

INSPECTORS

## **Matter 1: Procedural/legal requirements**

### **Issue: Whether all Statutory and Regulatory requirements have been met?**

#### **Duty to Cooperate**

1. Is there clear evidence that, in the preparation of the Plan, the Council has engaged constructively, actively and on an ongoing basis with neighbouring authorities and prescribed bodies on strategic matters and issues with cross-boundary impacts in accordance with section 33A of the Planning and Compulsory Purchase Act 2004 (2004 Act)?

#### **Sustainability Appraisal**

2. Is the Sustainability Appraisal (SA) adequate?
3. Has the SA been undertaken on the basis of a consistent methodology and is the assessment robust?
4. Is the SA report sufficiently clear and self-contained in the demonstration of the consideration of reasonable alternatives and how potential housing sites in particular, were rejected as being reasonable alternatives?

#### **Habitats Regulations Assessment and Habitats sites**

5. Has the Habitats Regulations Assessment (HRA) been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017?
6. Is the HRA justified in concluding that there would be no adverse effects on the integrity of the Upper Nene Valley Gravel Pits SPA arising from the Plan?
7. Would the mitigation of potential adverse effects arising from the Plan on the Upper Nene Valley Gravel Pits SPA in terms of recreational disturbance as identified in the HRA be secured by the Plan on adoption? Is such mitigation likely to work in practice, and would the Plan be effective in this regard?
8. The HRA identifies that there are two sites proposed for allocation for development which are either optimal, or sub-optimal habitat for Golden Plover and/or Lapwing and could therefore be functionally linked to the SPA/Ramsar site. Is the approach taken in respect of functionally linked land in the HRA and the Plan justified and would adequate mitigation measures, which are likely to work in practice, be secured to compensate for any loss of habitat?
9. Is the Plan consistent with the findings of the HRA?

#### **Local Development Scheme**

10. Is the Plan compliant with the Council's Local Development Scheme in terms of its form, scope and timing?

## **Community Involvement**

11. Has the Council complied with the requirements of section 19(3) of the 2004 Act with regard to conducting consultation in accordance with the Statement of Community Involvement?

## **Climate Change**

12. Are the policies of the Plan designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change in accordance with section 19(1A) of the 2004 Act?

## **Equalities**

13. In what ways does the plan seek to ensure that due regard is had to the three aims expressed in section 149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?

## **Superseded policies**

14. Is Appendix B of the Plan clear in identifying the policies of the existing development plan which would be superseded by the Plan?
15. Are the proposed main modifications necessary for soundness?

## **Purpose and content of the Part 2 Plan**

16. In response to our initial questions, the Council confirmed that the Plan seeks to replace West Northamptonshire Joint Core Strategy (WNJCS) Policy H6 – Gypsies, Travellers and Travelling Showpeople and that this is the only proposed policy that seeks to replace a strategic policy of the WNJCS.
  - Is the Plan clear that WNJCS Policy H6 would be superseded as per Regulation 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (The Regulations)?
  - Is the Plan clear that Policy 16 would be a Strategic Policy as per paragraph 21 of the Framework?
17. In broad terms, as required by Regulation 8(4) of the Regulations, are the policies proposed in the Plan otherwise consistent with the policies of the WNJCS?

## **Matter 2 Housing Provision**

### **Issue A: Is the provision for housing development effective and justified, and consistent with the strategic policies of the WNJCS and national policy?**

18. Is the overall amount of new housing proposed in the Plan consistent with the strategic policies of the WNJCS as required by Regulation 8(4)?
19. In regard to the proposed housing trajectory, is the Plan sufficiently clear as to its purpose and the relationship with the strategic policies of the WNJCS? Is the approach proposed by the Council justified and within the scope of the Part 2 Plan, and would it be effective?
20. Is the anticipated rate of development from the sites proposed in the Plan as set out in the housing trajectory in Appendix A of the Plan justified? Are the proposed main modifications to the housing trajectory necessary for soundness?
21. Would there be a five-year supply of deliverable housing sites calculated from the date of adoption of the Plan, as per the housing requirement set in the WNJCS, and would there be an adequate supply of specific, developable sites or broad locations for growth for the remainder of the plan period?
22. What is the evidence for whether sites identified in the housing land supply, should be considered to be deliverable or developable as per the Framework definitions?
23. The Plan in Table 6 includes a windfall allowance of 2,400 dwellings. What is the compelling evidence that windfall will be a reliable source of supply and is this figure justified?
24. What is the evidence that priority has been given to making best use of previously developed land and vacant and under used buildings contributing to the achievement of a West Northamptonshire Target of 30% of additional dwellings on previously developed land or through conversions consistent with WNJCS Policy S1?
25. Would sufficient land be provided so that at least 10% of the housing requirement can be accommodated on sites no larger than one hectare consistent with paragraph 69 of the Framework?

### **Issue B: Are the housing policies clear, justified and consistent with national policy, and will they be effective?**

#### **Policy 4 Amenity and Layout**

26. What is the justification for the application of the nationally described space standard (NDSS)?
27. What is the evidence that the Council has considered the impact of using the NDSS, in terms of Local Plan viability and any effects on the affordability of new homes?
28. Is the Plan justified in not affording a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions?

29. Are the proposed main modifications necessary for soundness?

#### **Policy 14 Type and mix of housing**

30. Are the housing mix provisions of the Policy underpinned by relevant and up-to-date evidence, and would the Policy be effective in addressing the housing needed for different groups in the community?
31. What is the justification for the requirement that self – build custom build housing plots can revert to other forms of housing after a 3-year vacancy period, what effect would this requirement have on viability, and would this be effective?
32. Is Policy 14 seeking to apply the Government’s optional technical standards for accessible and adaptable housing? If so, what is the justification for this, is it sufficiently clear as to whether it is seeking M4(3)(2)(a) wheelchair adaptable or M4(3)(2)(b) wheelchair accessible housing, and would the Policy be effective?
33. Are the proposed main modifications necessary for soundness?

#### **Policy 15 Delivering houses in multiple occupation**

34. Is the 10% threshold for Houses in Multiple Occupation (HMO) within 50 metres of an application site for a proposed HMO justified?
35. Is Policy 15 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals by requiring compliance with the Council’s existing space standards which are not part of the development plan for the area?

### **Matter 3: Provision for Gypsies, Travellers and Travelling Showpeople**

#### **Issue: Is the Plan positively prepared and would it be effective in addressing the likely accommodation needs of Gypsies, Travellers and travelling showpeople?**

36. Has the identified need for additional pitches for Gypsies and Travellers been robustly calculated and given the age of the West Northamptonshire Travellers’ Accommodation Needs Study January 2017 (WNTANS), does it provide an up to date assessment of the housing needs of Gypsies, Travellers and Travelling Showpeople? Should it be reviewed?
37. Several figures are provided in the WNTANS for the need which may arise from the unknown households. Which of these is correct?
38. Paragraph 1.27 of the WNTANS states that in relation to transit sites that a review should be done in Autumn 2018. Was this done and if not, why not?
39. Why has the pitch requirement dropped from that set out in the WNJCS?
40. Paragraph 4.7 of the WNTANS refers to one household which moves around the area living in roadside encampments. Is this still the case?
41. Have any Planning Permissions been given since 2014 for Gypsy and Traveller sites in Northampton and if so for how many pitches? Have any Planning Applications been refused for Gypsy and Traveller Sites since 2014?

42. Are there currently any unauthorised Gypsy and Traveller sites in the plan area? If so, what is their current status?
43. Is there still a waiting list for pitches at the Ecton Lane Site, and if so, what is the current number on the waiting list?
44. Where is the evidence that the needs of Romany Gypsies and Irish Travellers have been considered when preparing the Plan under the Public Sector Equality Duty?
45. The Framework in paragraph 22 sets out that strategic policies should look ahead over a minimum 15 year period from adoption. What is the justification for the Gypsy and Traveller provision not looking ahead a minimum 15 years from adoption?
46. Does Policy 16 avoid unnecessary duplication of other plan policies that apply to the area, and would it be effective?
47. Are the proposed main modifications necessary for soundness?

#### **Matter 4: Housing Allocations**

**Issue: Are the proposed housing allocations justified, effective and consistent with national policy?**

#### **Policy 13 Residential and other residential led allocation and Policy 38 Development Allocations**

48. Consistent with paragraph 16 of the Framework, is there a clear purpose for including both Policies 13 and 38 which appear to largely duplicate each other?
49. The Plan sets out a number of allocations in Policies 13 and 38, and includes specific, more detailed, allocation policies for a number of sites. In respect of those policies not subject of specific detailed allocations, is the Plan clearly written and unambiguous so it is evident how a decision maker should react to development proposals?
50. What is the justification for the indicative dwelling capacities for the proposed allocations set out in Policy 13?
51. What is the evidence that the specific proposed site allocations would be deliverable or developable as per the Framework definitions?
52. Are the proposed main modifications necessary for soundness?

#### **Proposed allocations and the Strategic Road Network**

53. A number of the proposed allocations (LAA0168, 0333, 1025, 1098, 1104, 1107, 1113, 1140, 1142) have been identified as being in close proximity to the Strategic Road Network. What is the evidence that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree?
54. Are any such transport improvements necessary achievable and if so, when? What is the evidence for this?

55. What are the costs of any necessary transport infrastructure required for the proposed developments? Have such costs been considered in the assessment of viability for the Plan?
56. Is it intended that an Infrastructure Delivery Plan will be prepared for the Part 2 Plan? (See also Policy 37)

### **Flood risk and the application of the Exceptions Test**

57. What is the evidence that the Council has applied the Exceptions Test as set out in paragraph 163 of the Framework as necessary in respect of the proposed allocations?
58. Are the Council's proposed main modifications necessary for soundness?

### **Proposed allocations and existing public open space**

59. A number of the proposed site allocations concern areas of open amenity space within the built-up area. These include by way of example, and amongst others, land rear of garages in Coverack Close – LAA1052, 2 sites off Meadow Drive, near Medway Close – LAA1071 and two parcels of land in Sunnyside Estate – LAA1086. What is the justification for the development of the areas of open amenity space proposed and is the Plan consistent with paragraph 99 of the Framework in this regard?
60. Are the proposed allocations on areas of amenity open space consistent with national policy for achieving well designed places as set out in the Framework?

### **Policy 39 Northampton Railway Station (LAA0288) Rail freight and adjoining sites (LAA0333)**

61. Is the proposed allocation of railway land for redevelopment consistent with paragraph 104 of the Framework and is it justified in terms of the provision of sustainable freight and passenger transport?
62. Having regard to the recommendations of the Northampton Heritage Impact Assessment, would Policy 39 be effective in conserving and enhancing the historic environment?
63. What is the evidence that the proposed allocation would be deliverable or developable as per the Framework definitions in the plan period?
64. Is it evident from the Policy as to how a decision maker should react to proposals in respect of existing sewerage?
65. Are the proposed main modifications necessary for soundness?

### **Policy 41 The Green, Great Houghton (LAA1098)**

66. The HRA identifies that the proposed allocation site is either optimal, or sub-optimal habitat for Golden Plover and/or Lapwing and could therefore be functionally linked to the Upper Nene Valley Gravel Pits SPA. In addition, the proposed allocation site is within 3 kilometres of the Habitats site and has the potential to increase recreational disturbance there.
  - What is the specific evidence as to whether there would be any adverse effects on the integrity of the SPA arising from the proposed scheme?
  - What is the evidence that any necessary robust and effective mitigation measures, can be secured?

- What effect would the provision of any necessary mitigation measures have on the viability of the proposed allocation?
67. Is it evident from the second and seventh bullet points relating to woodland and 'buffers' as to how a decision maker should react to development proposals?
  68. In terms of paragraph 110 of the Framework, what is the evidence that:
    - appropriate opportunities to promote sustainable transport modes can be taken up?
    - safe and suitable access to the site can be achieved for all users including existing residents of Great Houghton?
    - any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree?
  69. Does the Policy set out a positive strategy for the conservation and enjoyment of the historic environment?
  70. Does the Policy set out a clear design and landscape vision and expectations for the site so that applicants would have as much certainty as possible about what is likely to be acceptable at the site? What is the justification for the development principles set out in Figure 20?
  71. Would the Policy be effective in respect of the provision of sustainable drainage systems and existing sewerage systems?
  72. Is there any other reason as to why the proposed allocation should not be considered as being either deliverable, or developable as per the Framework definitions?
  73. Is the anticipated delivery trajectory for the proposed allocation realistic?
  74. Are the proposed main modifications necessary for soundness?

**Policy 42 Greyfriars (LAA1113)**

75. Having regard to the recommendations of the Northampton Heritage Impact Assessment, would Policy 42 be effective in conserving and enhancing the historic environment?

**Policy 43 Ransome Road (LAA1139)**

76. Having regard to the recommendations of the Northampton Heritage Impact Assessment, would Policy 43 be effective in conserving and enhancing the historic environment?
77. Is there sufficient evidence in respect of the potential effect of the proposal on the historic environment to justify the allocation of the site in advance of any necessary archaeological evaluation?
78. What is the justification for the site capacity being at least 200 dwellings?
79. What is the justification for the building height requirements in bullet point 1 of Policy 43?
80. Are the proposed main modifications necessary for soundness?

**Policy 44 Sites in Tanner Street, Green Street, St Peters Way and Freeschool Street (LAA0167/ 0818/ 0931/ 1010)**

81. Would the Policy be effective in respect of the provision of sustainable drainage systems and existing sewerage systems?

82. Given the presence of the scheduled monument, what is the justification for the extent of the proposed allocation LAA1010 and would it be effective in conserving the historic environment?
83. Are the proposed main modifications necessary for soundness?

### **Other housing allocations**

#### **Quinton Road – LAA0171**

84. Would the Policy be effective in ensuring that any development would, in terms of flood risk, be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere?
85. Are there any factors which would mean that the site is not 'deliverable' or 'developable' as per the definitions in the Framework?

#### **Ransome Road Gateway – LAA0174**

86. Would the proposed allocation be effective in conserving and enhancing the historic environment?

#### **The Farm, Hardingstone – LAA0204**

87. The HRA identifies that the proposed allocation site as being either optimal, or sub-optimal habitat for Golden Plover and/or Lapwing and could therefore be functionally linked to the Upper Nene Valley Gravel Pits SPA. In addition, the site is within 3 kilometres of the Habitats site and would increase the potential for recreational disturbance.
  - What is the specific evidence as to whether there would be any adverse effects on the integrity of the SPA arising from the proposed scheme?
  - What is the evidence that any necessary robust and effective mitigation measures, can be secured?
  - What effect would the provision of any necessary mitigation measures have on the viability of the proposed allocation?
88. What is the justification for the indicative dwelling capacity of 100 dwellings?
89. Are there any factors which would mean that the site is not 'deliverable' or 'developable' as per the definitions in the Framework?

#### **Car park, Victoria Street – LAA0598**

90. Would the proposed allocation be effective in conserving and enhancing the historic environment?

#### **Fraser Road - LAA0657**

91. Would the proposed allocation be effective in protecting biodiversity given the proximity of local wildlife sites?
92. Are there any factors which would mean that the site is not 'deliverable' or 'developable' as per the definitions in the Framework?

**LAA1009, land west of Policy N5, Northampton South SUE, 1142 land west of Northampton South and 0168 Rowtree Road (combined as 1144)**

93. Would the allocation of the 3 sites separately (0168, 1009 and 1142) be effective?
94. What is the relationship of the proposed allocations with the adjacent SUE and how would that affect the deliverability of the proposed allocations?
95. What is the realistic site capacity of the proposed allocations (combined)?
96. In terms of paragraph 110 of the Framework, what is the evidence that:
  - appropriate opportunities to promote sustainable transport modes can be taken up?
  - safe and suitable access to the site can be achieved for all users?
  - any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree?
97. Are there any other factors which may affect the deliverability of the site?
98. Are the proposed main modifications necessary for soundness?

**University of Northampton Avenue Campus – LAA1014**

99. What is the planning status of the site?
100. Are there any factors which would mean that the site is not 'deliverable' or 'developable' as per the definitions in the Framework?

**Hill Rise Farm, Hunbury Hill – LAA1100**

101. What is the justification for the allocation of 50% of the site for housing and would this be effective?
102. Are there any factors which would mean that the site is not 'deliverable' or 'developable' as per the definitions in the Framework?

**Watering Lane, Colingtree – LAA1104**

103. Would the proposed allocation, given its proximity to the M1 Motorway, provide adequate living conditions for future occupiers of the proposed dwellings, particularly in respect of air quality?
104. Are there any factors which would mean that the site is not 'deliverable' or 'developable' as per the definitions in the Framework?

**Former Abington Mill Farm, land off Rushmere Road, LAA 1107**

105. In terms of paragraph 110 of the Framework, what is the evidence that:
  - appropriate opportunities to promote sustainable transport modes can be taken up?
  - safe and suitable access to the site can be achieved for all users?
  - any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree?
106. Is the proposed allocation consistent with Policy BN1 – Green Infrastructure Connections of the WNJCS?

### **St John's Railway Embankment - LAA1134**

- 107. Would the proposed allocation be effective in protecting biodiversity and trees?
- 108. Are there any factors which would mean that the site is not 'deliverable' or 'developable' as per the definitions in the Framework?

### **Land north of Milton Ham – LAA1140**

- 109. What is the justification for the indicative dwelling capacity of 224 dwellings?
- 110. Are there any factors which would mean that the site is not 'deliverable' or 'developable' as per the definitions in the Framework?

## **Matter 5: Development Management Policies**

**Issue: Are the individual policies clear, justified and consistent with national policy, and will they be effective?**

### **A. Sustainable Development**

#### **Policy 1 Presumption in favour of sustainable development**

- 111. Does Policy 1 serve a clear purpose, and does it unnecessarily duplicate the policy for the presumption in favour of sustainable development set out in the Framework?

### **B. Quality of New Development**

#### **Policy 2 Placemaking**

- 112. Does the Policy need to be modified to take account of the revised Framework published on 20 July 2021?
- 113. Is the Policy clearly written and unambiguous so it is evident how a decision maker should react to a development proposal? What is meant by 'easily accessible facilities' and 'providing easy access to those facilities nearby' in bullet point 2? Would the Policy be effective in this regard?

#### **Policy 3 Design**

- 114. Is Policy 3 clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. For example, what is meant by in a 'sustainable fashion'?
- 115. Is the requirement in Policy 3 for developments to achieve the 'Building for Life' certification, proportionate and justified, especially when applied to smaller sites? Should the Policy refer to the current version, 'Building for a Healthy Life' accreditation?
- 116. Does the Policy need to be modified to take account of the revised Framework published on 20 July 2021?

### **Policy 5 Carbon reduction, community energy networks, sustainable design and construction and water use**

- 117. What is the justification for the Policy requirement for the tighter water efficiency standards in new dwellings?
- 118. Is Policy 5 clearly written and unambiguous, so it is evident how a decision maker should react to development proposals in the requirement for sustainable construction methods?

### **Policy 6 Health and wellbeing**

- 119. What is required in a rapid or more substantial Health Impact Assessments, would these be applied proportionately, and are the proposed development thresholds justified?
- 120. Why do the thresholds apply only to residential development?
- 121. Are the proposed main modifications necessary for soundness?

### **Policy 7 Flood risk and water management**

- 122. Is Policy 7 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals by requiring compliance with relevant guidance for flood risk management and standards for surface water, produced by the Lead Local Flood Authority and Anglian Water, guidance which is not part of the development plan for the area?
- 123. Are the proposed main modifications necessary for soundness?

## **C. Northampton Regeneration Strategy**

### **Policy 11 Managing hotel growth**

- 124. Is Policy 11 consistent with the sequential test for planning applications for main town centre uses as set out in the Framework?

### **Policy 12 Development of main town centre uses**

- 125. Is Policy 12 consistent with the sequential test for planning applications for main town centre uses as set out in the Framework?

## **D. Economy**

### **Policy 17 Safeguarding existing employment sites**

- 126. In the context of national policy on making effective use of land as set out in chapter 11 of the Framework, what is the justification for safeguarding all existing employment sites?
- 127. Why is the requirement for the marketing of employment sites set out over a range of 6 – 12 months. Is this clear and unambiguous so it is evident how a decision maker should react to a development proposal?
- 128. Are the proposed main modifications necessary for soundness?

### **Policy 18 Supporting new employment developments and schemes outside of safeguarded sites**

129. Is the approach to new employment development consistent with WNJCS Policies S7 and S8 and is it justified?
130. Are the proposed main modifications necessary for soundness?

### **E. Hierarchy of Centres, Retail and Community Services**

#### **Policy 19 New retail developments and retail impact assessment**

131. What is the justification for the levels of convenience and comparison retail floorspace proposed, is the evidence base up to date in this regard, why are these levels expressed as ranges, and are these consistent with the WNJCS?
132. What is the justification for the 500 square metre threshold for the application of the sequential test?
133. Does this Policy need to be modified to take account of the changes to the Use Classes Order which came into effect in September 2020 and the revised Framework published on 20 July 2021?
134. Why is the requirement for the period of vacancy and marketing of property expressed over a range of 12 - 18 months? Is this clear and unambiguous so it is evident how a decision maker should react to a development proposal?
135. Are the proposed main modifications necessary for soundness?

#### **Policy 20 Hot food takeaways**

136. Is the first part of the policy relating to health and wellbeing clear and unambiguous so it is evident how a decision maker should react to a development proposal?
137. What is the specific evidence relating to Northampton to justify the 400 metre restriction on new hot food takeaways school entrances?

#### **Policy 21 Residential development on upper floors**

138. Does the policy serve a clear purpose and is it clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
139. Are the proposed main modifications necessary for soundness?

#### **Policy 23 Sports facilities and playing pitches**

140. Is the Policy consistent with national policy for open space and recreation as set out in paragraphs 98 and 99 of the Framework, would it be effective and is it justified? Is it necessary to duplicate national policy in the first part of the policy?
141. Is Policy 23 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals by requiring contributions in line with the recommendations of 'Sports facilities for West Northamptonshire' which is not part of the development plan for the area?

### **Policy 24 Community facilities**

142. What is meant by 'sustainable location' in the first sentence of the Policy and is the Policy clearly written and would it be effective in this regard?
143. Is there a missing word after 'community' in the second sentence of the Policy?

### **Policy 25 Childcare provision**

144. What is meant by 'sustainable locations' in the first bullet point of the Policy, is the Policy clearly written and would it be effective in this regard?

### **Policy 26 Sites for burial space**

145. Is the policy consistent with the Framework in regard to net gains to biodiversity?

## **F. Built and Natural Environment**

### **Policy 27 Sustaining and enhancing existing, and supporting the creation of, Northampton's green infrastructure**

146. What is the justification for the 15 dwellings threshold for all housing developments? Why does a threshold apply only to housing developments?
147. Is the policy consistent with paragraph 174 of the Framework in regard to net gains for biodiversity?
148. Would the Policy be effective in regard to 'Blue Infrastructure'?

### **Policy 28 Providing open spaces**

149. What is the justification for the planning standards for new developments set out in Policy 28?
150. Is the designation of the open spaces defined on the Policies Map justified?
151. Given the findings of the HRA and to be effective, should the Policy refer to the provision of Suitable Alternative Natural Greenspace (SANG) requirements?

### **Policy 29 Supporting and enhancing biodiversity**

152. Is the Policy consistent with national policy for the natural environment as set out in the Framework or in accordance with the Habitats Regulations, and would it be effective?
153. Are the proposed main modifications necessary for soundness?

### **Policy 30 Upper Nene Valley Gravel Pits Special Protection Area**

154. Is the Policy consistent with national policy for the natural environment as set out in the Framework or in accordance with the Habitats Regulations, and would it be effective?
155. Would Policy 30 be effective in protecting the Habitats Site without a suitable mitigation strategy in place, and is it consistent with the findings of the HRA?

156. Is this Policy clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
157. Are the references to water abstraction and foul drainage discharges justified when these fall under different legislative/regulatory processes to those set out in the Planning Acts?
158. Are the proposed main modifications necessary for soundness?

**Policy 31 Protection and enhancement of designated and non-designated heritage assets**

159. Is Policy 31 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals by requiring consistency with guidance from Historic England and heritage best practice which are not part of the development plan for the area?

**G. Movement**

**Air quality**

160. Given the presence of the Air Quality Management Areas, how has the Plan sought to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, consistent with WNJCS Policy BN9 and national policy as per paragraph 186 of the Framework?

**Policy 32 Designing sustainable transport and travel**

161. Is the first paragraph of Policy 32 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals in terms of the mitigation of transport effects of development, and is the Policy consistent with national policy for planning conditions and obligations as per paragraphs 56 to 58 of the Framework?
162. Are the travel plan requirements consistent with paragraph 113 of the Framework?
163. Is the reference to Policy 34 in the final bullet point necessary?
164. Are the proposed main modifications necessary for soundness?

**Policy 33 Highway network and safety**

165. Is the Policy wording in bullet point one consistent with paragraph 113 of the Framework, and is the duplication of the travel plan requirements necessary?

**Policy 34 Transport schemes and mitigation**

166. What is the robust evidence for the safeguarding of the former Northampton to Market Harborough railway line for future transport, and how is this critical in developing infrastructure to widen transport choice and realise opportunities for large scale development as per paragraph 106 c) of the Framework?

- 167. Is the future transport use of the former railway line consistent with national policy to protect and enhance biodiversity as set out in paragraph 174 of the Framework?
- 168. What is the justification for the net zero emissions target for 2030?
- 169. Is Policy 34 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals by requiring consistency with the Northampton Low Emission Strategy 2017 which is not part of the development plan for the area?
- 170. Are the proposed main modifications necessary for soundness?

### **Policy 35 Parking standards**

- 171. Is Policy 35 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals by requiring consistency with the Parking Standards SPD which is not part of the development plan for the area?
- 172. Does the Policy serve a clear purpose and is it clearly written, consistent with paragraph 107 of the Framework in regard to parking standards and the provision of Electric Vehicle charging points?

## **H. Infrastructure**

### **Policy 37 Infrastructure Delivery and Contributions**

- 173. Is the second sentence of the first paragraph of the Policy necessary, given the scope of Policy 36?
- 174. Is the Policy clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals in terms of the mitigation of transport effects of development, and is the Policy consistent with national policy for planning conditions and obligations as per paragraphs 56 to 58 of the Framework?
- 175. What is the evidence that the infrastructure requirements arising from the development proposed in the Plan have been adequately assessed and considered in the viability assessment for the Plan? Is it intended that an Infrastructure Delivery Plan will be prepared for the Part 2 Plan?
- 176. Are the proposed main modifications necessary for soundness?

### **Table 12 implementation and monitoring framework**

- 177. Are the proposed main modifications necessary for soundness?

## **Appendix G Primary Education**

- 178. Are the proposed main modifications necessary for soundness?

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