

Examination of the Northampton Local Plan Part 2 2011 – 2029

Inspectors:

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Agenda - Hearing Day 1. Tuesday 16 November 2021 0930 - 1300

- 1) Introduction and Inspectors' Opening Announcements
- 2) Opening statement on behalf of West Northamptonshire Council

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?

Participants

West Northamptonshire Council

Homes England