



**West
Northamptonshire
Council**

West Northamptonshire Council

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

24th March 2022

Dear Mr Lewis and Mr Sturgess

Examination of the Northampton Local Plan Part 2 2011-2029

1. I am writing in response to your post hearings letter dated 24th January 2022, which sets out the matters that need to be addressed as the way forward for the examination of the Plan. I address the points you have raised in your letter in turn below.

Main Modifications

2. A consolidated set of Main Modifications to the Plan is attached at Appendix A to this letter. I have also added a schedule of Additional Modifications (Appendix B) and changes to the Policies Map (Appendix C) for you to review.

Sustainability Appraisal

3. In your letter you asked for the Sustainability Appraisal of the Plan to how and where in the process sites were rejected as being reasonable alternatives and the reasons why they were rejected. A clear explanation of this process is set out in the draft Sustainability Appraisal of the Main Modifications to the Plan, which is attached to this letter, in paragraphs 1.29 and 1.30 and the succeeding text box (extract attached as Appendix D).

The Habitats Regulations

Recreational disturbance

4. At the meeting of the Council's Planning Policy Committee on 16th March 2022, it was agreed that the Upper Nene Valley Gravel Pits Special Protection Area Mitigation Strategy should be adopted by the Council as an addendum to the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document. That decision is subject to a five-day call-in period. We will let you know when the Mitigation Strategy is formally adopted and publish it on our website.
5. Natural England commented on the Mitigation Strategy and stated that this Mitigation Strategy for Unit 1 of the SPA would complement the one that is already in place for the North Northamptonshire parts of the SPA (Units 2 to 8). Natural England's response to the consultation is attached as Appendix E. The Council made a series of changes to the Mitigation Strategy to address the concerns of Natural England.

Functionally linked land

6. To address the points raised in your letter concerning functionally linked land, we have produced a topic paper about the potential impacts of the Plan on Functionally Linked Land Associated with the Special Protection Area, which is attached at Appendix F. It focuses chiefly on two proposed housing allocations (LAA0204, The Farm, Hardingstone and LAA1098, The Green, Great Houghton) that may provide optimal or sub-optimal habitat for Golden Plover and / or Lapwing and could therefore be functionally linked land to the SPA. This is about to be sent to Natural England for their comments, which will be forwarded to you in due course.

Habitats Regulations conclusions

7. To address your concerns about the conclusion of the Habitats Regulations Assessment that there would be no adverse effects of the integrity of the SPA, a number of main modifications have been made to policies in the Plan, in particular:
 - Policy 28 – Providing Open Spaces, which now makes specific provision for Suitable Alternative Natural Greenspace;

- New Policy 29B – Nature Conservation, which ensures that development will not adversely affect Special Protection Areas, Ramsar sites and Sites of Special Scientific Interest
 - Policy 30 – Upper Nene Valley Gravel Pits, has been amended to ensure that developments likely to have significant effects on the SPA satisfy the requirements of the Habitats Regulations, requiring an HRA including an Appropriate Assessment as necessary, advocating early consultation with Natural England and requiring applicants to have regard to the Upper Nene Valley Gravel Pits SPA SPD.
8. These changes to policies have been assessed in the draft updated Northampton Local Plan (Part 2) Habitats Regulations Assessment Report, March 2022, which has been sent to you with this letter.
9. The results of the over-wintering birds survey for the site at The Green, Great Houghton (LAA1098) for 2021/22 are expected towards the end of April and will be forwarded to you when we have received them.

The provision for housing

10. The Council accepts your view that the Plan should not seek to replace the housing delivery trajectory in the West Northamptonshire Joint Core Strategy with a trajectory of its own. To reflect this, the Council is proposing an additional modification to the Plan (AMOD1), which deletes the housing trajectory for Northampton.
11. From 1st April 2022, the Council will not publish a five-year housing land supply report for the Northampton area, but will continue to produce such reports for policy areas set out in the Joint Core Strategy which are the Northampton-Related Development Area and the Daventry and South Northamptonshire Plan Areas.

Policy 16 Gypsies, Travellers and Travelling Showpeople

12. Following your advice in this regard, the Council proposes a main modification (MM15) to delete Policy 16 and its supporting text.

Proposed Allocations

Employment land and Policy 13 Residential and Other Residential Led Allocation and Policy 38 Development Allocations

13. In response to your concerns about repetition between Policies 13 and 38 and the need to show clearly the employment sites allocated in the Plan a new Policy 17A - Employment Allocations is proposed (MM17) which lists all the employment land allocations. Policy 38 - Development Allocations has been deleted and Policies 17 and 18 have been amended. The Policies Map has been amended accordingly.

Proposed allocations affecting public open space

14. We have noted your concern about housing allocations on land which is currently amenity green space or allotments and the need for the Plan to ensure that the loss resulting from the proposed redevelopment should be replaced by equivalent or better provision in terms of quantity and quality in suitable locations. Because Northampton is a built-up urban area and almost all of the open land in the former borough has already been assigned to a typology in the Open Space, Playing Pitch and Sports Facilities Study, a ready supply of alternative sites to replace the areas of amenity green space and allotments which would be lost by the allocations in question does not exist.
15. Accordingly, it is proposed that seven new allocations without planning permission on sites which are currently amenity green space or allotments will no longer be allocated for housing. Additionally, the area of the allocation for the Greyfriars site (LAA1113) has been reduced such that it no longer includes any amenity green space. This will reduce the number of new dwellings to be provided by this Plan from 2011 to 2029 by 231 units to 19,653, which is more than the 18,870 dwellings required by the Joint Core Strategy.
16. Housing allocations on amenity green space which already have planning permission, are built, or are already under construction are also to be de-allocated (four sites in total). All of these changes are set out in the proposed main modification to Policy 13 – Residential and Other Residential Led Allocations (MM13), with the details for each site set out in Appendix 1 to the main modifications.
17. Because sites are being deleted, no direct viability implications arise in terms of mitigation.

Proposed allocations

Policy 39 Northampton Railway Station (LAA0288) Rail Freight and Adjoining Sites (LAA0333)

18. It is agreed that the Rail Freight and Adjoining Sites allocation (LAA0333) is developable rather than deliverable. The trajectory set out in Appendix A to the Plan is proposed to be modified accordingly – see AMOD10 and Appendix 2 to the Additional Modifications.

Policy 41, The Green, Great Houghton (LAA1098)

19. In main modification MM39, it is proposed that Policy 41 be amended to address the concerns you have raised regarding the requirement for the preparation of a masterplan, the need for a landscape vision and vehicular access. This main modification also proposes that Figure 20 be amended to show the broad location of the SANG.

Quinton Road (LAA0171)

20. The housing allocation for the Quinton Road site (LAA0171) has been amended, in agreement with the landowner and the Environment Agency, such that it excludes land falling within flood zones 3a and 3b. This change is proposed as part of main modification MM13 and is reflected in a change to the Policies Map.

Hill Farm Rise, Hunsbury Hill (LAA1100)

21. To address the complexities of the development of this site, a site-specific policy (Policy 45) has been drafted which is proposed as main modification MM42. This policy was drafted in consultation with Network Rail.

Former Abington Mill Farm, land off Rushmere Road (LAA1107)

22. A criteria-based site-specific policy (Policy 46) for the development of this site is proposed in main modification MM43 covering matters including flood risk, access and the provision of green space and open space. Interim analysis

carried out on behalf of the landowner's agent indicates that a safe means of access can be provided for this site. It is anticipated that a complete report will be completed within the next week. Clearly the Environment Agency and the Council's highways department will need to examine this report in detail.

Upton Reserve Site LAA1099

23. This site is proposed for deletion from the Plan (MM13) as recommended.

Development Management Policies

Policies reliant on other documents

24. To address your concerns about this matter, the Council is proposing that references to other documents, such as SPDs, in policies will be amended to "have regard to". These changes are proposed as Main Modifications in the appropriate places throughout the Plan.

Policy wording

25. Main modifications are proposed to Policies 6, 24 and 25 (MM6, MM24 and MM25 respectively) to make it clear that they refer to accessible locations.

Policy 2 Placemaking and Policy 3 Design

26. Main modification MM3 proposes a new Policy 2 – Placemaking and Design to replace Policies 2 and 3. It combines most of the provisions of those two policies, but excludes sustainable construction, which is left to Policy 5.

Policy 4 Amenity and Layout

27. In line with your recommendation, it is proposed that all reference to the Nationally Described Space Standards is deleted from Policy 4 (MM4).

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

28. Regarding the provision in Policy 5 that all new dwellings should apply the optional higher water efficiency standard of 110 litres per person per day, and following the point you raised that there is not evidence to demonstrate that Northampton is an area of serious water stress, the Council corresponded with the Spatial Planning Manager at Anglian Water, who had also been in correspondence with LUC on the same matter in connection with the HRA because the Council was concerned to find out if the change to 125 litres per person per day would lead to different conclusions in the HRA.

29. It is his firm view that, with the exception of a small area well away from Northampton, the whole of the Anglian Water area is considered to be an area of serious water stress by the Environment Agency - <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification> . It was for this reason that Anglian Water, the Environment Agency and Natural England had issued their advice note stating that all local planning authorities in the Anglian Region should apply the higher water efficiency standard, which was included in Anglian Water's response to Round 2 of the Regulation 19 consultation on the Local Plan Part 2. A copy of the Council's correspondence with Anglian Water is attached at Appendix G.

Policy 14 Type and mix of housing

d. Self-build and specialist and accessible housing

30. In response to concerns about effectiveness and clarity, the Council has proposed main modification MM14 which reduces the vacancy period for self-build and custom build plots from three years to 12 months. Clarity has been added by stipulating that the 12-month period starts after the installation of roads and utilities to service those plots. The 12-month period ends if marketing evidence following a marketing strategy agreed by the Council demonstrates that there have been no expressions of interest for the plots for the purposes of self-build and custom build housing.

f. Specialist and Accessible Housing

31. Policy 14 has also been amended, as shown in MM14, to address the requirement for wheelchair accessible homes only applies to dwellings where the local authority has nomination rights and to allow for applicants to provide evidence when site constraints prohibit the ability to deliver the required amount of housing.

Policy 19 New Retail Developments and Retail Impact Assessment

32. In main modification MM19, for clarity, the floorspace ranges have been replaced by single figures for convenience and comparison floorspace respectively and the vacancy period range of 12 to 18 months has been changed to 12-month period.

Policy 20 Hot Food Takeaways

33. Following your advice in this regard, the Council proposes a main modification (MM20) to delete Policy 20 and its supporting text.

Policy 28 Providing open spaces

34. Proposed main modification MM27 amends Policy 28 to make it clear how it would be applied where the provision of SANG is necessary.

Policy 34 Transport Schemes and Mitigation

35. Policy 34 has been amended in proposed main modification MM33 to delete reference to the safeguarding of the route of the former Northampton to Market Harborough railway line.

Additional points

36. For completeness, Aspinall Verdi have also issued an update to their Local Plan Viability Report, which is attached as Appendix H.

The way forward for the examination

37. The Council will update the Local Development Scheme in due course. I trust that the information in this letter addresses all the matters you have raised. If have any further queries, please let me know.

Yours sincerely

Paul Everard

Planning Policy and Heritage Manager

Attachments

- Sustainability Appraisal - Main Modifications to the Northampton Local Plan Part 2, draft report, LUC, March 2022
- Northampton Local Plan (Part 2) Habitats Regulations Report, draft report, LUC, March 2022

Appendices

A – Northampton Local Plan Part 2 – Proposed Schedule of Modifications, March 2022

B – Northampton Local Plan Part 2 – Proposed Schedule of Additional Modifications, March 2022

C - Northampton Local Plan Part 2 – Proposed Schedule of Changes to the Policies Map, March 2022

D – Extract from Sustainability Appraisal - Main Modifications to the Northampton Local Plan Part 2, draft report, LUC, March 2022

E – Letter from Natural England, 1st February 2022

F – Northampton Local Plan Part 2 – Topic Paper: Potential impacts on Functionally Linked Land associated with the Upper Nene Valley Gravel Pits Special Protection Area – Response to Inspectors’ Post Hearing letter

G – email correspondence with Anglian Water

H – West Northamptonshire – Main Modifications Viability Addendum Report, Aspinall Verdi, March 2022