

NORTHAMPTON CENTRAL AREA ACTION PLAN

PROPOSED MAIN AND MINOR MODIFICATIONS

**SUSTAINABILITY APPRAISAL TO THE NEW POLICY
“PRESUMPTION IN FAVOUR OF SUSTAINABLE
DEVELOPMENT POLICY”**

September 2012



**NORTHAMPTON
BOROUGH COUNCIL**

1. INTRODUCTION

1.1 The Northampton Central Area Action Plan (CAAP) was submitted to the Planning Inspectorate in May 2012. As part of the Examination to the CAAP, the Planning Inspector undertook a 3 day Hearing between the 4th and 6th September 2012. The Planning Inspector's task was to consider the soundness of the submitted CAAP, based on the criteria set out in paragraph 182 of the National Planning Policy Framework (NPPF).

1.2 The relevant soundness criteria from which the CAAP is assessed are:

- Positively prepared – based on a strategy that seeks to meet objectively assessed development and infrastructure requirements
- Justified – the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence
- Effective – the plan should be deliverable over its period and based on effective joint working on cross boundary strategy priorities
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with policies in the NPPF

1.3 Following from the Hearings, the Planning Inspector recommended some changes to the CAAP. These recommendations were the outcome of the informal debates conducted at the Hearings. These are called Proposed Major Modifications. In addition, the Council also made some minor changes to the CAAP. These changes do not affect the policy direction or contents of the Plan. These are called Proposed Minor Modifications.

2. PROPOSED MAJOR MODIFICATION: NEW POLICY ON PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

2.1 The Planning Inspector recommended the inclusion of a policy which will address the presumption in favour of sustainable development. This will ensure that the CAAP conforms to Policy 14 of the National Planning Policy Framework. The policy reads:

PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT POLICY

"WHEN CONSIDERING DEVELOPMENT PROPOSALS THE COUNCIL WILL TAKE A POSITIVE APPROACH THAT REFLECTS THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT CONTAINED IN THE NATIONAL PLANNING POLICY FRAMEWORK. IT WILL ALWAYS WORK PROACTIVELY WITH APPLICANTS JOINTLY TO FIND SOLUTIONS WHICH MEAN THAT PROPOSALS FOR SUSTAINABLE DEVELOPMENT WILL BE APPROVED AND TO SECURE DEVELOPMENT THAT IMPROVES THE ECONOMIC, SOCIAL AND ENVIRONMENTAL CONDITIONS IN THE AREA.

PLANNING APPLICATIONS THAT ACCORD WITH THE POLICIES IN THIS LOCAL PLAN (AND, WHERE RELEVANT, WITH POLICIES IN OTHER LOCAL

PLANS AND NEIGHBOURHOOD PLANS) WILL BE APPROVED WITHOUT DELAY, UNLESS MATERIAL CONSIDERATIONS INDICATE OTHERWISE.

WHERE THERE ARE NO POLICIES RELEVANT TO THE APPLICATION OR RELEVANT POLICIES ARE OUT OF DATE AT THE TIME OF MAKING THE DECISION THEN THE COUNCIL WILL GRANT PERMISSION UNLESS MATERIAL CONSIDERATIONS INDICATE OTHERWISE - TAKING INTO ACCOUNT WHETHER:

- **ANY ADVERSE IMPACTS OF GRANTING PERMISSION WOULD SIGNIFICANTLY AND DEMONSTRABLY OUTWEIGH THE BENEFITS, WHEN ASSESSED AGAINST THE POLICIES IN THE NATIONAL PLANNING POLICY FRAMEWORK TAKEN AS A WHOLE; OR**
- **SPECIFIC POLICIES IN THAT FRAMEWORK INDICATE THAT DEVELOPMENT SHOULD BE RESTRICTED."**

3. SUSTAINABILITY APPRAISAL

3.1 All plans and policies need to be subjected to an integrated sustainability appraisal (SA) and strategic environmental assessment (SEA) in line with the requirements of:

- Statutory Instrument 2004 No 1633: the Environmental Assessment of Plans and Programmes Regulations 2004 (which requires an environmental assessment to be carried out on certain plans and programmes prepared by public authorities that are likely to have a significant effect upon the environment, and
- The Planning and Compulsory Purchase Act (as amended 2012) requires SA of all emerging Development Plan Documents

3.2 Since a new policy is being proposed, the Borough Council has prepared an appraisal of the effects of the Policy on the SA Objectives. Table 1 provides the definition and description from which the assessment is based on. Table 2 provides a thorough assessment of the economic, social and environmental effects of the new policy. Table 3 provides an options assessment of the inclusion / exclusion of the new policy.

3.3 This policy appraisal should be read in conjunction with the Northampton Central Area Action Plan Sustainability Appraisal Report April 2012.

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TABLE 1:
KEY TO THE APPRAISAL

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	Description	Symbol
Significant positive impact	The option / plan achieves all of the applicable SA objectives and has a positive effect with relation to characteristics of the effect and the sensitivity of the receptors	++
Minor positive impact	The option / plan partly achieves some of the SA objectives and has a positive effect with relation to characteristics of the effect and the sensitivity of the receptors	+
Neutral	The option / plan does not have an effect on the achievement of the SA objectives	0
Minor negative impact	The option / plan conflicts with some of the SA objectives and has a negative effect with relation to characteristics of the effect and sensitivity of the receptors	-
Significant negative impact	The option / plan conflicts with all of the applicable SA objectives and has a negative effect with relation to characteristics of the effect and the sensitivity of the receptors. In addition, the future baseline indicates a worsening trend in the absence of intervention	—
Uncertain	It is unclear whether there is the potential for a negative or positive effect on the SA	?

TABLE 2:
APPRAISAL MATRIX

Plan: Northampton Central Area Action Plan (Proposed Modifications) September 2012				
Proposed Modification: New Policy on “presumption in favour of sustainable development”				
	Short term	Medium term	Long term	Explanation of assessment, with reference to: <ul style="list-style-type: none"> • Likelihood / certainty of effect occurring • Geographical scale of effect / particularly sensitive locations • Current environmental, social and economic trends • Assumptions made With recommendations for mitigating negative effects and improving positive effects
<p>Air quality and noise</p> <p>SA1: Reduce the need to travel, the potential increase in congestion and facilitate modal shift</p> <p>SA2: Avoid sensitive development within areas of high noise levels or poor air quality</p>	+	+	+	<p>Development proposals consistent with the policies in the Plan on balance should have a positive impact on reducing the need to travel and facilitate modal shift. This is because it is within areas with a high degree of public transport accessibility and will also promote the opportunity for linked trips to occur. There however is likely to be addition pressure on congestion. Air quality is recognised as being poor in some areas within the Central Area, development will be placed in areas that are within or adjacent to Air Quality Management Areas. However, this has to be weighed up against the likely increase in congestion that would occur should development occur in out of centre locations. This would create air quality issues not only within the Central Area through passing traffic, but outside too as these out-of-centre developments would likely to have an emphasis on the primary means of transport by private car.</p>
Archaeology & cultural heritage	+	+	+	<p>This policy states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National</p>

<p>SA3: Protect the fabric and setting of designated and undesignated archaeological sites, monuments, structures and buildings, registered Historic Parks and gardens, registered battlefields, listed buildings and conservation areas.</p>				<p>Planning Policy Framework.</p> <p>When looking at planning applications, the Council will need to strike a balance between the requirement for presumption in favour of sustainable development, against the requirement to protect and/or enhance the Central Area's heritage assets. A viable and vital Central Area will generate a demand for heritage assets and bring them into active use, which on balance is likely to ensure that they do not suffer from neglect or blight caused through lack of use or long term vacancy.</p> <p>Through policies in the Plan, the Council seeks to ensure that development positively addresses the heritage assets of the town and wherever possible enhances the asset, or its setting. All applications will still be considered in accordance with Policy 1, which will ensure that every aspect relating to heritage and urban design will be effectively considered. However, on occasion, it may be the case that some assets will be affected negatively, but if there is evidence that the overall benefits to the town outweigh the requirement to protect an asset, then the application will be approved.</p>
<p>Biodiversity, fauna and flora</p> <p>SA4: Maintain and enhance the structure and function of habitats and populations of species, including those specifically protected.</p>	+	+	+	<p>All developments in the CAAP area will be considered against Policy 4 “Green Infrastructure” which means that developments will be supported if it can be demonstrated that the schemes include incorporate features which will enhance or extend green infrastructure – which themselves will mitigate the effects of climate change and enhance biodiversity. In addition site specific policies in areas of recognised biodiversity potential such as those within the Waterside identify specific emphasis on positively addressing green infrastructure and biodiversity.</p> <p>In addition, the Council is preparing two Supplementary Planning Documents which will strengthen biodiversity. These are the “Planning Obligations SPD” and the “Sustainable Construction SPD”, both of which will include guidelines on</p>

SA5: Increase the land area of UK Biodiversity Action Plan species and habitats within the area				enhancing the potential for biodiversity.
Crime and community safety SA7: Improve community safety; reduce crime and the fear of crime.	+	+	+	This policy presumes that sustainable development will be approved, provided it improves the economic, social and environmental conditions in the area. This will have a positive impact on the Central Area, primarily because development opportunities which provide homes, jobs and leisure uses will provide people with a sense of well-being. This policy will be considered alongside Policy 1 “Promoting Design Excellence” and the Shopfront Supplementary Planning Document, which puts townscape design at the forefront of the decision making process. Policy 1 seeks to address the issue of positively designing to reduce the potential for crime through buildings and activity overlooking spaces, providing clear demarcation between public and private space and incorporating appropriate security measures. The reuse of many currently vacant or derelict sites as promoted in the AAP’s policies will reduce the opportunity for crime and the fear of crime. Increased economic well being created through additional development will increase prosperity and in turn is likely to mean that fewer people will turn to crime. The town centre however is an area where violent crimes against the person are higher than the rest of the town, primarily due to the night time economy. Policies in the Plan such as the Market Square and St John’s seek to provide an alternative night time economy focus, which should not add to this problem and through addition of a different demographic within the centre, encourage a change in behaviour of those that currently commit crimes.
Energy & climatic factors	+	+	+	The Central Area boundary incorporates the town centre and its immediate surrounding area, which is predominantly a built up area. Some existing buildings

<p>SA 8: Support the provision of development projects and infrastructure which lead to energy efficient buildings, a reduction in carbon emissions and the provision of 'affordable warmth'. Limit the risk to people and properties from the effects of climate change.</p>				<p>may not necessarily meet these criteria.</p> <p>This new policy will ensure that environmental issues will be a key consideration in the presumption in favour of sustainable development. Together with the requirement to conform to the Joint Core Strategy policy on Renewable Energy, and the Council's imminent Sustainable Construction SPD, new developments could have a positive impact on developments.</p>
<p>Health & well being</p> <p>SA9: Improve health and reduce health inequalities</p>	+	+	+	<p>Presumption in favour of development means that developments which meet the criteria for sustainable developments, the strategic policies contained in the Joint Core Strategy and the policies in the CAAP will be approved. There will be an increase in homes, jobs, retail, leisure and other provisions, as well as transport improvements including modal shifts. Not only will people benefit from additional choices in relation to housing, jobs and commerce – there will also be benefits in health where environmental conditions improve resulting from modal shift.</p> <p>Health inequalities will be reduced as everyone will benefit from these provisions, for example, the Grosvenor Centre redevelopment and the Fishmarket Bus Interchange will provide access for everyone, including those in deprived areas, to better commerce and modern public transport services. In the short to medium</p>

				term, air quality could however be further compromised through additional congestion, causing adverse impact for those with respiratory problems. In the longer term this will be addressed through improved vehicle emissions.
Labour market and economy SA10: Create high quality employment opportunities and develop a strong culture of enterprise and innovation	++	++	++	The CAAP currently allocates a number of sites for office and retail developments, as well as leisure and ancillary provisions. These will create additional jobs and contribute positively to the economic growth of the town. A policy which promotes a presumption in favour of sustainable development will strengthen these provisions by increasing the choices available to people wanting to access the jobs market or improve career prospects. This presumption in favour of sustainable development will also be strengthened by the allocation of the Northampton Waterside Enterprise Zone.
Landscape & townscape SA11: Ensure that the quality, character and local distinctiveness of the landscape and townscape, and the features within them, are conserved and enhanced SA12: Enhance the form and	+	+	+	<p>The approach to presumption in favour of sustainable development is considered to have an overall positive impact on landscape and townscape.</p> <p>The new policy will be supported by Policy 1 “Promoting Design Excellence” which aims to ensure that the character and local distinctiveness of Northampton Central Area’s landscape and townscape will be conserved and enhanced. Evidence such as the Central Area Characterisation Study and Tall Buildings Strategy will assist in this, as well as conservation area appraisals and management plans. However, there will be occasions where additional benefits identified outweigh the requirements for conserving a feature – in which case appropriate mitigation measures will be sought to address this.</p> <p>All developments in the CAAP area will be considered against Policy 4 “Green Infrastructure” which means that developments will be supported if it can be demonstrated that the schemes include incorporate features which will enhance or extend green infrastructure – which themselves will mitigate the effects of climate change and enhance biodiversity. In particular there is the opportunity to</p>

<p>design of the built environment</p> <p>SA13: To provide a strategic network of green infrastructure for West Northamptonshire which will assist in the dispersal and natural migration of species and provide opportunities for linking communities to multi-functional green spaces</p>				<p>enhance the river valley through the central area as part of the wider Nene valley asset across West Northamptonshire.</p> <p>In addition, the Council is preparing 2 Supplementary Planning Documents which will strengthen biodiversity. These are the “Planning Obligations SPD” and the “Sustainable Construction SPD”, both of which will include guidelines on green issues.</p>
<p>Material assets</p> <p>SA14: Ensure that the housing stock and associated infrastructure meets the needs of the local people.</p>	<p>++</p>	<p>++</p>	<p>++</p>	<p>This new policy will support the CAAP policy which allocates new housing developments on key Central Area sites. Policy 16 addresses Central Area Living on a general basis and site specific policies such as the Waterside give an indication of housing mix/types that would be appropriate. In addition policies within the Joint Core Strategy seek to ensure that housing built meets the needs of the population in terms of numbers, type and tenure. This is particularly useful when it comes to windfall sites. The Council is intending to publish its Interim Statement on Affordable Housing prior to the adoption of the Joint Core Strategy. This, together with the new policy, will ensure that the housing stock is sufficient to meet the needs of the local population.</p>

<p>Population</p> <p>SA15: To develop and maintain a balanced and sustainable population structure with good access to services and facilities.</p>	+	+	+	<p>This new policy will support the CAAP policy in creating jobs both in the office sector and other employment, retail and leisure sector. In addition site specific policies that relate to existing residential areas, such as Spring Boroughs seek to address current demographic imbalances. This will ensure that existing and new residents will have access to services and facilities, ensuring the creation of a sustainable and balanced population structure.</p>
<p>Social deprivation</p> <p>SA16: To reduce spatial inequalities in social opportunities.</p>	++	++	++	<p>There are pockets of deprivation in the Central Area. This new policy will support the need to positively seek opportunities to meet the development needs (which also equates to the needs of the communities) of the Central Area. Through the provisions of new homes, new jobs, new leisure facilities, people have access to education, training and affordable homes which will ultimately reduce spatial inequalities. This will be helpful to both the existing and future population of the Central Area, but also the wider town and further afield as Northampton is the principal economic driver within West Northamptonshire.</p>
<p>Soil, geology & land use</p> <p>SA17: Reduce land contamination.</p> <p>SA18 Make the most efficient use of land.</p>	++	++	++	<p>This new policy will increase opportunities for windfall and brownfield sites, therefore ensuring that the potential of these sites will be maximised. There are parts of the Central Area which are contaminated, primarily through its existing operational and non-operational industrial uses. This new policy will encourage these sites to be developed, provided they bring about positive improvements in the quality of the built and natural environment.</p>
<p>Waste</p>	+	+	+	<p>This new policy and the policies contained in the CAAP do not refer to waste reduction or the provision of waste recycling facilities. These issues are</p>

SA19: Reduce waste generation and disposal, increase reuse and recycling and achieve the sustainable management of waste.				addressed in policies within the West Northamptonshire Joint Core Strategy and the Waste and Minerals Local Plans. New development does create significant amounts of waste within the construction process. The promotion of BREAAAM Very Good and Code For Sustainable Homes standards within the Joint Core Strategy should assist in reducing traditional volumes of construction waste. In addition features that reduce waste and allow enhanced levels of recycling through space being allocated for the provision of suitable separating receptacles.
Water SA20: Maintain and continue to improve the quality of ground and river water. SA21: Reduce risk of flooding. SA22: Improve efficiency of water use. SA23: N/A (not within plan area)	+	+	+	The Central Area (predominantly the southern half) is at risk from fluvial flooding and surface water flooding. The presumption in favour of development is unlikely to have a negative impact on flooding as the Council's Policy 5 "Flood Risk and Drainage", together with ongoing consultation with the Environment Agency, Anglian Water and Northamptonshire County Council will ensure that the risk of flooding is minimised. The CAAP does not include any specific reference to increasing efficiency of water use. However, these issues are covered within the Joint Core Strategy through policies which address the standards that will be applied to new buildings seeking to limit water use. In addition, the methods of dealing with surface water and foul water within the Central Area consistent with the Central Area Drainage Study rely on reducing surface water run-off and foul water generation to create sufficient capacity within the combined sewer network. This will improve quality of river water as it will reduce sewage discharge in times of peak rainfall.
Education and Training SA24: Increase	++	++	++	In promoting a presumption in favour of sustainable development, the requirement to consider economic benefits will mean that developments which will create jobs will be supported (subject to other policies in the plan being met). An increase in job opportunities will allow more people to access the job market as well as

opportunities to participate in lifelong learning through the provision of appropriate infrastructure and facilitating access to opportunities.				<p>participate in lifelong learning. The Council through its planning obligations SPD will seek to ensure that larger developments provide training opportunities for construction workers. In addition policies on the Waterside are positive about the relocation of the University to a central location, which will make it more accessible to a wider cross-section of the community.</p> <p>The designation of the Enterprise Zone will strengthen the effectiveness of this new policy.</p>

**TABLE 3:
OPTIONS ASSESSMENT**

Plan Strategy	Alternatives	Assessment of Alternative / Justification
New policy on presumption in favour of sustainable development	Inclusion of new policy	<p>The inclusion of this new policy will:</p> <ul style="list-style-type: none"> • Conform to the requirements set out in paragraph 14 of the National Planning Policy Framework • Conform to the recommendation provided by the Planning Inspector at the CAAP Hearing (4th – 6th September 2012) • Conform to the West Northamptonshire Joint Core Strategy • Provide the basis for windfall developments in the Central Area • Speed up the process of determining planning applications
New policy on presumption in favour of sustainable development	Exclusion of new policy	<p>The exclusion of this new policy will result in:</p> <ul style="list-style-type: none"> • An exclusion of the key guiding principle contained in the National Planning Policy Framework. This could potentially affect the soundness of the Plan • Non-conformity to the recommendation provided by the Planning Inspector without a clear planning justification for its exclusion