



## CABINET REPORT

<b>Report Title</b>	<b>NORTHAMPTON LOCAL PLAN PART 2: SUBMISSION</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	16 December 2020
<b>Key Decision:</b>	YES
<b>Within Policy:</b>	YES
<b>Policy Document:</b>	YES
<b>Service Area:</b>	PLANNING
<b>Accountable Cabinet Member:</b>	COUNCILLOR JAMES HILL
<b>Ward(s)</b>	ALL

### 1. Purpose

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- 1.1 The purpose of the report is to inform Cabinet of the response to the latest statutory consultation on the Proposed Submission version of the Northampton Local Plan Part 2 and to seek Cabinet's agreement to the Proposed Submission version of the Northampton Local Plan Part 2 being recommended to Council for approval and submission to the Secretary of State for independent examination.

### 2. Recommendations

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- 2.1 That Cabinet:

2.1.1 notes and agrees the response to the second round of consultation on the Proposed Submission version of the Northampton Local Plan Part 2

2.1.2 agrees the Schedule of Proposed Minor Modifications to the Northampton Local Plan Part 2

2.1.3 agrees that the Submission version of the Northampton Local Plan Part 2 be referred to Council for approval and submission to the Secretary of State for independent examination by a Planning Inspector under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended.

2.1.4 agrees that the Director of Planning and Sustainability be given the authority to update the Schedule of Proposed Minor Modifications, in consultation with the Borough Secretary and the deputy Cabinet member for Planning to the Northampton Local Plan Part 2 prior to its consideration by full Council.

2.1.5 agrees that the Director of Planning and Sustainability be given approval to submit the Plan and any necessary supporting documentation required for Submission

### **3. Issues and Choices**

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#### **3.1 Report Background**

- 3.1.1 In July 2020, the Council consulted for a second time on the Proposed Submission version of the Northampton Local Plan Part 2, which sets out the planning framework for the borough to 2029. The plan was prepared in a manner that conformed to the policies set out in the West Northamptonshire Joint Core Strategy (Local Plan Part 1). Since the Joint Core Strategy is strategic in nature, it is the role of the Northampton Local Plan Part 2 to set out detailed policies and site allocations specifically for Northampton.
- 3.1.2 When adopted, the Local Plan Part 2 will replace all of the saved policies contained in the Northampton Local Plan (June 1997) and the Central Area Action Plan (January 2013). The adopted Local Plan Part 2 will form part of the development plan for Northampton. It contains development management policies from which planning applications will be determined. Planning applications have to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 3.1.3 The Northampton Local Plan Part 2 seeks to deliver the requirements of the West Northamptonshire Joint Core Strategy including the delivery of 18,870 houses and a significant contribution to 28,500 new jobs. It therefore includes site specific allocations which show where these houses and jobs can be delivered.
- 3.1.4 Prior to submitting the Local Plan for independent examination by the Planning Inspectorate, the Council is required to release a Proposed Submission version of the Local Plan for consultation. A second round of public consultation on the Proposed Submission version of the Local Plan Part 2 took place between 13<sup>th</sup> July and 7<sup>th</sup> September 2020. In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended, representations were sought on the grounds of legal compliance and soundness, in accordance with the requirements set out in the National Planning Policy Framework. If, as a result of responses

received to Regulation 19 consultation only minor modifications are required to a Local Plan, the local planning authority can submit it to the Secretary of State for Housing, Communities and Local Government for independent examination.

- 3.1.5 In addition to the second round of public consultation on the Proposed Submission version of the Local Plan Part 2, the Council has previously undertaken four other stages of Local Plan Part 2 consultation, namely the Issues Consultation (April 2016), Options Consultation (October 2016) and Sites Consultation (October 2017) and the first round of public consultation on the Proposed Submission version of the Local Plan Part 2 (July 2019). These earlier stages were set out in more detail in the Cabinet report of June 2019.
- 3.1.6 The content of the Local Plan has been informed by an extensive evidence base which has been kept up to date and reviewed in the light of representations to previous consultations. The evidence base can be viewed at:<https://www.northampton.gov.uk/info/200205/planning-for-the-future/2442/local-plan-part-2-evidence-base>
- 3.1.7 The plan must also be subject to Sustainability Appraisal. The purpose of this is to appraise the social, economic and environmental effects of the plan and to consider choices made in comparison to reasonable alternatives. The Sustainability Appraisal and Habitats Regulations Assessment have both been carried out for the Council by independent consultants to ensure impartiality.
- 3.1.8 The Council has worked with neighbouring councils and the County Council during the preparation of this plan in accordance with the duty to co-operate.

## **3.2 Issues**

- 3.2.1 The Proposed Submission Local Plan Part 2 published in July 2020 contained 44 policies, 6 of which were site-specific (attached as Appendix 1). The Council has received responses to the most recent round of public consultation from 65 respondents, generating over 800 separate comments. 48 respondents stated that the Plan was legally compliant whilst 6 said it was not and 11 did not specify. It should be noted that some respondents were supportive of the Plan, but where changes are recommended, even minor changes, they had to state that the Plan was not sound.
- 3.2.2 19 respondents said the Plan was sound and 39 said it was not. 7 respondents did not specify if the Plan was sound. Comments were received from statutory consultees including objections from Natural England and Historic England on the wordings of some of the policies. Objections were also received from the housebuilding industry and planning consultants who were concerned about some of the housing policies including the requirements for self-built and custom built housing. There were objections from residents to some of the allocations including Great Houghton and Abington Mill Farm. There were also expressions of support for some of the policies on the basis that they reflected the outcome of the first round of consultation on the Proposed Submission version of the Local Plan Part 2,

including support from Historic England and matters relating to public health. A table showing the summary of representations and Officer responses is attached as Appendix 2.

- 3.2.3 Officers have considered these representations carefully and concluded that for some, there were no justifications to modify the plan accordingly. Where minor modifications were appropriate, these have been included in the Schedule of Proposed Minor Modifications (attached as Appendix 3). This sets out the modifications which are considered acceptable for consideration by the Planning Inspector. In addition, a series of Statements of Common Ground, setting out how matters of agreement and disagreement have been addressed, have been agreed with statutory consultees. At the time of writing this report, there were two left which had not quite been finalised. It is possible that, in finalising these Statements, there will need to be a limited number of further minor modifications added to the Schedule attached as Appendix 3. Any such proposed minor modifications will have to be agreed before the Plan is submitted to the Secretary of State. It is for this reason that it is recommended that Cabinet agrees that the Director of Planning and Sustainability be given approval to update the Schedule of Proposed Minor Modifications to the Northampton Local Plan Part 2 prior to its full consideration by full Council.
- 3.2.4 This Submission version of the plan has not changed from the Proposed Submission Round 2 version, with the exception of the removal of the text relating to consultation. Since any modifications to the plan need to be considered through the independent examination process, no changes can be made to the Plan at this stage.
- 3.2.5 The Sustainability Appraisal which informed the preparation of the Proposed Submission Round 2 has not been amended. However, an erratum has been prepared for an error which was identified during the consultation period relating to an assessment for a Local Wildlife Site near Dallington Cemetery.
- 3.2.6 A Consultation Statement has also been prepared. This outlines the consultation and engagement exercises which the Council undertook for the Proposed Submission consultation, and the outcome of the consultation itself.

### **3.3 Choices (Options)**

#### **Option 1: approve the Submission Local Plan Part 2 for submission to the Secretary of State for independent examination**

- 3.3.1 If Cabinet approves the Submission version of the Local Plan Part 2 and its accompanying documents for submission to the Secretary of State for independent examination, a report will then be taken to full Council seeking approval for the Local Plan Part 2 to be submitted to the Secretary of State. A consequence of this is that the Local Plan Part 2 will carry more weight when it comes to determining planning applications.

#### **Option 2: do not approve the Submission Local Plan Part 2 for submission to the Secretary of State for independent examination**

- 3.3.2 If Cabinet decides not to approve the Submission version of the Local Plan Part 2 and its accompanying documents for independent examination, this will delay the plan making process and result in Northampton not having an up to date local plan. The Council will continue to have planning policies that are becoming increasingly outdated, making it increasingly difficult to manage development effectively.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

- 4.1.1 The Local Plan Part 2 will replace the 1997 Local Plan Saved Policies and the 2013 Central Area Action Plan. An up-to-date plan will provide greater certainty and allow policies at the local level to address local issues and be fully compliant with up-to-date requirements and the requirements of the adopted Joint Core Strategy. Planning applications will be determined in accordance with the development plan, including the Local Plan Part 2, unless material considerations indicate otherwise. Policies in an emerging plan have increasing weight the further they progress through the process.
- 4.1.2 It is important to note that both Daventry District Council and South Northamptonshire Council have recently adopted their respective Local Plan Part 2s, which also conform to the strategic policies set out in the West Northamptonshire Joint Core Strategy (Local Plan Part 1). The eventual adoption of the Northampton Local Plan Part 2 would mean that the whole of West Northamptonshire will have full coverage of detailed planning policies.

### **4.2 Resources and Risk**

- 4.2.1 Sufficient financial resources are available for the process of submission to take place as scheduled in the budget for 2020/21 and 2021/22. Every effort will continue to be made to ensure that the submission to the Secretary of State and the independent examination are not adversely affected by any redeployment of Planning Policy staff as a result of efforts to tackle the Covid-19 outbreak.

### **4.3 Legal**

- 4.3.1 The Local Plan is a statutory document and has to be prepared in accordance with the Planning and Compulsory Purchase Act 2004, as amended; the Town and Country Planning Act (Local Planning) (England) Regulations 2012 (as amended), The Environmental Assessment of Plans and Programmes Regulations 2004; and the Conservation of Habitats and Species Regulations 2010.

### **4.4 Equality and Health**

- 4.4.1 An Equalities Impact Assessment has been carried out. None of the policies in the document went beyond the screening stage as no unjustified negative impacts were identified.

## **4.5 Consultees (Internal and External)**

4.5.1 Cabinet Advisory Group have been regularly briefed and had the opportunity to comment throughout the plan preparation process. Feedback from members of the public, businesses, agents, developers, other local authorities and community groups have been sought during all stages of public consultation.

## **4.6 How the Proposals deliver Priority Outcomes**

4.6.1 The Local Plan Part 2 will help to guide all development across Northampton, achieving economic, environmental and social benefits. In terms of the strategic priorities set out in the Council's Corporate Plan, the Local Plan Part 2 will help to deliver a stronger economy by having a local plan that helps Northampton grow and prosper, whilst preserving the town's heritage. It will help create resilient communities by encouraging and supporting housing delivery whilst protecting the health and wellbeing of the people of Northampton and its environment.

## **4.7 Environmental Implications (including climate change issues)**

4.7.1 On 3<sup>rd</sup> June 2019, the Council declared a climate change emergency, and the objective to make Northampton carbon neutral by 2030. The local plan contains policies that help to address climate change and will help to improve the sustainability of new development.

## **4.8 Other Implications**

4.7.1 There are no other implications arising directly from the proposals in this report.

## **5. Background Papers**

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5.1 National Planning Policy Framework, 2019

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf)

5.2 West Northamptonshire Joint Core Strategy, 2014

<https://westnorthantsjpu.inconsult.uk/connect.ti/website/view?objectId=2737424>

5.3 Central Area Action Plan, 2013

[https://www.northampton.gov.uk/info/200205/planning\\_for\\_the\\_future/1748/central\\_area\\_action\\_plan\\_caap](https://www.northampton.gov.uk/info/200205/planning_for_the_future/1748/central_area_action_plan_caap)

5.4 Northampton Local Plan, 1997

[https://www.northampton.gov.uk/info/200205/planning\\_for\\_the\\_future/1746/](https://www.northampton.gov.uk/info/200205/planning_for_the_future/1746/)

5.5 Northampton Statement of Community Involvement, 2018

[https://www.northampton.gov.uk/info/200205/planning\\_for\\_the\\_future/1746/](https://www.northampton.gov.uk/info/200205/planning_for_the_future/1746/)

5.6 Consultation and Engagement Strategy, 2020

<http://www.northamptonboroughcouncil.com/councillors/documents/s62238/V1%2020200504%20Consultation%20Strategy.pdf>

Appendix 1 - Northampton Local Plan Part 2 Submission (December 2020)

Appendix 2 – Summary of representations and Officer responses (November 2020)

Appendix 3 - Schedule of Proposed Minor Modifications (December 2020)

## **6. Next Steps**

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- 6.1 A report will be taken to full Council on the 18<sup>th</sup> January 2020. If approved, the Submission Local Plan Part 2 and its accompanying documents will then be submitted to the Secretary of State for independent examination.

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