

**Appendices:**  
**3**



## CABINET REPORT

<b>Report Title</b>	<b>Northampton Local Plan (Part 2) Sites Consultation</b>
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**AGENDA STATUS:** PUBLIC

<b>Cabinet Meeting Date:</b>	13 September 2017
<b>Key Decision:</b>	Yes
<b>Within Policy:</b>	Yes
<b>Policy Document:</b>	Yes
<b>Directorate:</b>	Regeneration Enterprise & Planning
<b>Accountable Cabinet Member:</b>	Cllr Tim Hadland
<b>Ward(s)</b>	<b>All Wards</b>

### **1. Purpose**

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- 1.1 To consider the proposed public consultation on the Northampton Local Plan (Part 2) Sites Consultation.

### **2. Recommendations**

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- 2.1 Agree the Northampton Local Plan (Part 2) Sites Consultation, as shown in Appendix 1, for public consultation.
- 2.2 Note that the outcome of the Sites Consultation and further work will need to be considered before deciding what goes into the final plan.
- 2.3 Agree the Consultation and Communications Strategy for the Sites Consultation (Appendix 3).
- 2.4 Note the summary of responses to the Local Plan (Part 2) Options Paper Consultation (Appendix 2).

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

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#### **3.1 Report Background**

- 3.1.1 The National Planning Policy Framework says that each Local Planning Authority should prepare a Local Plan for its area. On 9 September 2015 Cabinet agreed a report setting out the importance of having an up to date Local Plan. Cabinet has also approved a Local Development Scheme setting out the stages of preparation for the Local Plan (Part 2) which includes a Sites Consultation.
- 3.1.2 The current Northampton Local Plan was adopted in 1997 and needs updating to effectively guide and respond to future development proposals across the Borough, and to reflect more recent Government Policy. The Local Plan (Part 2) will also update and replace the Northampton Central Area Action Plan (2013). The new Plan will address the supply of sites in the Borough to deliver more homes, maintain and expand employment opportunities, enhance the Town Centre, protect the historic and natural environment, and provide detailed development management policies for the Borough as a whole.
- 3.1.3 Consultation on the Northampton Local Plan (Part 2) – Options Paper was carried out between September and November 2016. A summary of the responses is attached at Appendix 2. It is proposed that the Council now undertakes the next stage of public consultation to progress the preparation of the Local Plan (Part 2).
- 3.1.4 In order to meet the development requirements for the Borough, the Local Plan (Part 2) will need to allocate land for development, including land for housing as appropriate.
- 3.1.5 It is therefore important to consult on site options, including gathering views on which sites would be appropriate for development, which sites would be least appropriate, and which sites should be protected.
- 3.1.6 The Local Plan (Part 2) Sites Consultation identifies sites that may be appropriate for development. The list contains sites that were submitted to the Council by land owners and developers, and for completeness includes council owned sites. It is important that all options are explored for accommodating future development at this stage.
- 3.1.7 It should be noted that the Council has not taken a formal view on any of the sites contained within the consultation document and their inclusion in the Sites Consultation does not necessarily mean that they will be considered appropriate for development.
- 3.1.8 The purpose of the consultation is to gather views on the potential future uses of sites which will be considered alongside further work, before deciding what goes into a draft version of the plan. The Draft Plan will be subject to further consultation prior to a formal examination hearing.

### **3.2 Issues**

- 3.2.1 The Local Plan (Part 2) Sites Consultation seeks the views of residents businesses and other interested parties on a number of sites.
- Housing
- 3.2.2 Although the purpose of the consultation is to gather views on the potential future of sites, a key element of the consultation is to consider site options for housing. The West Northamptonshire Joint Core Strategy - Local Plan (Part 1) sets out the broad requirements for the Borough that the Local Plan (Part 2) must follow.
- 3.2.3 The Local Plan (Part 1) identifies a requirement of 18,870 houses between 2011 and 2029. Taking into account housing completions since 2011, sites with planning permission, and sites already allocated in the Local Plan (Part 1), leaves a balance of 3,033 houses. However, it is important to note that not all of these sites which have planning permission or are allocated will be built out by 2029. Further work on the timing and rates of delivery of these sites, particularly for large sites, will be needed to ensure that sufficient land is allocated for development in the Local Plan (Part 2).
- 3.2.4 As required by the National Planning Policy Framework, the Council has produced a Land Availability Assessment (LAA). This shows there are sites with potential housing capacity for an additional 4,350 houses in the Borough.
- 3.2.5 Although it appears that the Borough may be able to identify sufficient land to meet the housing requirement, it should be noted that LAA sites do not have planning permission and there is no guarantee that all of these sites will come forward for development. Given the amount of land that will need to be allocated there will be some difficult decisions to make in the future.
- 3.2.6 The Local Plan (Part 2) Sites Consultation is therefore seeking views on a range of potential development sites and encourages the submission of new sites to be considered for development. The comments received and further work will need to be considered, before deciding what will go into the plan.

Employment

- 3.2.7 The Local Plan (Part 2) has to ensure that there is sufficient land available for employment uses (offices, industry and warehousing) and ensure that land allocated for those uses remains appropriate for those uses. The employment requirement set out in the Local Plan (Part 1) is 28,000 net additional jobs from 2008 to 2029. This is not split between the three constituent council areas, but evidence across West Northamptonshire indicates that there are broadly sufficient reserves across that area.
- 3.2.8 Even though not all sites have to be specifically identified, the Council will need to demonstrate, through its evidence, that it has made a robust assessment of the sources of supply of employment land that will come forward to meet its requirement for employment land.

### Other Uses

3.2.9 The Sites Consultation also seeks to gather views on other uses for potential sites, beyond housing and employment land, and encourages the submission of new sites.

### Sustainability Appraisal and Habitats Regulation Assessment

3.2.10 Alongside the Local Plan (Part 2), the council will consult on two other technical documents which have been prepared to inform the Local Plan (Part 2):

- Northampton Local Plan (Part 2) - Sustainability Appraisal of Site Options
- Information Required to Support a Habitats Regulation Assessment

3.2.11 The preparation of a Local Plan is required to include an accompanying Sustainability Appraisal (SA) throughout its preparation. This should consider all the likely significant effects that the Local Plan may have on various environmental, economic and social factors. The Council also has to comply with the requirements of the EU Habitats Directive (92/43/EEC), as transposed into the Conservation of Habitats and Species Regulations 2010, and will therefore consult on the Information Required to Support a Habitat Regulation Assessment.

### Consultation

3.2.12 The requirement for consultation on a Local Plan is governed by the Town and Country Planning (Local Planning) (England) Regulations 2012. In addition, in compliance with the consultation requirements as set out under the Regulations, the Council has produced a Statement of Community Involvement (SCI). The SCI sets out how the Council intends to involve the Community in the production of the Local Plan (Part 2).

3.2.13 The Consultation and Communications Strategy (Appendix 3) accords with the Regulations and the SCI. Consultation will begin on 2<sup>nd</sup> October 2017 and close on Monday 13<sup>th</sup> November 2017 at 5pm.

### What Happens Next?

3.2.14 This is the third formal stage in preparing a new Local Plan for Northampton. Comments received will be considered in progressing work on the Northampton Local Plan (Part 2).

3.2.15 Responses will be reported in summary to the Council's Cabinet. The Council will use the comments and suggestions it receives to help to develop a Draft Local Plan (Part 2).

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

#### **Option 1 – Recommended Option: Agree the above recommendations**

- 3.3.1 There is an urgent need for the Council to have an up to date and robust planning policy in the light of on-going reforms to the planning system. The Local Plan (Part 1) only provides the strategic policies for the Borough and does not allocate all of the sites that will be required or contain up-to-date detailed development management policies.

#### **Option 2 – Do not agree**

- 3.3.2 Cabinet could decide not to publish the Local Plan (Part 2) Sites Consultation.

Failure to provide adequate opportunity for the public to comment on all sites could result in the Local Plan (Part 2) failing one of the four soundness tests at Examination in Public, that to be sound the Local Plan must be justified. This means that the Local Plan should be the most appropriate strategy when considered against the reasonable alternatives based on proportionate evidence. Failing this soundness test could result in the Local Plan (Part 2) not preceding to adoption. In addition, failure to provide adequate opportunity to comment could also place the Council at risk of High Court Challenge on the ground that a procedural requirement had not been complied with. A Local Plan can be challenged if it fails to accord with the principles of the National Planning Policy Framework.

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

### **4.1 Policy**

- 4.1.1 The Northampton Local Plan (Part 2) will review and update the Saved Policies of the Local Plan 1997; The Northampton Central Area Action Plan 2014; and replace extant interim guidance. An up to date Plan will provide greater certainty and allow policies at the local level to address local issues and to be fully compliant with up to date requirements. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning applications will then be determined in accordance with the Development Plan, including the Local Plan (Part 2), unless material considerations indicate otherwise.

### **4.2 Resources and Risk**

- 4.2.1 The Local Plan (Part 2) Sites Consultation can be resourced with existing staff and financial budgets.

### **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 by the Housing and Planning Act 2016; the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations; the Environmental Assessment of Plans and Programmes Regulations 2004; and the Conservation of Habitats and Species Regulations 2010.
- 4.3.2 Legal support and advice will be required throughout the preparation process. This will require both support and advice from the Council's Legal Department and external Counsel at key stages.

#### **4.4 Equality and Health**

- 4.4.1 A Communities Impact Assessment has been carried out for the Local Plan (Part 2) Sites Consultation. No issues were identified.

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

- 4.5.1 The Cabinet Advisory Group was established on 03 February 2016 and has held several meetings to consider the main issues relating to the Local Plan throughout preparation, informed by officers and key evidence.
- 4.5.2 All Borough Councillors will be invited to attend a briefing in September/early October to find out more about the Local Plan (Part 2), the proposed consultation and the ongoing work towards adoption of an updated Local Plan for Northampton.
- 4.5.3 Parish Councils and Neighbourhood Forums in the Borough will also be invited to attend a briefing.
- 4.5.4 Further details of the proposed consultation actions are set out in the Consultation and Engagement Strategy (Appendix 3).

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

- 4.6.1 The preparation of an up to date Local Plan (Part 2) will assist in all aspects of the Corporate Plan and guide and influence many of the Council and its partners' strategies.

#### **4.7 Other Implications**

- 4.7.1 None.

### **5. Background Papers**

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- West Northamptonshire Joint Core Strategy – Local Plan (Part 1) 2014.
- National Planning Policy Framework.
- Summary of Responses to Local Plan (Part 2) Options Paper.

- Land Availability Assessment (2017).
- Community Impact Assessment for the Local Plan (Part 2) Sites Consultation.
- Local Plan (Part 2) – Sustainability Appraisal of Site Options.
- Information Required to Support a Habitat Regulations Assessment.

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