

This form has two parts:

Part A – contact details

Part B – your representation

Please fill in a separate sheet for each representation you wish to make.

Ref:

(for official use
only)

Part A

1. Personal Details*		2. Agent's Details (if applicable)
<i>* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in column 2.</i>		
Title		Mrs
First name		Val
Last name		Coleby
Job title (where relevant)		Planning Consultant
Organisation (where relevant)	Vanderbilt Strategic	Berrys
Address line 1		42 Headlands
Line 2		
Line 3		
City/Town		Kettering
County		Northants
Postcode		NN15 7HR
Telephone number		01536 532388
Email (if provided we will always contact you this way)		<u>val.coleby@berrys.uk.com</u>

Part B: Please use a separate sheet for each representation

Please note all comments will be made publically available. If you do not have sufficient space in the box please continue on a separate sheet or expand the box.

3. To which part of the Local Plan does this representation relate?	Paragraph number	Policy number	Policies Maps
			Northampton Fringe inset map

4. Do you consider the Local Plan is: (please tick in the box below as appropriate and then provide details in the space below)				
4. (1) Legally compliant?	Yes		No	x
4. (2) Compliant with the Duty to co-operate?	Yes	x	No	
4. (3) Sound?	Yes	x	No	
<p>4 (1) Please give details of why you consider the Local Plan is not legally compliant, be as precise as possible.</p> <p>4 (2) Please give details of why you consider the Local Plan does not comply with the duty to co-operate, be as precise as possible.</p> <p>Since the draft Local Plan was consulted in January 2018 the Government has published a revised NPPF issued in July 2018. Paragraph 214 of the NPPF advises that policies of the previous Framework will apply where plans are submitted on or before 24 January 2019. Hence the provisions of the 2012 NPPF are applicable to the consideration of this submission plan.</p> <p>As regards the Duty to Cooperate, South Northamptonshire Council (one of Daventry District's adjoining authorities) in its response to the Draft Settlements and Countryside Part 2 Local Plan urges Daventry District to support Northampton Borough Council in seeking to address the issue of housing supply within the NRDA through the inclusion of a positive, criteria based policy that will allow limited development adjoining the NRDA until such a time the Part 1 Local Plan is reviewed or it is possible to demonstrate a 5 year land supply. We support this suggested approach and along with South Northamptonshire Council disagree with Daventry District Council's view that the approach could 'undermine' the plan-led system. Such an approach would be realistic, pragmatic and plan-led approach to managing development on the boundary of the NRDA and support the provision of housing for those in housing need.</p> <p>Whilst it is accepted that the emerging plan should be measured against the provisions of the 2012 NPPF, paragraphs 24 to 27 of the 2018 NPPF are relevant as regards plan-making procedure and sets out how local planning authorities should ensure and maintain effective cooperation and joint working.</p> <p>The NRDA is a key strategic planning issue between the authorities of Daventry District Council, South Northamptonshire Council and Northampton Borough Council. Daventry District Council has issued a background paper in relation to the Duty to Cooperate requirement, however this shows very little cooperation between the authorities with South Northamptonshire Council criticising Daventry District Council's approach to the NRDA and housing supply and the discussion with Northampton Borough Council identified as being on-going as regards the ability for the NRDA requirements to be met.</p>				

In particular it is noted that the delivery of SUE's that form the NRDA are slower than anticipated.

Changes to the plan making system in the summer of 2018 introduced the requirement to produce Statements of Common Ground by plan-making authorities during the process of cross boundary plan-making. Such statements must document where co-operation is and is not happening. In Daventry District Council's Duty to Cooperate Background Paper there is a commitment by the authority to produce a Statement of Common Ground for the next stages of the plan-making process, leading up to the examination.

We would endorse this approach for the reason set out in paragraph 27 of the 2018 NPPF to provide transparency and to identify effective joint working on key issues and to ensure the production of a positively prepared and justified strategy for the Part 2 Local plan.

Currently it would appear that whilst Daventry District Council are following the procedure to engage with adjoining authorities and stakeholders on key issues, particularly the NRDA, there is little cooperation or agreement evident.

4 (3) Please give details of why you consider the Local Plan is not sound, referring to the tests of soundness as appropriate, be as precise as possible.

We welcome the opportunity to submit representations on the Daventry Settlements and Countryside Local Plan Part 2 on behalf of Vanderbilt Strategic Ltd.

Our representation is specific to a site known as Overstone Farm (plan appendix 1 refers). The site presents a unique set of circumstances which we consider the Part 2 Local Plan has failed to address in a positive way and in particular in relation to the delivery of housing to support the NRDA.

Since the draft local plan was consulted in January 2018 the Government has published a revised NPPF issued in July 2018. Paragraph 214 of the NPPF advises that policies of the previous Framework will apply where plans are submitted on or before 24 January 2019. Hence the provisions of the 2012 NPPF are applicable to the consideration of this submission plan.

Paragraph 157 of the 2012 NPPF requires local authorities when making Local Plans to, '*crucially*'...'*plan positively for the development of the area to meet the objectives, principles and policies of the Framework.*' and '*Be based on cooperation with neighbouring authorities and private sector organisations.*'

In examining Local Plans the 2012 NPPF advises at paragraph 182 that it is the role of an independent Inspector to assess whether the plan has been prepared in accordance with four tests to soundness; that a plan is positively prepared, justified, effective and consistent with national policy. These test are replicated in the 2018 NPPF at paragraph 35.

Positively prepared

A key test to soundness is that a plan is positively prepared. In this regard the NPPF advises that – '*the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.*'

The site at Overstone Farm adjoins the Northampton Related Development Area (NRDA) on three sides. It is almost surrounded by the Northampton North Sustainable Urban Extension (NNSUE). The parcel of land was omitted from the NNSUE as it was unavailable at that time due to the land-owners wishes. However, the site is significantly impacted by the surrounding SUE and this is becoming recognisably evident as the SUE development is now appearing on the ground with significant highway infrastructure and highway

realignment around the site. Since the original conception of the NNSUE in 2008 much has changed. The NNSUE was adopted as a strategic site with Daventry District Council area in the West Northants Joint Core Strategy (WNJCS) in 2014 and commenced development in 2016 with new highway infrastructure close to the site nearly complete.

Whilst Daventry District maintains its housing requirement is being met it is clear that the housing needs of its adjoining neighbouring authority of Northampton Borough are not. The SUE that surrounds the Overstone Farm site is part of meeting that need and it is our view that the Overstone Farm site should also fulfil that function. The NPPF clearly states that accommodating an otherwise unmet housing requirements from neighbouring authorities should form part of a planning strategy *"where it is reasonable to do so and consistent with achieving sustainable development."* In our view the delivery of housing within the Overstone Farm site is entirely reasonable and the site is a highly sustainable location for development.

In the District Council's response to our commentary on the earlier draft plan the Council commented, *"There is no evidence of a land supply issue in the NRDA, the issue is about delivery"*.

This response fails to accept that delivery is a function of supply. In relation to the NRDA the supply is heavily dependent of the delivery of SUE's. It is already accepted that these large sites and their infrastructure requirements are slow to deliver against predicted targets. Smaller more deliverable sites such as Overstone will support housing delivery during the slow delivery of the SUEs. The approach offered by Daventry District, i.e. that those households in Northampton Borough that are in significant housing need will just have to be patient and wait until the SUEs eventually deliver is not only uncaring but demonstrates that the over-reliance on housing being primarily delivered on large-scale SUEs is overly optimistic and suggests this Plan has not been positively prepared, nor will it be effective.

It is important to recognise that a housing supply shortfall is more than just a statistic it represents real people in real housing need, now. Our client's site is ideally placed to help fulfil this shortfall in the provision of homes for Northampton's residents.

Justified

To be sound the plan must be the most appropriate strategy.

In the 1997 Local Plan the site at Overstone Farm and its surrounds are shown as Green Wedge and open countryside. With the advent of the Core Strategy the NRDA was created and the SUE allocated. Hence the Green Wedge and open countryside polices were no longer applicable to the SUE allocation.

With the emerging Part 2 Local Plan the Council has taken the opportunity to remove the Green Wedge designation from the Overstone Farm site which we support and is entirely logical. It follows that the site no longer serves a Green Wedge purpose with regard to the separation of settlements and is now disassociated from the wider open countryside by the surrounding development. This change in context is recognised through the removal of the Green Wedge and in our view its separation from the open countryside should equally be recognised.

The site includes a nucleus of buildings comprising the main former farmhouse, other former farm residence, barns now converted to office development and a range of other former agricultural buildings. The land is clearly no longer in agricultural use having been separated entirely from its agricultural hinterland which is now under development for housing and a local centre forming the North Northampton SUE which will in time deliver 3,500 dwellings.

The site is already partly developed with a variety of uses and is no longer agricultural in use or form and the group of buildings is set within a well-defined curtilage.

Of note is the appeal allowed at Welford Road, Northampton for 41 dwellings (reference APP/Y2810/W/15/3011449), a site within Daventry District area. In allowing the appeal the Inspector commented, "22. *The Council stated at the hearing that development outside the NRDA boundary was not required because all of Northampton's needs would be met within the defined NRDA boundary. However except for the SUEs, which are allocated and set out within the JCS, I do not have evidence to demonstrate that sufficient other sites have been identified to meet the NRDA's housing needs. In addition it is agreed between the parties that Northampton Borough Council is not able to demonstrate a 5 year supply of deliverable housing sites within the NRDA. Instead there is a 4.87 year supply of housing land with a shortfall of 223 dwellings.*"

The appeal is dated 2015 and as can be seen the housing supply position has worsened since then from 4.87 years to 2.95 years for Northampton Borough as set out in the Borough's most recent April 2017 Monitoring report. The position on housing delivery in the NRDA only, as recorded by the Borough in a report of the same date, is even worse at 2.64 years. By any estimation this shortfall in housing provision is severe.

The Inspector goes on to address the aims of the Core Strategy commenting that, "24. *The overall vision and objectives of the JCS are to focus development within and around Northampton and the key towns within West Northamptonshire. The site directly adjoins the NRDA, with existing houses to the south and the NWSUE to the east. Furthermore the bypass is proposed to be constructed to the west and north of the appeal site.*" Taking the above into account the Inspector concludes that, "the proposal would constitute development for the NRDA and would therefore be in compliance with JCS Policies S1 and S4. The development would not be in conflict with JCS Policy R1 which sets out the spatial strategy for rural areas, as the appeal site would be development for the NRDA. On this basis it would also accord with JCS Policy S10 which sets out sustainable development principles."

The site at Overstone Farm bears a number of similarities to the Welford Road site, including its proximity to the NRDA and an SUE and its separation from the wider open countryside. The same conclusion can therefore be drawn, that the development of the site in principle would not be in conflict with the aims and objectives of the adopted Core Strategy.

Whilst an appeal for 75 houses on the edge of the NRDA at Holly Lodge Drive (reference APP/Y2810/W/17/3178842) was dismissed, in this instance the site was not disassociated from the wider countryside and landscape and the inspector felt that the intrusion of development into the wider open landscape was in conflict with policy. Nevertheless, with regard to the principle of development the inspector commented, "I acknowledge that the proposal could contribute towards meeting housing need within the NRDA".

The site at Overstone Farm is partly developed, virtually within an SUE that is currently being built out, it is separated from the wider open countryside beyond, adjoins the NRDA boundary on three sides and is proposed to be removed from the Green Wedge notation. In our view its continued designation as open countryside is not justified nor the most appropriate strategy for the site. The emerging plan has the opportunity to correct this anomaly through the plan led process.

In response to our comments on the draft plan the Council suggest that in relation to the NRDA issue, given the scale of the shortfall (3,357 dwellings as at 1st April 2017) it is not considered to be a matter for the Part 2 Local Plan but is an issue that will be addressed in a review of the Strategic Plan. It further suggests that the policies of the West Northamptonshire Joint Core Strategy (policies S1, N4) do not support piecemeal development adjacent to the NRDA. The Councils response goes on to refer to an appeal at Holly Lodge Drive but fails to refer to the appeal decision at Welford Road.

In our view the redefining of the NRDA boundary around the site at Overstone Farm does not amount to a strategic issue that should or needs to be reserved for the review of the Core Strategy which is likely to be some years away from adoption, particularly when there is an unmet housing need here and now. Whilst we agree there is required to be a wider approach to supporting Northampton Borough's housing need this should not mean that contributions of a non-strategic nature should be disregarded or over-looked. Where appropriate, sites (such as in the case of Overstone Farm) can make a suitable and much needed contribution in the short term to development needs. The Overstone Farm site is unique in its location and nature and the redefining of the NRDA boundary in this location would not create a precedent for alteration elsewhere.

Paragraph 68 of the 2018 NPPF particularly address the contribution small and medium sites can make to meeting the housing requirement of an area and can be built out relatively quickly. The NPPF advises local authorities to identify a good mix of housing sites to ensure delivery.

We reiterate that the inclusion of the Overstone Farm site within the NRDA boundary is not an alteration of a strategic nature and can be accommodated in the Part 2 Local Plan, such an alteration is more of a rounding off than an allocation, the site being bounded in 3 sides by the NRDA and containing a number of existing buildings. Furthermore it can at least address in some way the housing need experienced by Borough residents for which urgent action is required.

Effective

The third test of soundness is that a plan is effective which requires that the plan is deliverable over its period and based on effective joint working on cross-boundary strategic priorities. We have set out above our concerns regarding effective joint working and whether the outcomes from joint working are really addressing the unmet housing need in the housing market area as a strategic priority. In our view the issue is being entirely ineffectively addressed by the approach adopted by Daventry District Council. As also set out above the site as a compact site with limited infrastructure requirements can easily be delivered within the plan period.

One of the key cross-boundary strategic priorities identified in the emerging plan at 'Policy SP1 – Daventry District Spatial Strategy' is, *"To ensure a sustainable pattern of development to meet the overall spatial strategy of the West Northamptonshire Joint Core Strategy, sustainable development in Daventry District will be guided by the following spatial principles.....*

B. Assisting with the delivery of plan-led development to meet Northampton's needs where it is identified that this cannot be accommodated within the Northampton Related Development Area."

The inclusion of the site within the NRDA to support Northampton's needs would be entirely compliant with part B of Policy SP1.

The Overstone Farm site is not a strategic site and its allocation for development would support the aims and objectives of the Core Strategy. The site is not of a scale to disrupt the delivery of allocated sites or jeopardize the strategy of the plan.

The emerging plan identifies four housing allocations for Daventry Town to support its growth to complement the strategic allocations of the JCS which provides a strategic allocation of 4,000 dwellings. Overall the plan allocates a further 1,100 dwellings over and above the strategic allocation of 2,600 to be delivered within the plan period to support the growth of Daventry. A small allocation to support the severe housing supply shortfall at Northampton is not a strategic issue and can readily be accommodated in the emerging Part 2 plan. The Overstone Farm site could accommodate a meaningful contribution to housing supply and on-going discussions are being held with development management officers of the Council on the form of development prior to a public consultation event. This opportunity to deliver much needed housing for Northampton should not be disregarded or dodged as a pseudo strategic issue and which will support the effectiveness of the plan to delivery policy SP1.

Consistent with national policy

The final test of soundness is related to the plan process enabling the delivery of sustainable development. Sustainable development is defined in the NPPF 2012 as development that contributes to economic, social and environmental roles.

Development at Overstone Farm would support the growth of Northampton as the County town and the main centre for employment, housing, retail, leisure and services. With the new infrastructure associated with the NNSUE the site will have excellent connectivity through a variety of modes of transport to Northampton town centre and its services and facilities. Furthermore the site adjoins the new local centre to be delivered as part of the SUE which will also provide a primary school. The school will be within walking distance of the site.

As a social role the development of the site for housing will provide housing to meet immediate needs and will create a high quality built form helping to secure the future of non-designated historic assets and create a cohesive sense of place around the focus of the new local centre.

In an environmental context the new landscape setting to be provided for the new housing development will support biodiversity. The highly sustainable location of the development will allow for accessibility to services and facilities by means other than the private car and journeys made by private cars will be shorter due to the proximity of Northampton centre for higher order services and facilities and an accessible and newly refurbished railway station for longer journeys.

In conclusion, we consider the opportunities the site presents as a development site to support the unmet housing need in Northampton have been erroneously overlooked in the emerging plan. Whilst the Green Wedge designation has been rightly removed the site is not open countryside and its protection as such is unjustified in the context of immediate housing need.

5. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the matter you have identified at part 4(1) or 4(3) above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound.

It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We request that the site is either :-

- allocated as a development site either as an extension to the SUE or as a standalone allocation within the Part 2 Plan and will be happy to work with the Council to agree a suitably worded policy similar to those included in the plan for housing development at Middlemore, Micklewel Park and Daventry South West, or
- encompassed with the in the NRDA boundary and excluded from the open Countryside .

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matter and issues he/she identifies for examination.

6. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? (please tick as appropriate)			
No, I do not wish to participate at the oral examination		Yes, I wish to participate at the oral examination	X

7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.
<p>These representations identify significant failings in the Part 2 Plan in relation to Duty to Cooperate and Soundness tests. Oral presentation will allow us to expand, as necessary, on these issues and respond to the Council's further arguments. They will also allow us to provide an update on the position in relation to Overstone Farm.</p>

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

8. Please tick the box if you wish to be notified of further progress of the Local Plan.	X
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9. Signature		Date	5 October 2018
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**Thank you for taking the time to complete the form.
Please return it to the Local Strategy Service at Daventry District Council
by 4.30pm on Friday 5th October 2018.
Responses received after this time will not be accepted.**

Overstone Farm site, Northampton



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Site area