

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)	Mr and Mrs Sgoluppi	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)		<a href="mailto:val.coleby@berrys.uk.com">val.coleby@berrys.uk.com</a>

## 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

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
4. (2) Compliant with the Duty to co-operate?	Yes		No
4. (3) Sound?	Yes		No
<p><b>4 (1) Please give details of why you consider the Local Plan is not legally compliant, be as precise as possible.</b></p> <p><b>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.</b></p> <p>Since the draft Local Plan was consulted on 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> <p>In particular it is noted that the delivery of housing from the SUE's that form the NRDA is slower than</p>			

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 our client.

Our representation is made in relation to Policy ENV3 and the identification of Green Wedge in particular at the Northern edge of Northampton.

As identified in the supporting text to the policy the principal aim of Policy ENV3 is to prevent the coalescence of settlements and to preserve their setting. In addition to the principal aim it is suggested that the areas of land identified as green wedge also fulfil a recreational and biodiversity function.

In our view the identification of the Green Wedge as it relates to Northampton is an unnecessary policy requirement as it is a restrictive policy, which in this case due to the location of administrative boundaries is preventing any expansion of Northampton.

Since the draft Local Plan was consulted on 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.'*

As set out in the Council's evidence base and background documents that support this emerging plan and as demonstrated in the housing supply monitoring reports issued by Northampton Borough Council, the Borough Council is not meeting its housing requirements. In fact the position on housing supply and delivery shows a severe shortfall. The position on housing supply in the Northampton Related Development Area only, as recorded by the Borough in a report issued in April 2017 stands at 2.64 years (rather than the minimum of 5 years). By any estimation this shortfall in housing provision is severe.

Northampton town and Borough is constrained by its administrative boundary and by physical features such as the River Nene, its flood plain and ecologically protected area to the south, the M1, railway line and river to the west. Any future areas for expansion are therefore likely to be the north.

All indications are that that is the preferred location for the expansion of Northampton given the recent infrastructure investment in the form of the dualing of the A43 and the County Council's on going consultations on the Northampton Northern Orbital Route.

The Green Wedge policy is a restrictive policy which essentially prevents development.

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 expansion of Northampton will be required in order that the town can meet its housing needs as required by national planning policy. The area for expansion would be sensibly located to the north of Northampton where recent and proposed new highway infrastructure is positioned.

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 some part of the Green Wedge is entirely reasonable and sustainable 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.

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.

### **Justified**

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

The Green Wedge policy was established in the 1997 Local Plan. In the emerging Part 2 Local Plan the Council has taken the opportunity to revise the Green Wedge policy to account for the designated SUEs. This demonstrates that the extent of the Green Wedge was in excess of that required to preserve the separation of settlements.

It is therefore our view that the preservation of the separation of settlements can be achieved through normal policy controls such as the NRDA boundary without the need for the sterilisation of large swathes of land on the edge of Northampton which do not serve the purpose to defined settlements provide biodiversity (particularly where land is intensively farmed) or provide a recreational opportunity were land is in private ownership with no public access. The aim of the Core Strategy is to focus development principally in and around Northampton and the secondary key towns within West Northamptonshire. The policy therefore runs contrary to the aims of the higher order plan.

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 supply 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.

#### **Effective**

The supporting text to the Policy ENV3 comments that, "*through the review of the Part 1 Plan [Core Strategy] the Council will assist with the delivery of plan-led development through allocations to meet Northampton's needs where it is identified that this cannot be accommodated within the Northampton Related Development Area.*" The supporting text goes on to state that, "*The policy below [ENV3] would not prejudice the ability to meet policy SP1 (B) however it should still be taken into account to ensure the impacts of development are adequately mitigated.*" The supporting text indicates that the extent of the Green Wedge will be reviewed as part of the review of the Core Strategy in order to ensure that Northampton's growths need are met. The timetable for the review of the Core Strategy has recently been considered which advises on a consultation stage next year on options and a draft plan the year after.

It would therefore appear that if the Settlements and Countryside plan keeps to its timetable the plan will adopted for less than a year before the extent of Northampton and the NRDA is then under review through the revision of the Core Strategy. The Green Wedge is therefore at best a temporary policy which will be almost immediately under review as it related to Northampton through the review of the Core Strategy. Its effectiveness as a policy for the lifetime of the plan (i.e. 2029) is therefore highly questionable. Plans are required to be adaptable to changing circumstances as required by paragraph 33 of the NPPF 2018. The imposition of the Green Wedge to the north of Northampton does not take into account the changing circumstances likely to prevail by the review of the Core Strategy or the proposed infrastructure provision.

#### **Consistent with national policy**

National policy as issued through the NPPG 102 and 2018 is clear that plans need to take local circumstances into account so that they respond to the different opportunities for achieving sustainable development. It is clear that land to the north of Northampton is sustainably located in relation to the country town and its services and facilities furthermore this area of countryside is not indicated as being a valued landscape nor does to carry any landscape designation. The application of a blanket preventative policy to this area is inconsistent with the aims of national policy to support sustainable development and for planning policies to allow for change when change is likely to occur as it clearly is in this instance.

**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 cooperate 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.**

The modification required is to delete Policy ENV3 or as a minimum delete the designation of Green Wedge from the proposals map where it occurs to the north of Northampton.

**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.**

To further present the arguments to the inspector and to aid the inquiry process through the round table discussion.

**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.

<b>8. Please tick the box if you wish to be notified of further progress of the Local Plan.</b>	<b>X</b>
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<b>9. Signature</b>		<b>Date</b>	<b>5 October 2018</b>
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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 5<sup>th</sup> October 2018.  
Responses received after this time will not be accepted.**