

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	Mr	
First name	Andy	
Last name	D'Arcy	
Job title (where relevant)	Planning Policy and Growth Manager	
Organisation (where relevant)	South Northamptonshire Council	
Address line 1	The Forum	
Line 2	Mill Lane	
Line 3		
City/Town	Towcester	
County	Northamptonshire	
Postcode	NN12 6AD	
Telephone number	01327 322267	
Email (if provided we will always contact you this way)	Andy.darcy@southnorthants.gov.uk	

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
9	9.2.01-9.2.04	ENV3	

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	X	No	
4. (2) Compliant with the Duty to co-operate?	Yes	X	No	
4. (3) Sound?	Yes		No	X
<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>South Northamptonshire Council (SNC) welcomes the ongoing discussions that have occurred with Daventry District Council (DDC) and Northampton Borough Council (NBC) [the partner authorities] following the publication of the preferred options document in January 2018. As a result of these discussions, SNC considers that the duty to cooperate has been discharged.</p> <p>Since January, the partner authorities have made significant progress towards agreeing a way forward. A Local Development Scheme for the review of the WNJCS has now been tabled and agreed by all three partner councils signalling the formal start of the review process. Furthermore, the partners have also agreed the principles of a Memorandum of Understanding (MoU) and the governance arrangements under which the WNJCS can be reviewed. This is particularly important given the unprecedented changes that the area will face in terms of changes to governance in the coming months.</p> <p>SNC consider it appropriate to highlight that DdC discussions on the Part 2 Local Plans has also led to changes to SNC's own Part 2 Local Plan (published under regulation 19 on the 4th October), demonstrating the willingness of all parties to cooperate proactively and on an on-going basis; these are detailed in the SNC Part 2 Local Plan MOU (copy enclosed). Given the positive progress being made towards planning for the future needs of the whole of West Northamptonshire, SNC consider that the duty to cooperate has been discharged and lift their current objections.</p> <p>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.</p>				

Whilst SNC consider that the Duty to Cooperate has been discharged, we draw your attention to risks associated with Policy ENV5: Green Wedge in its current form. As a neighbouring rural authority, SNC shares many of the concerns with DDC with regard to speculative development in the rural areas as a result of Northampton's failure to demonstrate a 5 Year Supply of Land. As DDC will be aware, SNC is presently contesting an appeal in the rural village of Rothersthorpe where the appellant is contesting that its proposed but unwanted rural development could contribute to meeting the needs of Northampton.

Risks associated with the Green Wedge in its current form are as follows:

- there is a question mark over whether the policy is positively prepared because the policy designation runs along the whole of the DDC district boundary with Northampton Borough.

SNC considers the limited use of Green Wedges, whilst not a strategy employed in SNC's Part 2 Local Plan, can serve an important role in retaining separation and avoiding coalescence of villages, particularly those such as Moulton where development allocated within the WNJCS extends the built up edge of Northampton into DDC.

there may be locations along the District boundary that are well related, both physically and visually to Northampton that may not have a significant adverse impact on the wider rural landscape, which could be suitable. SNC consider that these areas should be immediately adjoining, well related (visually and physically), have no significant adverse impacts and demonstrably contribute to meeting the vision and objectives of the WNJCS. SNC is mindful that the current 'NRDA' boundary is a red line and not a 'buffer' in which speculative development should be encouraged. However, conversely SNC also considers that the significant failure of Northampton to deliver its housing needs in the short term may need to be taken into account.

As such, SNC would encourage a more targeted approach to Green Wedges in areas of particular sensitivity to ensure that the important principles of the policy e.g. to manage coalescence are not undermined by what could be perceived as an attempt to impose a 'Green Belt' by other means.

As currently designated, SNC consider that the Green Wedge risks a perception that it is being used to impose unnecessary blanket restrictions on development in some of the most sustainable locations across the whole of West Northamptonshire. It is therefore open to argument that it not positively prepared.

- there is also an unresolved question over whether the current extent of the proposed green wedge designation is the most appropriate strategy when considered against reasonable alternatives. For the avoidance of doubt, SNC considers that the choice to designate (or not) green wedges is a local one and that the inclusion of green wedges is appropriate for a Part 2 Local Plan. SNC would support a more targeted approach to the use of Green Wedges around the NRDA boundary.

the proposed extent of the Green Wedge e.g. as a continuous designation, has not been appropriately assessed against a more targeted approach of limited wedges and areas of separation that would protect the villages. The the government's definition of a Green

Wedge is:

*“the open areas around and between parts of settlements, which maintain the distinction between the countryside and built up areas, prevent the coalescence (merging) of adjacent places and can also provide recreational opportunities”-
planning portal*

There is a tension between the letter of this definition and the proposed green wedge, because there is no definitive ‘northern’ edge or boundary. SNC would encourage a more targeted approach where green wedges are designated in areas of particular sensitivity to future development.

- **Effective:** Whilst this is a part 2 plan and the Green Wedge (particularly in its current form) will need to be reviewed, SNC consider there is significant merit in ensuring Green Wedges can continued to be defended once the WNJCS is considered ‘out of date’ in December 2019 (by virtue of its age). We therefore urge DDC to consider if a more focused wedge (or series of wedges) could provide greater planning certainty by virtue of its flexibility and hence lower risk of challenge at appeal in particular.

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.

As outlined above SNC consider that the Green Wedge should be refined and targeted to ensure more focused designation(s) in areas of particular sensitivity to coalescence. This may require finer grained analysis of particular study areas to ensure that the wedges are the most appropriate and ensure they deliver the stated aims of the policy.

(Continue on a separate sheet/expand box if necessary)

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
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7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

South Northamptonshire Council wish to appear at the examination to support DDC and provide additional evidence with regard to the Duty to Cooperate.

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

9. Signature

Date

5/10/2018

**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.**

SOUTH NORTHAMPTONSHIRE LOCAL PLAN PART 2

MEMORANDUM OF UNDERSTANDING BETWEEN

SOUTH NORTHAMPTONSHIRE COUNCIL

DAVENTRY DISTRICT COUNCIL

NORTHAMPTON BOROUGH COUNCIL

NORTHAMPTONSHIRE COUNTY COUNCIL

**RELATING TO THE SOUTH NORTHAMPTONSHIRE LOCAL
PLAN PART 2**

SEPTEMBER 2018

Classification: OFFICIAL**Position regarding current and future working arrangements on strategic cross border planning issues between South Northamptonshire Council (SNC), Daventry District Council (DDC), Northamptonshire County Council (NCC) and Northampton Borough Council (NBC).****1 Context**

- 1.1 SNC has produced a proposed submission Local Plan (The Plan) which will be submitted under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 following publication in October – November 2018. The Submission Draft Plan was approved by the Council's Planning Policy and Regeneration Committee for publication on September 19th 2018. Following the close of the period of representations (publication), responses will be collated and will be submitted along with the Plan and supporting documents including this Memorandum of Understanding (MoU) for examination by an independent planning inspector.
- 1.2 The West Northamptonshire Joint Strategic Planning Committee adopted the West Northamptonshire Joint Core Strategy Local Plan (Part 1) on 15 December 2014 (WNJCS). The adopted Joint Core Strategy covers the administrative areas of Daventry District, Northampton Borough and South Northamptonshire District.
- 1.3 The Joint Core Strategy was considered by an independent Inspector as part of Public Examination with hearings held in April/ May 2013 and March 2014. The Inspector's Report was received on 2 October 2014 and concluded that the Plan was "sound", subject to Main Modifications. The Adopted Joint Core Strategy incorporates the Modifications recommended by the Inspector.
- 1.4 The Joint Core Strategy sets out the long-term vision and objectives for the whole of the West Northamptonshire area for the plan period up to 2029, and includes strategic policies to steer and shape development.

2 The Local Plan Part 2

- 2.1 The South Northamptonshire Local Plan Part 2 builds on the Joint Core Strategy and includes a detailed and wide variety of policies to guide the decision making process for future planning applications across the district. This has included key consultation stages for issues in January 2014, Options, April - June 2016 and Preferred Options consultation in September 2017 with Regulation 22 submission proposed for January 2019, examination in public following in Summer 2019 and a proposed adoption date of November 2019.
- 2.2 The following parts of the current or previous version of the Part 2 Plan require particular consideration in the context of this memorandum of

understanding:

Spatial Strategy for South Northamptonshire District

- 2.3 These policies in the Local Plan Part 2 propose a settlement hierarchy for the District. This has been prepared in accordance with the framework set out in R1 of the WNJCS. Development will be concentrated at Towcester and Brackley, with modest development of an appropriate scale within the villages.

Housing

- 2.4 This section of the Local Plan Part 2 provides policies to guide residential development. The strategic housing requirement for South Northamptonshire (excluding the Northampton Related Development Area) has already been met through completions or permissions granted.
- 2.5 The policy approach is also in accordance with the NPPF 2018.
- 2.6 The Part 2 Plan is proposing a number of housing policies to enable delivery in the rural areas including:
- Traditional rural exception sites (which seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. This policy also allows a proportion of market dwellings if they are essential to enable the delivery of the affordable housing.)
 - Single plot exception sites
 - Starter Homes exception sites (on underused or unviable industrial and commercial land)
 - Self Build and Custom Build sites
- 2.7 The Plan explains that if a local community wants to meet their local housing needs and needs of the wider district this can be accommodated through the neighbourhood plan process. This could result in an overall scale of housing development across the District that is higher than the requirement set out in the WNJCS.

The Northampton Related Development Area (NRDA)

- 2.8 The Pre Submission Draft Local Plan (September 2017) included a criteria based policy that would allow housing development on suitable sites adjoining the NRDA boundary until the WNJCS review was substantially completed or a 5 year housing land supply for the NRDA could be demonstrated. The Plan considered that this area was the most sustainable location for additional housing that may be needed to boost the supply of housing to meet the needs of Northampton. DDC, NBC and NCC raised objections to this policy approach as summarized below:

- A longer term look must be given to the actual shortfall as the issue is not a lack of supply, but a lack of delivery
- The Policy could lead to piecemeal development and undermine delivery of the Sustainable Urban Extensions within the NRDA
- The policy does not provide sufficient clarification as to where development brought forward under the NRDA policy could be located and the scale of proposals that would be deemed suitable, which could lead to issues around infrastructure and services
- There should be sufficient land within the Borough to deliver its requirement of 18,870 houses by 2029
- If further development is necessary, appropriate sites should be identified in sustainable locations where they can be adequately supported by infrastructure.

2.9 There were also concerns expressed in responses to the Draft Plan about the impact of any development on the Upper Nene Gravel Pits Special Protection Area (Natural England).

2.10 This Policy has been deleted from the Plan. The main reasons for this are:

- As drafted, the NRDA Policy appropriately guided development to the most optimal locations which would be considered acceptable. Effectively, it ruled out all areas to the west of the M1 and areas in Harpole and Kislingbury parishes where there are undeveloped Sustainable Urban extensions.
- There remain significant concerns about the impact of development to the east of the M1 on highways, and infrastructure provision as well potential impacts on the Upper Nene Special Protection Area.
- It remains unclear as to the scale of development that the Policy could realistically deliver within the short lifespan of the policy. The review of the Part 1 Plan will commence in 2018 and it is considered that this is the most appropriate mechanism to consider the future growth needs of Northampton in a comprehensive way.

The Natural and Historic Environment

2.11 This section acknowledges the value and significance of the district's natural environment and sets out a variety of policies to ensure that it is properly understood and protected moving forward. In recognition that some areas of the district are of even greater landscape value the Plan identifies and designates a number of areas as Special Landscape Areas and presents policies for the protection and enhancement of those areas. It also identifies a number of local green infrastructure corridors. These follow the routes of now disused railway lines that cross the district and the Grand Union canal and are recognised as being an important leisure and environmental resource. Although some of these landscape designations adjoin the administrative boundaries with NBC and DDC these are local

landscape designations and do not raise strategic cross boundary issues.

3. Area of Agreement

3.1 Following constructive, active and on-going engagement and discussions between the Councils under the Duty to Cooperate, as contained in s.33A of the Planning and Compulsory Purchase Act 2004, regarding the South Northamptonshire Local Plan Part 2 the Councils agree that:

- a. **The Submission Draft South Northamptonshire Local Plan sets out a series of locally derived policies and proposals that do not conflict with the spatial strategy set out in the WNJCS nor raise any significant cross border planning issues or other strategic matters with Daventry District, Northampton Borough or Northamptonshire County Council which need to be addressed through the Duty to Cooperate;**
- b. **The Councils further agree that they will continue to work cooperatively in relation to any strategic cross border planning issues which may arise from the review of the WNJCS and in relation to the determination and implementation of sites relating to the NRDA allocated in the current adopted WNJCS;**
- c. **This MoU is not a legally binding agreement but a document setting out the current position on strategic issues in relation to the Duty to Co-operate on the South Northamptonshire Local Plan and identifies areas of agreement/outcomes resulting from that cooperation.**

Signed	Name	On Behalf of	Date
		South Northamptonshire Council	
		Daventry District Council	
		Northampton Borough Council	
		Northamptonshire County Council	