

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	Michael Peter	
Last name	Krepfels	
Job title (where relevant)		
Organisation (where relevant)		
Address line 1		
Line 2		
Line 3	Moulton	
City/Town	Northampton	
County	Northants	
Postcode		
Telephone number		
Email (if provided we will always contact you this way)		

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
ENV3	9.2	9.2.01	Map Northampton fringe inset map 7

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?			No	
4. (2) Compliant with the Duty to co-operate?			No	
4. (3) Sound?			No	

4 (1) Please give details of why you consider the Local Plan is not legally compliant, be as precise as possible. Settlements & Countryside Local Plan 2 for Daventry District is not legally compliant because it is not in accordance with the Part 1 Plan. The Part 1 Plan was inspected by Local Plan inspector Nigel Payne in 2013/14 he also reviewed the neighbouring Cherwell District Plan. As a result of his review DDC's Green Buffer in it's Part 1 Plan June 2014 was removed, as there was sufficient policies in the plan that provided a robust rural areas policy framework and a Green Buffer would introduce unnecessary constraint. By calling it a Green Wedge as unnecessary duplication.

This allocation fails to perform the function of Green Wedge, it certainly constrains residential and commercial development it offers no channel for acceptable sustainable development in the future.

i)The allocation would prevent any future extension to Moulton Park which would otherwise come forward as a means to make efficient use of the services and infrastructure already present in the are and this would be contrary to objective 12.

There is no basis to state that the Green Wedge allocation leads to design, perhaps the opposite and accordingly the designation does not assist with the delivery of objective 13. Green Wedge designation would be harmful to the setting and the viability of Heritage Assets as set out in objective 14, indeed it would cut them off from the greater community. Therefore does not co-operate with any of the organisations that encourage the protection and accessibility of such sites.

ii)It is also apparent that the Green Wedge allocations particularly around Moulton Park particularly between Moulton and Boughton are not prepared in any way or basis of robust considered technical appraisal, bearing in mind the Highways wishes of a new road system to help with the development of this area particularly for Moulton Park.

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. Settlements & Countryside Local Plan Part 2 for Daventry District does not comply with the duty to co-operate because

- a) By applying a blanket Green Wedge it stops any flexibility to assist neighbouring authorities to deliver their statutory housing development obligations. As a result of natural environmental restrictions such as flood plains, motorways and existing road capacity by introducing a blanket Green Wedge this removes the ability to assist Northampton Borough Council meet it's housing development obligation and force any future development further into virgin countryside.
- b) A blanket Green Wedge from Lower Harlestone, through Upper Harlestone, Church Brampton, Chapel Brampton, Boughton, Moulton, to Overstone mirrors the route of the North West Orbital Route that is currently being consulted on by the Highways Dept. By introducing a Green Wedge and thereby restricting future flexibility on this area clearly shows no co-operation with other Public Agencies.

THE FOLLOWING CONDITIONS ARE TAKEN FROM PROFESSIONAL COMMENTS FROM BERRY BROTHERS' ANALYSIS, THAT I FULLY SUPPORT:

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.

As regards the Duty to Cooperate, South Northamptonshire Council (one Daventry District's adjoining authorities) in it's response to the Draft Settlements and Countryside Part 2 Local Plan urges Daventry District to support Northampton BC 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.

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.

The NRDA is a key strategic planning issue between the authorities of Daventry District Council, South Northamptonshire Council and Northampton BC. Daventry DC have 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 BC identified as being on-going as regards the ability for the NRDA requirements

to be met.

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 planmaking. Such statements must document where co-operation is and is not happening. In Daventry DC's duty to Co-operate 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 DC are following the procedure to engage with adjoining authorities and stakeholders on key issues, particularly the NRDA, there is little co-operation or agreement evident.

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

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. Settlements & Countryside Local Plan Part 2 for Daventry District Council does not comply with the test of soundness recognised as: **POSITIVELY PREPARED** Local Plan Part 2 does not take into consideration neighbouring authorities' shortfall in delivering their housing development. Northampton BC currently has a forecasted housing shortfall over the next 5 years. By introducing a Green Wedge from Lower Harlestone, through Upper Harlestone, Church Brampton, Chapel Brampton, Boughton, Moulton, to Overstone this stops any flexibility to develop. An area which includes land owned by Northampton BC it is therefore unsound to introduce a Green Wedge here.

Highways have recognised the need to improve the infrastructure in this area and proposed the North West Orbital Route by introducing a Green Wedge here it restricts flexibility and will limit the ability of developers to be able to contribute to this much needed infrastructure improvement.

It is therefore considered that they are not prepared on the proposed Green Wedge on any robust technical appraisal.

JUSTIFIED to introduce a blanket Green Wedge from Lower Harlestone, through Upper Harlestone, Church Brampton, Chapel Brampton, Boughton, Moulton, to Overstone is not justified as within this area there are bespoke pockets of development opportunities that offer better strategic development for Northampton. The proposed introduction of a blanket Green Wedge focuses purely on stopping any urban coalescence with Northampton and is unsound and is completely at the detriment to the economy and well being of Northampton and it's residents and forces any possible development to areas around Northampton that are under severe pressure from and cannot take any further expansion. The area that this Green Wedge covers particularly around Moulton Park and Kingsthorpe is the natural expansion area of this established market town.

EFFECTIVE it is unsound to introduce a blanket Green Wedge on an area that extends from Lower Harlestone, through Upper Harlestone, Church Brampton, Chapel Brampton, Boughton, Moulton, to Overstone and expect there to be no urban development in this area until after

2029. In my opinion it's affective at nothing more than moving at the planned development of Northampton to someone else's doorstep where any development would have no supporting infrastructure and indeed no need, so therefore it has only detrimental affect.

CONSISTENT WITH NATIONAL POLICY currently many parts of this area are unsustainable for an agricultural economy, with increasingly large agricultural machinery being used there is a conflict with getting this equipment to where it is required and the current levels of road congestion. Many areas within the proposed Green Wedge abut growing population density and experience increased rural vandalism of fences letting livestock onto roads as a result it is unsound to introduce a blanket Green Wedge and expect there to be no development in this area until after 2029

In my opinion it does not assist with the delivery of objective 13, the Green Wedge allocation prevents future sustainable extension of Moulton Park and surrounds which would otherwise naturally come forward to make use of the efficient tried and tested services and infrastructure already present and this would be contrary to objective 12.

This Green Wedge would not deliver improved design and does not assist objective 13 and could potentially be harmful to the support and setting of Heritage Assets set out in objective 14.

SUPPORTED AGENT'S REPRESENTATION:

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 in Jan 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 co-operation 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 tests 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 a 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 BC, 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 is 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 administration boundary and by physical features such as the River Nene, its flood plain and ecological protected area to the South, the M1, railway line and river to the West. Any future areas for expansion are therefore likely to be to the North.

All indications are that this 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.

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 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.

Of note is the appeal allowed at Welford Road, Northampton for 41 dwellings (refAPP/Y2810/W/15/3011449) a site within Daventry DC 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 BC is not able to demonstrate a 5 year supply of deliverable housing sites within the NDA. 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.

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

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.

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

(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	Yes 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 enquiry 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.

8. Please tick the box if you wish to be notified of further progress of the Local Plan.	TICKED
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9. Signature	MICHAEL PETER KREMPELS	Date	5th 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.**