

PLANNING POLICY COMMITTEE

Date: 29 October 2009

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: - David Brackenbury (Chairman)
Andy Mercer (Leader of the Council)

David Bateman
Tony Boto
Roger Glithero JP
Sean Lever

Eloise Lucille
Steven North
Phillip Stearn
Robin Underwood

PART A ITEMS

200. MINUTES

The minutes of the meeting held on 24 September 2009 were approved and signed by the Chairman.

201. APOLOGIES FOR ABSENCE

Councillors Lisa Costello and John Richardson MBE sent their apologies.

202. DECLARATIONS OF INTEREST

No interests were declared.

203. RURAL NORTH, OUNDLE AND THRAPSTON PLAN (RNOTP) – UPDATE REPORT

Further to Minute 151 (24 September 2009), Members considered a number of options for the way forward with the RNOTP. A Workshop had also been held on 15 October to consider legal advice received about the options open to the Council regarding the adoption of the RNOTP. Members also considered options for preparing other Development Plan Documents (DPDs) and that the Council should seek a meeting with the Secretary of State to discuss the matter.

(a) RNOTP

The Council had three options to consider regarding the way forward with the Plan: -

- (i) Do nothing further with the Plan and wait for possible intervention by the Secretary of State.
- (ii) Request the Secretary of State to intervene and modify the Plan before adoption.
- (iii) Request the Secretary of State to direct withdrawal of the Plan.

The considerations on each option were: -

(i) Do Nothing with the Plan

The legal advice received stated that this would not be a realistic option because the Council had a duty to prepare and maintain an LDS for their area. The Council would have to request the Secretary of State to modify the Plan, or to withdraw it. If it did not, the Secretary of State would probably intervene and direct that the Plan be adopted in accordance with the Inspector's recommendations because there would be no request from the Council to do otherwise.

Members were informed that if a Direction to adopt the Plan was not issued from the Secretary of State, the Council would not meet the statutory requirement to prepare a DPD for the north of the District. The Council had a legal duty to ensure that there was an agreed Local Development Scheme (LDS) in place.

The Executive Director confirmed that Members could be in breach of the law and Members' Code of Conduct if they did not have an LDS in place for the District. The Solicitor to the Council also pointed out that the Council must be seen to be working towards the production of a LDS/DPD for the whole of the District.

(ii) Seek Modification of the Plan

The Council could ask the Secretary of State to modify the Plan in order that the policies amended by the Inspector (that the Council did not wish to adopt) should be rejected and substituted by the policies, as submitted by the Council for adoption, be approved. However, if the Council decided on this option, it would have to demonstrate that the amendments proposed were "unlawful or that it was absurd or irrational to alter the Plan in the manner proposed".

If this course of action was pursued then the Council would need to be clear about those parts of the Plan that they were seeking to have modified, in particular, two modifications which had previously been highlighted:

- Oundle Policy OUN1 - to modify the policy to that submitted to the Examination Hearing rather than the Inspector's amended version
- The changes to village boundaries, in particular, that the boundary for Laxton should be amended to include the village green and the land adjacent to No 1.

It was noted that the Inspector had modified the Oundle Infrastructure policy in order that the change complied with national planning policy guidance, and the boundary change referred to in the modification at Laxton, because it had been the subject of a planning application and the appeal subsequently dismissed.

(iii) Seek Withdrawal of the Plan

The Council could request the Secretary of State to direct withdrawal of the Plan. The legal advice received indicated that the option to seek modification should be followed first and if that request was denied by the Secretary of State, then the Council could ask for the Plan to be withdrawn. However, the Council could decide to opt for this option first but it would need to prove that there was a good reason to reject the Plan and that there was a process for preparing a substitute DPD in place.

Currently the RNOTP could be used as emerging policy in determining planning applications, but if it was withdrawn then all the policies would be "lost". Until further DPDs

were produced the Council would have to rely on National Planning Policy Statements, the East Midlands Regional Plan, the Joint Core Spatial Strategy and other “saved” policies for the determination of planning applications. This could have implications for determining planning applications and the requirement under PPS 3 to have a 5 year supply of land.

Members discussed the letter to the Executive Director which had been received from the Planning Manager for Northamptonshire at the Government Office for the East Midlands giving further advice on the way forward with the Plan. Some Members considered that the Manager had misunderstood a number of issues and that the advice given was factually incorrect in a number of places. It was suggested that examples from this letter could be used to support the Council’s case for the Plan to be modified, in particular, with regard to Policy OUN1 and village development issues being determined at the local level. Information on the Oundle area and its current infrastructure deficit should also be included.

(b) Progress on DPDs

Members considered the following options for the programme of replacement DPDs:

- Produce a district wide DPD (if the RNOT Plan was withdrawn or remained not adopted) – or some variation of DPD that provided District Wide coverage
- Produce a Four Towns Plan or Three Towns Plan/Raunds plan (if RNOT was modified/adopted by the Secretary of State)
- Produce a Four Towns Plan or a Three Towns Plan/Raunds Plan (if the RNOT Plan was modified/adopted by the Secretary of State) and a further third Plan for the RNOT area (if the RNOT plan was withdrawn).

The advantages and disadvantages of each of these options were considered by Members.

Officers considered that the Four Towns Plan option was the most efficient in terms of both time and cost. Whichever option was chosen, a request for further funding would be submitted to the Policy and Resources Committee later in the year to cover the costs associated with undertaking the process.

Members noted that the rural areas in the south of the District would be included in the Plan and also be reflected in the title. Members requested that a report be submitted to the next meeting on a proposed programme of work and an estimate of the likely costs of producing the Plan. It was suggested that a joint meeting of the Raunds Area and Three Towns Working Parties be held to consider these matters in December.

Officers suggested that representatives from the Council should seek to meet the Secretary of State (or his representative) to explain the Council’s current position with the RNOTP.

RESOLVED:

- (1) That a letter be drafted to the Secretary of State, in concurrence with the Chairman, Vice Chairman, Oundle Ward Members and Councillor Glithero, setting out the detailed reasons for seeking modification of the RNOTP, and that the draft letter be brought back to a future meeting of this Committee for consideration.
- (2) That work proceeds on producing a Four Towns Plan, including the rural areas in the south of the District.

- (3) That a joint meeting of the Raunds Area and Three Towns Working Parties be arranged for early December to consider a report on the proposed programme and costs of undertaking the preparation of a Four Towns Plan.
- (4) That a meeting with the Secretary of State be requested to discuss the Council's current position with the RNOTP.

204. SITE SPECIFIC ALLOCATIONS DEVELOPMENT PLAN DOCUMENT FOR CORBY BOROUGH – EAST NORTHAMPTONSHIRE COUNCIL'S RESPONSE TO STATUTORY CONSULTATION ON PROPOSED ALTERNATIVES

The Committee was informed that Corby Borough Council had consulted this Council on the Site Specific Allocations Development Plan Document for Corby Borough – Proposed Alternatives document.

The consultation period had ended on 19 October and Officers had submitted representations to Corby Borough Council on 6 October, which included concerns:

- regarding the identification of an additional phase of development for the North East Corby Sustainable Urban Extension.
- regarding development proposals to the east of Weldon because of the increased impact of additional development proposals on services and facilities within East Northamptonshire over and above the proposals set out in the Core Spatial Strategy
- on the lack of clarity and master planning regarding phasing and specific development proposals east of Weldon and that additional information needed to be set out within the Development Plan Document.

The Officers' letter was submitted for information and Members were asked to endorse the comments sent by Officers on behalf of the Council.

Members raised a number of issues with regard to the effect that the allocations document would have on the volume of traffic on roads, schools and health services in the northern area of East Northamptonshire. It was agreed that Members' comments be sent as additional representations in a further letter to Corby Borough on the consultation.

RESOLVED:

- (1) That the Officers' representations sent in response to the Site Specific Allocations Development Plan Document for Corby Borough – Proposed Alternatives on behalf of the Council be endorsed.
- (2) That a further letter of representation be sent to Corby Borough Council including the matters raised by Members.

Chairman



EAST NORTHAMPTONSHIRE COUNCIL

Joint Meeting of the Three Towns and Raunds Area Working Parties

Minutes of a meeting held on 10 December 2009 at 7.30 pm, Members' Room, East Northamptonshire House, Thrapston

Present:

Councillors:

Tony Boto	Dudley Hughes JP
David Brackenbury (Chairman)	Andy Mercer
Albert Campbell	Pam Whiting
Glenniv Greenwood Smith	

Officers:

Sharn Matthews (SM)	Executive Director and Monitoring Officer
Trevor Watson (TGW)	Head of Planning Services
Elizabeth Wilson (EW)	Interim Planning Policy and Conservation Manager
Michael Burton (MB)	Senior Planning Policy Officer
Peter Cooper (PC)	Democratic Services (Minutes)

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| 1.0 <u>APPOINTMENT OF CHAIRMAN</u> | |
| 1.1 <u>RESOLVED:</u> | PC |
| That Councillor David Brackenbury be appointed Chairman for this meeting. | |
| 2.0 <u>APOLOGIES FOR ABSENCE</u> | |
| 2.1 Councillors Sean Lever, Eloise Lucille, Steven North and Robin Underwood sent their apologies. | |
| 3.0 <u>DECLARATIONS OF INTEREST</u> | |
| 3.1 No interests were declared. | |
| 4.0 <u>FOUR TOWNS PLAN - DEVELOPMENT PLAN DOCUMENT</u> | |
| 4.1 Further to Minute 203 (Planning Policy Committee 29 October 2009), a report was submitted on a programme of work and the costs of preparing a Four Towns Plan (FTP) Development Plan Document (DPD) for the southern area of the District covering the towns of Rushden, Higham Ferrers, Irthlingborough, Raunds and the surrounding rural area. | |
| 4.2 Members considered the: | |
| <ul style="list-style-type: none">• timetable for the production of the Plan• policy areas to be included in the Plan• policy issues requiring further consideration | |

- consultation process.
- 4.3 A report would be submitted to the Policy and Resources Committee in due course to consider funding for the Plan, which had been estimated at £355,000, plus an additional £125,000 for the Public Examination Hearing in 2011/12.
- 4.4 The Working Party discussed the report and issues outlined in the submitted appendices, which included the following matters:
- bearing in mind the anticipated cut in funding from the Government over the next few years, it was considered that as much work as possible on the Plan should be undertaken by Planning Policy staff in house and that consultants should only be employed where specific technical expertise was required
 - flexibility on gathering evidence for the new Plan document was required to overcome any potential 'blockages' and officers should only undertake essential work that could be achieved using in house resources
 - work had already started on gathering evidence for the new Plan document and priority should be given to work on an updated Preferred Options document
 - work should start immediately on refreshing/further developing the preferred options for housing and employment sites which could be undertaken using in house resources
 - Raunds Members had considered that the existing Preferred Options document for Raunds, produced in 2007, had not reflected the wishes of people living in Raunds, especially the proposed housing sites
 - investigate the possibility of obtaining external funding and partnership working to produce specialist studies including: the Strategic Flood Risk Assessment; Surface Water Drainage Study and Transport Assessment
 - a bid had been made for external funding to DEFRA towards the cost of producing a Surface Water Management Plan
 - the Head of Planning Services stated it was important that the Council should give developers an indication of working towards preferred sites for housing and employment use, especially if it wished to have evidence to challenge any future planning applications, particularly for housing on 'un preferred sites'
 - agreed with the point made by the Interim Planning Policy and Conservation Manager that consideration should be given to the number of proposed policies and whether they should be reduced and/or combined. This could reduce the level of evidence base required to support them and the potential costs of producing the Plan.
- 4.5 Councillor Andy Mercer mentioned that he would be seeking approval at the next Council meeting on 11 January to expand the membership of the Three Towns Plan Working Party, which would include Members who were currently not on the Planning Policy Committee.
- 4.6 It was **agreed** that:
- (a) meetings of the Three Towns and Raunds Working Parties should be held in January and that PC would set dates for these meetings in liaison with Members; and
 - (b) further joint meetings of both working parties should be held to coordinate

PC

Action

the issues discussed by the two Working Parties as necessary.

Resolved to Recommend:

EW

- 4.7 That work on producing the Four Towns Plan start immediately and that progress be made on the following areas:
- (a) Moving to preferred options status on the Four Towns Plan by progressing Housing and Employment land site allocations using, as far as possible, in house resources;
 - (b) Report back to the next meeting of the Planning Policy Committee on:
 - additional capacity requirements to over come blockages to further progress with the in-house team
 - list of essential and optional policies
 - progress on alternative funding; and
 - (c) A future joint meeting of the Three Towns and Raunds Area Working Parties be held to consider the policies previously considered in the respective Preferred Options documents.



Raunds Area Working Party

Minutes of a meeting held on 21 January 2010 at 7.30 pm, Members' Room, East Northamptonshire House, Thrapston

Present:

Councillors:

Tony Boto (**Chairman**)
David Brackenbury
Michael Finch

Glennil Greenwood Smith
Dudley Hughes JP
Eloise Lucille

Officers:

Trevor Watson (TGW)	Head of Planning Services
Elizabeth Wilson (EW)	Interim Planning Policy and Conservation Manager
Michael Burton (MB)	Senior Planning Policy Officer
Peter Cooper (PC)	Democratic Services (Minutes)

Action

1.0 APPOINTMENT OF CHAIRMAN

1.1 **RESOLVED:**

PC

That Councillor Boto be appointed Chairman of the Working Party for 2009/10.

2.0 DECLARATIONS OF INTEREST

2.1 No interests were declared.

3.0 FOUR TOWNS DEVELOPMENT PLAN DOCUMENT - RAUNDS ISSUES

3.1 Further to Minute 4 (Joint Working Party) 10 December 2009, Members received a report on planning policies to be considered for the Raunds area as part of the Four Towns Development Plan Document (DPD).

3.2 Members considered some proposed policy areas specific to the Raunds area for discussion at future meetings of this Working Party and, subject to the surrounding villages being included in policies covering settlement boundaries and retail frontages, it was **agreed** that the following issues be considered by the Working Party:

EW

- local distinctiveness for Raunds
- vision for the long term strategy of a "successful" Raunds
- settlement boundaries and consideration of detailed boundaries for Raunds and surrounding villages
- site assessments for housing and employment requirements
- housing density and mix for Raunds – design considerations
- specific affordable housing/rural exception policies in Raunds and surrounding villages – up to date housing needs and viability data required
- town centre and retail frontage specific boundaries for Raunds and surrounding villages
- specific development principles for Raunds and surrounding villages
- linkages from new developments to town centre facilities.

Action

- 3.3 Members noted the policy issues covering the four towns to be discussed at future meetings of the Joint Working Party and that consideration would be given to a wind farm policy as part of the Four Towns Plan. Emerging specific wind farm proposals near Ringstead were also noted.
- 3.4 A meeting had been held with Raunds Town Council on 17 December 2009 to discuss housing and employment site allocations for Raunds as part of the Four Towns Plan DPD. Councillor Boto submitted a report outlining what had been discussed at the meeting and this was noted.
- 3.5 The policy on affordable housing targets was discussed and TGW stated that the 40% target had been specified by the Government as guidance for developers. However, this target allowed some flexibility, especially when considering housing mix for new developments in towns. Members were concerned that this target would not be viable in villages where a 40% target could be regarded as unrealistic. EW mentioned that the Council's Housing Need Survey and other housing viability data may need updating and could then be used as an evidence base for determining housing policy requirements in the Four Towns Plan.
- 3.6 The areas for housing specified under the Preferred Options in Raunds (shown on a plan with the meeting papers) and those areas favoured by Raunds Town Council were also considered:
- Area A Land off Brooks Road/Northdale End – a planning application had been submitted for 310 dwellings for this site (a Preferred Option, but this site did not represent the Working Party's preferred approach to development)
 - Area B Land off Station Road - including proposals for new doctors' surgery
 - Area 4 Darsdale Farm – proposals for 460 dwellings were planned for this site (option preferred by Raunds Town Council).

TGW mentioned that Areas A and 4 still had flooding and highways issues to be resolved by the applicants. Particular concerns regarding existing culverts (particularly Hog Dyke) through Raunds were discussed and noted. It was **agreed** that the Strategic Flood Risk Assessment would need updating and a Surface Water Management Plan was required. Members were reminded that a bid had been made for external funding to DEFRA towards the cost of producing a Surface Water Management Plan.

EW

- 3.7 The Working Party considered other areas allocated for housing and employment on the plan with the meeting papers and noted that approximately 880 dwellings remained to be built at Raunds up to 2021 as specified under the Core Spatial Strategy (CSS).
- 3.8 Members noted that the planning appeal for 135 dwellings on land off Meadow Lane, Raunds, had been dismissed by the Appeal Inspector solely on the grounds of potential noise nuisance from the adjoining industrial area (Warth Park) to the north of the appeal site.
- 3.9 Raunds had been allocated for a Sustainable Urban Extension (SUE) under Policy 9 of the CSS and Members considered that two smaller SUEs would be more beneficial for the town and that Areas 1, 2B and 4 (on the map) would be preferred. It appeared that CSS Policy 9 allowed some flexibility over this matter and it was **agreed** that the feasibility of this option be discussed with officers from the North Northamptonshire Joint Planning Unit and that a report

EW

Action

be made to the next meeting.

- 3.10 Because there was not enough time left to give the matter proper consideration, it was **agreed** that the submitted draft town centre boundary criteria and map for Raunds would be considered at a future Working Party.

EW

4.0 Date Of Next Meeting

- 4.1 It was **agreed** that the next meeting of this Working Party would be held on Tuesday 23 February starting at 7.00pm in the Members' Room.

PC