



Planning Policy Committee 29 July 2019

Draft East Northamptonshire Local Plan Part 2 – responses to representations, Oundle housing allocations

Purpose of report

The purpose of this report is to consider the policy implications arising from the representations submitted on the draft Local Plan in respect of the proposed housing allocations for Oundle.

Attachments

- Appendix 1: Strategic options for Oundle. Interim SA report (AECOM)
 - Appendix 2: Background Paper Oundle site assessments
 - Appendix 3: Summary draft plan representations submitted by organisational bodies
 - Appendix 4: Summary draft plan representations submitted by individuals
 - Appendix 5: DLP Planning Ltd site assessments
-

1.0 Background

- 1.1 Previous meetings of the Planning Policy Committee have considered the policy direction for various sections of the Local Plan.
- 1.2 This report sets out the work undertaken since the publication of the draft Local Plan in respect of the proposed housing allocations for Oundle. It provides recommendations in relation to the representations submitted for policies EN24-EN27, and sets out proposals for taking forward the Local Plan.

2.0 Draft Local Plan Allocations - Oundle

- 2.1 One of the key requirements of the Local Plan is to ensure the strategic requirements set out in the adopted Joint Core Strategy are delivered. In particular, it is required to address any identified shortfalls in housing delivery as set in the Joint Core Strategy Policy 28 which sets out the overall minimum housing requirements for East Northamptonshire up to 2031 and Table 5 which sets out the distribution of development by settlements.
- 2.2 In respect of Oundle, as previously reported, the Joint Core Strategy requires a minimum of 645 new homes to be built up to 2031. After taking into account previous commitments and completions, the residual amount of housing development to be included in the draft Plan to ensure the minimum requirement for Oundle is circa 250 new homes, (This is based on the latest housing data available, which was published as part of the housing land supply position, and reported to the 22nd October 2018 meeting of the Planning Policy Committee).

- 2.3 To enable this requirement to be met the council undertook site assessment work and engaged with statutory undertakers to inform its proposed allocations for delivering this development through the draft Local Plan.
- 2.4 The draft Local Plan identified 3 locations for future housing provision in Oundle as follows:
- Land north of Stoke Doyle Road (around 70 dwellings)
 - Land east of Cotterstock Road (around 130 dwellings)
 - Land east of St Christopher's Drive (around 100 dwellings)
- 2.5 It is appreciated that the above make provision for 300 homes. However, this is because proposed housing allocations are required to demonstrate an effective use of land, achieve sustainable development (which ensures a mix of house types and tenures that meet identified needs), and to provide well-designed places, which address minimum density standards. The housing must also be evidenced to be deliverable within the plan period. These requirements will be tested robustly at examination.
- 2.6 The public consultation undertaken on the 1st draft Local Plan from 2nd November – 17th December 2018 raised a significant number of representations in respect of the draft housing allocations for Oundle, details of which are provided below.
- 2.7 As part of the evidence base contributing to the Local Plan this council is required to undertake a sustainability appraisal of its policies. A sustainability appraisal is carried out during the preparation of a Local Plan to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- 2.8 Part of the evidence provided by the council in respect of the sustainability assessment of the Oundle housing allocation policies was not available for publication at the start of the non-statutory consultation period. It was subsequently agreed that the consultation period should be extended (through to 18th February 2019) in order to allow additional representation to be submitted in respect of the Oundle site assessment evidence. The evidence documents referred to are published on the council's website, and are attached to this report for clarity (Appendices 1 and 2).
- 2.9 These documents evidence work undertaken by the council which seek to explain the approach taken in assessing and selecting sites for future development in Oundle. The AECOM report considers two approaches to site selection in Oundle. Firstly, the approach taken by the council in concentrating development on a smaller number of larger sites, and secondly, the approach of dispersing development over a series of smaller sites, as proposed through the Neighbourhood Plan.
- 2.10 The AECOM report provided evidence that supports the approach undertaken by the Local Plan site selection proposals for Oundle, as it concluded this provided a more sustainable and deliverable approach to for future development. In particular that the scale of developments would be better placed to support infrastructure improvements and affordable housing. Therefore, this approach would have significant benefits.
- 2.11 Since this work was undertaken there has been progress with the Oundle Neighbourhood Plan, which now proposes to take forward a revised selection of housing sites through its submission Plan. The implications of the Neighbourhood

Plan housing proposals are discussed below.

2.12 In addition to the evidence highlighted above, an independent assessment report was provided to the council by DLP Planning Ltd (Appendix 5). The report sought to provide a critical overview and full re-assessment, which and reviewed the methodology used and provided revised assessment proformas for each site, factoring in additional consultation with landowners/site promoters.

2.13 It will be noted from Appendix 5 that the four top scoring sites were

- **Land off St Christopher's Drive (22)**
- Land off Benefield Rd (20)
- **Land East of Cotterstock Road/ North of St Peter's Road (17)** and
- **Land off Stoke Doyle Rd (12).**

The 1st draft Local Plan Part 2 proposed three of the four top scoring sites but didn't include the Land off (north of) Benefield Road (Biggin and Benefield Estate). This site is favoured in the submission version of the Neighbourhood Plan, predominantly as it provides a possible opportunity to deliver a festival field, given its gross capacity (>400 dwellings) and relative lack of development constraints.

2.14 Officers had originally challenged the suitability/ sustainability of this latter site in the initial Oundle Site Assessment (December 2018: https://www.east-northamptonshire.gov.uk/downloads/file/11074/oundle_site_assessments), for the following reasons:

- landscape and heritage concerns with this site potentially having a key heritage landscape feature; and
- detached from the main built form of the urban area, so is poorly related to the main built form.

2.15 The quantitative assessment has found that the Benefield Road site is deliverable (e.g. single ownership) and suitable (well related to the main public transport corridor – X4 Bus Route). However, it is significantly less well progressed towards submission of an application when compared to the three Local Plan Part 2 sites. All three Local Plan sites are also currently the subject of pre-application enquiries (as is Land South of Herne Road, the 5th scoring site), but the Benefield Road site is not.

2.16 For these reasons officers still consider that the Benefield Road site is less sustainable than the other best scoring potential development sites, in terms of its relationship to the built form of the town and the fact that the other sites are all substantially further progressed towards an application.

2.17 The report's findings identified that the council's draft allocations scored favourably against a series of criteria assessed. It is however, important to understand that the implications of policy, both extant and emerging, were not included in the assessment criteria. The implications of policy are considered below.

2.18 As part of its consideration for providing for future housing need in Oundle consideration is required to be given to the implication of development plan policy. Of particularly relevance is the extant policy direction expressed in the Rural North, Oundle and Thrapston Local Plan. Paragraph 8.18 has weight in future decision making and states that:

"PPS3 requires the Plan to indicate possible locations for housing development from 11-15 years from the date of adoption, i.e. from 2018/19 till after 2021. The

Sustainability Assessment work has identified two particular sites which stand out as possible longer term site allocations. These sites, which could come forward following reviews of the Core Strategy and this Plan, are:

- *Land to the rear of the Cemetery, Stoke Doyle Road (230 dwellings capacity)*
- *Land off Cotterstock Road/ St Peter's Road (200 dwellings capacity)"*

2.19 The importance of the weight to be attached to this policy, which is viewed as strategic in future plan making, was outlined in the more recent findings of the examiners report into the Glapthorn Neighbourhood Plan in relation to the Cotterstock Road site proposal, which partly lies within Glapthorn parish.

2.20 In summary, the examiner highlighted the fact that future plan making needed to take into account the requirements of paragraph 8.18 in considering a future direction for growth within Oundle, by requiring a modification to the neighbourhood plan. That modification led to an alteration to the Glapthorn Neighbourhood Plan and provided the opportunity for future housing development in line with the direction given in paragraph 8.18.

2.21 This modification also has direct implications for both the emerging Local Plan Part 2 as well as the Oundle Neighbourhood Plan.

3.0 Implications for emerging Policy

3.1 The National Planning Policy Framework (NPPF), which sets out the Government's policy objectives for planning at a national level, requires that the examination of plans will assess whether they have been prepared in accordance with legal and procedural requirements. Paragraph 35 of the NPPF sets out the tests of soundness, which will be applied to non-strategic polices, and will be required to demonstrate the extent to which they are consistent with relevant strategic policies for the area.

3.2 As both the emerging Local Plan and Oundle Neighbourhood Plan are non-strategic plan documents the implications referred to in the NPPF will need to be taken into account in order for them to satisfy any future plan examinations. If this is not the case and either the Local Plan or the Neighbourhood Plan, fails to satisfactorily address these requirements, there is a clear risk that they could be found unsound at examination.

3.3 In the case of the Neighbourhood Plan, which has recently progressed to Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, in advance of being examined, the implications of it not being in general conformity with the strategic policies of the development plan for the area have been raised through the officer representations submitted as part of the Regulation 16 consultation.

4.0 Local Plan representations - Oundle

4.1 As indicated in this report there were a significant number of representations submitted in respect of the draft housing allocations proposed for Oundle. A summary of the key issues raised are attached, these are tabled separately in the attached appendices from organisational bodies (Appendix 3) and individuals (Appendix 4). Summarised Officer responses to the issues raised are also provided within the appendices.

- 4.2 There are no significant issues raised by those organisational bodies and consultees that responded to the consultation. All the proposed allocations are considered to be deliverable, subject to providing the necessary mitigation measures. The main issues raised relate to changes that are proposed to the criteria accompanying the site allocation policies. For example, Oundle Town Council has recently stated that there is no requirement for additional contributions to the extension of the cemetery on Stoke Doyle Road from the proposed allocations at Cotterstock Road and St Christopher's Drive. Officer responses to the more detailed points raised are provided in the appendices 3 & 4.
- 4.3 Responses from individuals to the public consultation are summarised in respect of each of the proposed development sites, along with the overall requirement for housing allocations at Oundle. Many of the concerns raised relate to the impact that the proposals will have on the existing local infrastructure capacity. These concerns are acknowledged and valid. However, planning legislation only requires new development to mitigate the impact that the additional development has on the locality; it is not required to address existing deficiencies. It is also important to take into account responses from the consultee bodies to understand how issues relating to, for example, highways, and education can be addressed, in accordance with the policy standards set out in the Joint Core Strategy.
- 4.4 Having considered all of the above it is considered by officers that the allocations proposed in the draft Local Plan are both sustainable and deliverable and should therefore be recommended.

5.0 Equality and Diversity Implications

- 5.1 The preparation of the Local Plan Part 2 requires an Equality Impact Assessment to fully consider the impact of its policy proposals. This will be submitted to the Secretary of State as part of the evidence base for the Plan, for examination.

6.0 Privacy Impact Implications

- 6.1 All representations submitted by members of the public to the draft Local Plan Part 2 consultation, along with any personal details relating to other representations, have been redacted for publication on East Northamptonshire Council's website, to ensure that personal information is not published alongside the submitted representation.

7.0 Legal Implications

- 7.1 There are no legal implications arising from the proposals.

8.0 Risk Management

- 8.1 The main risks in preparing the Local Plan Part 2 are:
- Maintaining progress to ensure that key stages are met to enable the Local Plan to proceed as soon as possible to examination and adoption. This will be mitigated by weekly project management and reporting procedures.
 - Ensuring the availability of sufficient resources to enable the Local Plan preparation process to proceed efficiently. Sufficient staff resources are available.
 - Ensuring that the Local Plan satisfies the tests for examination, namely that it

has been positively prepared, is justified, is effective, and is consistent with national policy.

8.2 The main risks of failing to produce a Local Plan Part 2 are:

- The lack of an agreed local planning policy framework for determining development proposals and for demonstrating the council's five year housing land supply could lead to a risk of unwanted development.
- Development being allowed on appeal on sites that the council and communities have not agreed. This also brings the potential of costs being awarded against the council with regard to planning appeals and public inquiries.
- Poorer outcomes from future planning applications that fail to deliver local policy guidance and aspiration.
- A lack of up to date planning policy for the East Northamptonshire area in the transition to potential unitary local government for North Northamptonshire.

9.0 Resource and Financial Implications

9.1 In addition to existing staff costs, the main costs in the preparation of a district-wide Local Plan Part 2 relate to the completion of the evidence base and funding the independent examination process, which is undertaken by the Planning Inspectorate, supported by a programme officer.

9.2 The cost of producing the evidence base is covered by existing budgets. Provision of approximately £75,000-£100,000 is expected to be required in 2019/20 for the cost of the Examination process. An estimate for this has been factored into the 2019-20 budget and was approved by council on 4th March 2019.

10.0 Constitutional Implications

10.1 None arising from this report.

11.0 Implications for our Customers

11.1 The adoption of the Local Plan Part 2 will ensure that the council, and its successor council, will have a clear and up-to-date statutory planning policy framework to inform decisions on planning applications, which take into account the needs of local communities, particularly in respect of addressing housing, employment and community infrastructure needs. It would also help improve the quality of future planning permissions by ensuring that planning policies reflect both national guidance and reflect local aspirations.

12.0 Corporate Outcomes

12.1 Preparation of the Local Plan Part 2 will, in particular, deliver the following Corporate Plan outcomes:

- Good Quality of Life: Maintenance or improvement of healthy and safe lifestyles through sustainable development via policies relating to landscape, green infrastructure, and design.
- Effective Partnership Working: District-wide Local Plan Part 2 preparation involves close partnership working with a wide variety of stakeholders to inform the evidence base.

- Effective Management: Fulfilling legal requirements and maximising the effectiveness of the planning service.

13.0 Recommendation

13.1 The Committee is recommended to:

- i) Consider the responses to the representations as set out in Appendices 3 and 4 of the report and agree any changes as a result of this committee's considerations.
- ii) Endorse the proposed housing site allocations for Oundle as set out in policies EN24-27 of the draft East Northamptonshire Local Plan

(Reason – To provide a clear steer to officers for the preparation of a pre-submission plan which meets legislative requirements).

Legal	Power: Town and Country Planning (Local Planning) (England) Regulations 2012; Planning and Compulsory Purchase Act 2004; Localism Act 2011(as amended).				
	Other considerations: National Planning Policy Framework				
Background Papers: None					
Person		Originating Richard Palmer Planning Policy Manager			
Report:		☎ 01832 742142 ✉ rpalmer@east-northamptonshire.gov.uk			
Date: 12/07/2019					
CFO		MO 19/07/19		CX	