Purpose of report

This report considers the policy implications arising from the representations submitted on the draft Local Plan in respect of the proposed housing allocations for Oundle, which were deferred at the meeting of this Committee on 29 July 2019.

Attachments


Appendix 2: PPC report submitted to 29 July 2019 (agenda item 5) Draft East Northamptonshire Local Plan Part 2 – representations to the proposed Oundle housing allocations.

Appendix 3: Policies EN24 to EN27 and the related text.

1.0 Background

1.1 Previous meetings of the Planning Policy Committee have considered the Policy direction for the Local Plan. The report considering the outcome of the representations for the proposed Oundle housing allocations was, however, deferred at the meeting of this Committee held on 29 July 2019.

1.2 To enable the Committee to complete its resolutions in respect of the draft Local Plan representations, policies EN24-27 are now being reported back to the Committee to enable it to make a decision, to allow the Plan to progress towards submission.

2.0 Draft Local Plan Housing Allocations - Oundle

2.1 The detailed consideration of the draft housing allocations were set out in a report to the Planning Policy Committee held on 29 July (Minute 143 refers), as amended through resubmission to the meeting held on 17 December 2019. In summary, the outcome resolved to defer the decision to determine the proposed housing allocations for Oundle until the outcome of the examination of the Oundle Neighbourhood Plan was known.
2.2 Following the meeting of the Committee back in July this year, there have now been significant developments in respect of the Oundle Neighbourhood Plan. These developments are explained below.

2.3 A public hearing was held on 29 October into the Oundle Neighbourhood Plan, by an independent examiner, following that hearing, an interim report was issued on 13 December, followed by the final report on 21 December 2019.

2.4 The final report into the Oundle Neighbourhood concludes that the plan contains fundamental flaws and that it does not meet the Basic Conditions (which are required for it to progress to referendum). The report states that the principal reasons for this are as follows:
   - the approach to consultation
   - the approach to site selection and appraisal, which is flawed and not supported by robust and appropriate evidence

Both approaches are considered by the examiner to be probably unlawful. Details of which are set out in the examiner’s report (Appendix 1 refers).

2.5 The examiner has concluded that the Oundle Neighbourhood Plan should not proceed to Referendum. The implications of the report mean that current progress in respect of the Neighbourhood plan comes to an end. If it was to continue it would effectively be required to start again. Should Oundle Town Council determine that the work on the Neighbourhood Plan continue the examiner has further concluded that the Referendum Area should not be the same as the designated neighbourhood area, but should be expanded to include all, or relevant parts of, Glapthorn parish that adjoin the plan area.

2.6 The amendment required to the Referendum area, should a future version of the Neighbourhood Plan proceed, has important implications. What the examiner has recognised in his report is that the Rural North, Oundle and Thrapston Local Plan contains a strategic policy in terms of future development direction, this is set out in paragraph 8.18 of that Local Plan as follows:

   “8.18 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 development 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).

The paragraph remains part of the adopted development plans framework for East Northamptonshire.

2.7 The implication of this is considered by the examiner in paragraphs 3.16 to 3.18 of his report. He recognises that, whilst the Oundle Neighbourhood Plan does not include the allocation at Cotterstock Road (and that it is not the omission of the site that is in conflict with paragraph 8.18) the plan’s tightly drawn settlement boundary would prevent the ability to allocate the Cotterstock Road site in any future development plans. Should a future Neighbourhood Plan progress, the settlement boundary would therefore need to be redrawn so that it allows for the possibility of the site being included as part of a future development plan.
Further to the above, the Committee, at the meeting held on 17 December 2019, resolved to progress the Local Plan in line with the published Local Development Scheme, and that the draft Local Plan housing allocations proposed for Oundle be brought back for consideration.

Officers have revisited the representations submitted in respect of policies EN24-27 of the Draft Local Plan and consider no other material changes have occurred since they were reported to Committee on 29 July.

In light of the above Appendix 2, which sets out the previous officer response to the representations, is resubmitted for consideration as the basis for this report. In addition, Appendix 3 contains Policies EN24 to EN27 and the related text.

Next Steps

Should the recommendations of this report, along with agenda item 6 be endorsed, then a period of focussed public consultation will be undertaken, whilst work on the pre-submission plan will continue to progress. The pre-submission Plan will then be reported to this Committee in 2020, in line with the Plan timetable.

Equality and Diversity Implications

The preparation of the Local Plan Part 2 requires an Equality Impact Assessment to fully consider the impact of its policy proposals and land use allocations. This will be submitted to the Secretary of State as part of the evidence base for the Local Plan examination. This will be a public document.

Privacy Impact Implications

All representations submitted to the draft Local Plan Part 2 consultation will be redacted to ensure any personal details are removed in advance of publication on the council’s website.

Health Impact Assessments

A health impact assessment has not been carried out. The impact on health and wellbeing is considered as part of the sustainable appraisal assessment of plan policy which supports the emerging Local Plan.

Legal Implications

Preparation and adoption of Local Plans must be undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Otherwise, there are no legal implications arising from the proposals.

Risk Management

The main challenges in preparing the Local Plan Part 2 are:

- Maintaining progress to ensure that key stages are met to enable the Plan to proceed as efficiently as possible to examination and adoption
- Ensuring the availability of sufficient resources to allow the preparation process to proceed in line with the Local Development Scheme.
- Ensure that the Plan satisfies the tests of examination, namely that significant
changes provide the opportunity for public consultation and that the Plan has been positively prepared is justified, effective and is consistent with national policy.

8.2 The main risks if there is no Local Plan in place are an increased likelihood of development proposals coming forward in an unplanned manner and vulnerability at planning appeals.

9.0 Resource and Financial Implications

9.1 In addition to staffing costs, the main costs in the preparation of the Plan relate to the completion of the evidence base and funding the independent examination process, which is undertaken by the Planning Inspectorate and supported by a programme officer.

9.2 The cost of producing the evidence base is covered by existing budget. Provision of approximately £75,000 - £100,000 is now expected to be required in the financial year 2020/21 for the cost of the examination process. An estimated cost of £80,000 was factored into the 2019/20 budget, as approved by council on 4th March 2019 (Item 7b, Revenue Budget Changes 2019/20).

9.3 The budget of £80,000 for the Local Plan Part 2 examination was allocated based on the project timetable in an earlier Local Development Scheme (approved by the Planning Policy Committee, 30 July 2018); whereby the Local Plan would be examined by a Planning Inspector during summer/autumn 2019. Subsequent revisions to the Local Development Scheme (most recently, 30 September 2019) have meant that the Local Plan examination is now scheduled to take place during autumn 2020 (2020-21 financial year); such that the £80,000 budget will need to be carried forward into the next financial year. The carry forward request and formal approval will be considered as part of the financial outturn report in April/May 2020.

9.4 The cost of the examination of the Oundle Neighbourhood Plan is £10,000, whilst this Council would normally claim back monies from Central Government through a Neighbourhood Plan referendum it is unknown at this stage whether the Oundle Neighbourhood Plan will be reconvened and eventually achieve this stage. Consequently this Council will be required to fund the costs of the examination. Funding for this will need to be raised from the surplus of the central government grant funding received from previous Neighbourhood Plans, which have been made. (The Local Planning Authority can reclaim £20,000 for each Neighbourhood Plan following referendum.

10.0 Constitutional Implications

10.1 None

11.0 Implications for our Customers

11.1 The adoption of the Plan will ensure that the council will have a clear up to date statutory planning policy framework to inform decisions on future planning applications, which take account of 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 local aspirations.
12.0 Corporate Outcomes

12.1 Preparation of the Plan will help deliver many of the Council's Corporate Plan objectives. In particular, these are:

- Good Quality of Life – Maintenance or enhancement of health and wellbeing through sustainable development through, for example, adopting policies relating to green infrastructure and design.
- Effective Partnership Working – The Plan preparation involves close partnership working with a wide variety of stakeholders, including public consultation, to inform policy development.
- Effective Management – Fulfilling legal requirements and maximising the effectiveness of the planning service.

13.0 Recommendation

13.1 The Committee is recommended to:

(1) Consider the responses to the representations as set out in Appendix 2 and the accompanying appendices to that report, and agree any changes as a result of this Committee’s considerations.

(2) Endorse the proposed housing allocations for Oundle as set out in policies EN24-27 of the Draft East Northamptonshire Local Plan and detailed in Appendix 3.

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

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<td>Person Originating Report:</td>
<td>Richard Palmer Planning Policy Manager ☎ 01832 742142 ♨ <a href="mailto:rpalmer@east-northamptonshire.gov.uk">rpalmer@east-northamptonshire.gov.uk</a></td>
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