Purpose of report

This report provides a response to the representations received through the Local Plan public consultation and sets out recommendations to allow the Plan to proceed towards pre-submission.

Attachment(s):
- Appendix 1 Summary of representations/proposed officer response (proposed allocation)
- Appendix 2 Summary of representations/proposed officer response (Rushden East)
- Appendix 3 Technical Advice Note
- Appendix 4 Proposed extension to the northern allocation boundary
- Appendix 5 Proposed revision to draft text/Policy EN 28 (Additional housing allocation)
- Appendix 6 Proposed Policy revision to draft text/Policy EN 33 (Delivery of the Rushden East SUE)

1.0 Background

1.1 Following the recommendations agreed at the 30th September meeting of the Planning Policy Committee a 6 week public consultation was undertaken from 5th October to 16th November 2020 to seek views as to:

- The potential for an alternative site allocation to be included within the emerging Local Plan Part 2 as a consequence of an objection to the proposed allocation at Rushden Lakes West submitted by Natural England during the consultation undertaken in February/March 2020

- Setting out the proposed development boundaries for the delivery of the Rushden East Sustainable Urban Extension (SUE), with additional direction to enable the Masterplan Framework Document (MFD) to be incorporated within the Local Plan Part 2.

2.0 Key Issues arising from the consultation

2.1 This report focuses on the outcomes and implications of the submitted representations with proposed officer responses to enable the Local Plan Part 2 to progress towards
Pre-Submission consultation early next year.

2.2 Following the close of the public consultation the Council received 55 representations. A summary of the content of each representation and proposed officer response is attached to this report (Appendices 1 and 2 refer). The representations are now published on the relevant Planning Policy web page.\(^1\)

2.3 In addition to the above, ongoing workstreams and discussions with Natural England have taken place to further inform the position of both the proposed allocation at Rushden Lakes West and the alternative proposed allocation on land to the east of the A6/Bedford Road.

2.4 In setting out the response to the consultation this report will firstly consider the situation regarding the proposed additional housing allocation, before considering the response in relation to the delivery of the Rushden East SUE.

a) Proposed additional housing allocation

2.5 Natural England have provided a further representation in respect of delivering an alternative housing allocation to that previously proposed on land to the west of Rushden Lakes. The representation indicates that the alternative site proposed on land to the east of the A6/Bedford Road is viewed as immediately favourable from an environmental perspective compared to that at Rushden Lakes West. The representation supports the draft policy wording which was subject to the consultation, in particular acknowledging support for the need for “Appropriate mitigation measures, to the satisfaction of Natural England, to avoid significant adverse impacts upon the integrity of the Upper Nene Gravel Pits Special Protection Area” to be addressed. However, Natural England further state that the location of the site to the east of the A6/Bedford Road, which sits just beyond the 3km mitigation strategy zone for the Special Protection Area (SPA), immediately escapes the residual issues associated with developing the site at Rushden Lakes West, which may make it impossible to discount adverse effects within an Appropriate Assessment for Rushden Lakes West, even if other matters become resolvable.

2.6 In summary, Natural England’s objection to the proposed allocation at Rushden Lakes West remains, despite ongoing progress focussed on mitigating the impact of the site. This objection includes the risks of general urbanisation and development in such close proximity to the SPA, and the risk that Rushden Lakes West will set a precedent for further development in similarly environmentally sensitive localities across the Nene Valley area.

2.7 Natural England has advised that mitigation for recreational pressure will be required in delivering land to the east of A6/Bedford Road, and the draft policy acknowledges the requirement to undertake any potential mitigation measures raised, if this alternative proposal is to be realised. The representation also makes reference to the need to fully address issues through the Council’s Habitat Regulations Assessment (HRA).

2.8 The HRA is currently being progressed, and can only be fully completed once the Council has resolved its position in respect of future site allocation. However, the

\(^1\) [https://www.east-northamptonshire.gov.uk/info/200193/adopted_local_plan/65/development_plan_documents/12](https://www.east-northamptonshire.gov.uk/info/200193/adopted_local_plan/65/development_plan_documents/12)
Council’s HRA consultant has issued a technical advice note. The implications of this are referred to in paras 2.9 – 2.13 below.

2.9 AECOM has produced a Technical Advice Note to advise the Council on the technical acceptability of the two housing site options which were subject to the recently concluded consultation.

2.10 The Advice Note is attached to this report (Appendix 3 refers); its conclusions are summarised below in relation to the proposed allocation and proposed alternative site allocation.

2.11 **Rushden Lakes West**

i) Functionally Linked Land

Based on the work undertaken by the site promoters since the original objection was raised by Natural England, the Advice Note concludes that the development of Rushden Lakes West would not have an adverse effect on the integrity of the SPA/Ramsar through loss of functionally-linked habitat. In respect of the issue of the future potential of the land to serve as functionally linked land it is noted that almost any large area of pasture or arable land with good sightlines up to 5km (and potentially further) could become functionally linked, however there is at least as good a chance that it will not do so. That said it is considered that fields very close to the SPA may have greater potential to provide functionally linked land than those further away.

ii) Recreational Pressure

Again, further work has been undertaken by the site promoters to try and mitigate this impact. This has resulted in a revised proposal that restricts development to the southern part of the site only and reduces the overall housing requirement below that required to meet the identified shortfall. The revised proposal indicates a maximum of 350 dwellings against the need to provide for 450, (though it may be that the site delivers below 350 dwellings given the high density of new homes per hectare required to deliver those 350 houses).

That aside, the Advice Note considers that the recreational pressures posed by the proposed allocation could be addressed in the fullness of time through an extensive package of measures such as restricting access to the SPA and introducing water features as barriers. A further issue to address would be the need to provide a significant tract of Suitable Alternative Natural Greenspace on site (SANG). At present the site promoter identifies a SANG of some 6 hectares, though Natural England have indicated the need for a larger area of around 10 hectares. Thus, until a detailed mitigation strategy is agreed, residual uncertainty remains over the ability of the site to be delivered without an adverse effect on the integrity of the SPA.

iii) Urbanisation

Given the proximity of the site to the SPA, the Advice Note considers the potential impact from wider forms of “pollution” viewed as urbanisation pressures. In summary it is considered that, until a detailed strategy to address on-site (within the SPA) human activity is produced, residual uncertainty will remain over the ability of this site to be delivered without an adverse effect on the integrity of the SPA.
2.12 **Land east of A6/ Bedford Road (Rushden Southern Option)**

i) Functionally Linked Land

Based on the available evidence the Advice Note considers that there is no reason to conclude that this site constitutes significant functionally linked habitat for the SPA.

ii) Recreational Pressure

This site is located just outside of the 3km zone where development payments are required as part of the Council’s adopted mitigation strategy for the SPA. However, taking into account Natural England’s representations in respect of recreational pressures affecting the SPA the Advice Note considers that it would be both robust and appropriate for mitigation (potentially in the form of a SANG) to be included. This could be achieved through appropriate mitigation measures, which are addressed later in this report.

iii) Urbanisation

Given the location of this site, located over 3km from the SPA, this aspect is not considered to be an issue for consideration.

2.13 Given the above considerations, the Advice Note provides that on balance land to the east of A6/Bedford Road poses the lowest risk and is the most appropriate site to allocate in the Local Plan Part 2 to address the future housing needs of the District.

2.14 The ongoing work designed to inform the potential to bring forward the proposed allocation of Rushden Lakes West has not resulted in the objection from Natural England being removed. Whilst elements of the objection raised by Natural England appear to have a reasonable chance of being mitigated in time, evidence produced since the 21 September 2020 Planning Policy Committee Meeting has not proved conclusive. Consultation on an alternative site to the east of the A6/Bedford Road has not raised any fundamental concerns in respect of site delivery. The site is considered to provide a viable alternative to meeting future housing needs.

2.15 In light of the above it is considered that to support the allocation of future housing on the Rushden Lakes West site, without satisfying the objection from Natural England, is likely to pose a significant risk to the soundness of the plan at any future examination. This is accentuated by the ability of a viable alternative site allocation which could provide future housing growth within the Growth Town. It is therefore proposed that the land east of A6/Bedford Road be allocated to ensure the Council can continue to provide for future housing growth up to 2031.

**Other issues arising from the representations**

2.16 There are a number of additional issues raised through the representations in respect of the proposal to consider the ability of the land to the east of A6/Bedford Road to deliver the identified shortfall of some 450 new homes. These are considered below (and set out in more detail through Appendix 1 to this report).

2.17 **Highway issues**

Some representations, for example Higham Ferrers Town Council, raise concerns over the highways impact of the proposal.
Education Issues

Northamptonshire County Council has not raised objection to the proposed allocation. It has, however, raised concerns as to how the additional school places arising from this proposal will best be accommodated.

Amendments to the proposed allocation site area

The promoters of the proposed allocation have undertaken further masterplanning for the site to better understand site capacity. A second concept masterplan has been prepared as part of the submitted representation from Bellway Homes. This indicates that, to successfully accommodate the 450 new homes required, and to take into account supporting infrastructure, local connections, open space and green infrastructure, the latter in relation to mitigating the requirements for the SPA, additional land is required to the north of the proposed development.

In addition to the above, Lagan Homes are promoting a smaller portion of the land within the overall site allocation that was subject to the recent public consultation. This parcel of land lies to the north east of the John White golf club. Their submission proposes that additional land could be made available to extend the allocation into land currently providing for both the golf club and the adjoining driving range.

Draft policy amendments

Whilst a number of respondents supported the proposed allocation there were suggested additions to the policy requirements. These are detailed in Appendix 1. However, of particular note are proposals to make reference to the need for a transport assessment to be provided, for bus connections to serve the site, better connections to the town centre of Rushden, connections to local green infrastructure and for reference to be made for sustainable drainage solutions. In addition, the site promoter has questioned the evidence to provide for ancillary uses to support the proposal as set out in the draft policy and has asked that they be removed from the draft policy or amended to clarify which community uses are required.

Alternative site proposals

Representations have been received from promoters of alternative sites, which include challenging the approach of restricting opportunities just within the Growth Town of Rushden and raise concern that the alternative proposals at Rushden Lakes West and land east of A6/Bedford Road should be considered as matters of a strategic nature addressed through the review of the Joint Core Strategy.

Responses proposed to the additional issues raised are set out as follows:

Highway Issues

No objection has been raised by Northamptonshire County Council, as the Local Highway Authority, which supports the principle. Further, a Transport Appraisal has been submitted by the site promoter, which seeks to identify and mitigate transport issues arising from the development. However, for clarity it is proposed that the policy makes reference to the need for a transport impact assessment and that the proposed allocation provides for sustainable travel and local connections are addressed.
Education Issues

More detailed discussions are requested with the promoter/site developer; these concerns have been raised and such discussions will help inform the masterplanning and future planning applications for site delivery. Whilst it is not considered that further amendments are required to the policy, detailed discussions will need to be undertaken to ensure that the masterplanning of the site addresses the concerns raised.

Amendments to the proposed allocation site area

The masterplanning work undertaken indicates that a revised site area will deliver new homes at a density of 35 dwellings per hectare, which is in line with policy requirements set through national planning guidance. It is accepted that amending the northern boundary of the site by extending it northwards (as shown on Appendix 4) will provide for an improved masterplan which properly meets the identified quantum of development required.

In respect of the proposal raised by Lagan Homes to extend the site allocation to the south and east, this would provide a larger site allocation that would exceed the quantum of development required; it would also impact on the operation of current land use activities relating to the golf course. It is not therefore considered appropriate that the site allocation should be further extended in respect of this representation. The site allocation consulted upon relates to an underused area of the golf course, which is separate from the course itself and the adjoining driving range. It is therefore proposed that this remains within the proposed allocation to provide for a more comprehensive scheme, which avoids underused land.

Draft policy amendments

Some amendments proposed to the draft policy wording are supported, including those raised in para 2.17, further detail is set out in Appendix 1. In respect of the site promoter raising concerns over the delivery of ancillary uses within the site this is not supported. The introduction of 450 houses on land on the periphery of Rushden across the A6 without any ancillary facilities is not considered to provide for sensible, sustainable planning. National planning guidance requirements are expected to meet the social objectives of providing vibrant communities (para 8) as well as to promote social interaction and to support healthy lifestyles (paras 91-92).

The relocation of sporting facilities to the eastern boundary of the site provides an opportunity to address future needs and create a hub of wider community provision. It is therefore proposed that the draft policy wording be revised to more closely reflect the Council’s expectations. Additional representations requesting further revision to the policy wording and referred to in para 2.17 would appear to strengthen the policy. It is therefore proposed that the policy is revised to take those requests into consideration. (a revised policy for the proposed allocation on land to the east of A6/Bedford Road is provided in Appendix 5).

Alternative site proposals

The North Northamptonshire Joint Core Strategy provides a clear sequential approach in outlining the need for meeting future growth, with Rushden identified as a Growth Town where the focus for future development will be provided. Assessment work previously considered a wider search area, though opportunities for meeting the
shortfall in the Growth Town were identified and supported. In addition, the Market
Towns to which two of these representations relate (Raunds and Thrapston) have met
their identified housing allocation targets.

The third representation relates primarily to the Rushden East SUE proposal;
however, it is considered that the proposed alternative site allocations are not strategic
in nature as they fall below the 500 or more number of houses that are defined in the
Joint Core Strategy as constituting strategic development.

b) Delivery of the Rushden East SUE

2.19 Many of the issues raised in the representations refer to detailed issues which relate
to the content of the draft Masterplan Framework Document (MFD) rather than the
draft policy itself. The MFD was subject to public consultation in February/March 2020
and a number of representations carry over the comments made during that previous
consultation. It is acknowledged that work is ongoing in respect of finalising the MFD,
which will provide clarity for future planning applications in delivering the SUE. The
detailed content of the MFD does not, however, detract from the draft policy wording
as proposed and which will be compliant with the strategic direction as set out in the
Joint Core Strategy Policy 33.

2.20 Appendix 2 sets out issues raised through the current consultation in respect of the
draft Local Plan Policy for Rushden East, and the accompanying MFD which seeks to
allocate the boundaries of the SUE. Officer responses are also set out in this
Appendix. Revision to the draft policy wording and supporting text for the Rushden
East SUE is proposed, which is set out in Appendix 6).

Next steps

2.21 Should the Committee agree to resolve the report as recommended; Officers will
undertake the necessary work required to prepare the Local Plan for pre-
submissions. This would require the complete draft Plan and its accompanying evidence base and
associated documents being approved for the Regulation 19 consultation. This would
need an additional meeting of the Planning Policy Committee in January 2021 to
agree.

4.0 Equality and Diversity Implications

4.1 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.

5.0 Privacy Impact Implications

5.1 All representations submitted to the draft Local Plan Part 2 consultation are redacted
to ensure any personal details are removed for publication on the Council’s website
and subsequent Committee reports.

6.0 Health Impact Assessments

6.1 A health impact assessment has not been carried out. The impact on health and
wellbeing is considered as part of the Sustainability Appraisal (statutory assessment of
plan policy) which supports the emerging Local Plan.
7.0 Legal Implications

7.1 The preparation of a Local Plan must meet legislative requirements, which form part of the test of soundness of a plan at Examination. There are also legal implications arising from the legislative requirements referred to in the body of the report. The Council has appointed legal support to assist in addressing issues raised.

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 Part 2 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 Local Plan Part 2 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 To help monitor ongoing Local Plan Part 2 progress, and to help inform decision making a comprehensive risk register and project plan are maintained by the Planning Policy Manager as part of this project.

9.0 Resource and Financial Implications

9.1 In addition to staffing costs, the main costs in the preparation of the 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 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 to £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, 30th July 2018); whereby the Local Plan 2 would be examined by a Planning Inspector during Summer/ Autumn 2019. The carry forward request and formal approval was resolved as part of the financial outturn report in April / May 2020.

10.0 Constitutional Implications

10.1 None

11.0 Implications for our Customers

11.1 The submission and adoption of the Local Plan Part 2 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 reflect local aspirations.

12.0 Corporate Outcomes

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

- 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 Local Plan Part 2 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) Approve the allocation of land to the east of the A6/Bedford Road, Rushden in place of the proposed allocation at Rushden Lakes West incorporating the proposed northern boundary extension as shown in Appendix 4

(2) Agree the officer responses to the representations as set out in Appendices 1 and 2

(3) Agree the revised wording to the draft policy and supporting text for policies 28 and 33 of the Local Plan as set out in Appendices 5 and 6

(4) Delegate any further detailed revisions to the relevant policy wording and supporting text of the Local Plan that may arise from this report to the Head of Planning Services in consultation with the Chair and Deputy Chair of the Planning Policy Committee, along with the Chair of the Rushden East Project Board.

(Reason – to ensure the Council can meet its identified housing needs up to 2031 and that a plan can be progressed to pre-submission in line with the Local Development Scheme timescales.)

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<td>Other considerations: National Planning Policy Framework Habitats Regulations Assessment</td>
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Background Papers: None

Person Originating Report: Name Richard Palmer Job Title Planning Policy Manager
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Date: 30/11/2020

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D. Oliver
Appendix 1 – Land east of A6 Bypass, Bedford Road (South East Rushden)

Representations received during additional sites consultation, 5th October – 16th November 2020

Supporting Representations

Representations in support of the proposals, or offering no objection/ comments were submitted by the following:

- Grafton Underwood Parish Council
- Thrapston Town Council
- Huntingdonshire District Council
- Environment Agency
- BPA – Total Fina Pipeline
- CLH Pipeline System
- Elton Parish Council
- Gretton Parish Council
- National Grid

Representations from site promoters

Bellway Homes Ltd (Marrons) – main promoter of site

Submitted documents – 2x alternative concept masterplans; transport assessment (TA)

- Overall supporting representation – deliverable site: available now, willing landowner, no unresolved ownership, legal or other constraints
- Seeking to bring forward viable, policy compliant scheme

Detailed comments re policy proposals/ amendments sought – concept masterplans:

- Option 1 – Capacity of proposed site allocation – approximately 300 dwellings
- Option 2 – Extended site allocation, to the north – approximately 450 dwellings @ 35 dwellings per ha, incorporating access routes/ green infrastructure
- Need for additional green infrastructure, given context of Upper Nene Valley Gravel Pits Special Protection Area (SPA)/ Ramsar site
- Option for longer term expansion, north to Newton Road

Challenges to proposed ancillary retail/ business/ community uses:
Would entail further expansion of site to accommodate
Little evidence of need for such uses
Local centre would require catchment >800 dwellings to be viable
NPPF requirements; e.g. sequential uses for main town centre – new ‘E’ Use Class, which incorporates retail, research, development, industrial processes
Community uses could be developed in association with Town Council sports facility proposal

Site assessment - scorings challenged:

- Proximity to services
- Utilities
- Impact on sports/ recreational facilities
- Form of settlements
- Constraints; e.g. A6 crossing – addressed through submitted TA

Rushden Lakes West:

- Southern option (proposed South East Rushden site) is a viable alternative, so should be allocated
- Major negative environmental impacts, due to relationship with SPA – significant adverse impact impacts likely
- Need to demonstrate that site is of lesser environmental/ amenity value than reasonable alternatives

Lagan Homes (Foxbury) – promoter for John White Golf Course

Support inclusion of top northwest corner of golf range (yellow land)

Seek expansion of allocated land –

- Plan 2 – include western part of golf range in its entirety – allow for secondary access; single ownership; no constraints; or
- Plan 3 – expansion of proposed site allocation so that whole foot golf area is included.

Officer response

The main site specific proposal is within single ownership, for which Bellway Homes holds a current development option. Part of the foot golf area (northwest corner of John White Golf Course), included within the proposed site allocation is in separate ownership, for which Lagan Homes holds an option.

Suitable green infrastructure (e.g. structural landscaping, suitable alternative natural green space/ SANGS – to address Natural England’s potential
concerns) may be accommodated within the current site boundary or beyond; e.g. in association with Rushden Town Council’s sports hub proposals. This should provide the necessary additional capacity for the development of 450 dwellings, green infrastructure (both within the site boundary and beyond), plus ancillary services. Detailed proposals would be further informed by a comprehensive development masterplan.

The site should also retain the disused/under-used foot golf area (as shown in the proposed “red line” site allocation), for which Lagan Homes currently holds an option. However, the remainder of the Lagan land is operational as part of the John White Golf Course; such that release of this land would require relocation of the course, so this land is not considered to be deliverable, with expansion to the east inappropriate.

Proposed changes

Bellway Homes’ proposed expansion of the site to the north (as proposed in Bellway Option 2 concept masterplan), is accepted as being necessary to provide additional capacity to accommodate around 450 dwellings, plus green infrastructure.

Representations commenting or objecting to the proposed site allocation

Cadent Gas Ltd

- Infrastructure – low pressure gas pipes alongside A6

Officer response

The Council will work to maintain continuous engagement with utilities companies/infrastructure providers (amongst other key stakeholders) to coordinate infrastructure delivery.

Proposed changes

None

Rushden and Higham Ferrers Council of Churches

- Recent hosting of workshop event with Rushden East promoters
- Focus on delivery of schools as part of SUE
• Support development of Rushden East local centre – retail, leisure, healthcare, sports facility, meeting spaces, employment, traffic management
• Also interest in construction methods and housing mix
• Seeking delivery of church based Academy secondary school – ongoing negotiations/ engagement
• South East Rushden site should be seen in context of Rushden East SUE; i.e. delivery of wider sustainable community with coordinated infrastructure provision

Officer response
The Council will work to maintain continuous engagement with third sector bodies (amongst other key stakeholders) to coordinate infrastructure delivery.

Proposed changes
None

Higham Ferrers Town Council

Objection:
• Cumulative impact of additional development on A6
• Need for additional traffic/ transport modelling

Officer response
NCC, as the appropriate highways authority, has submitted an in principle supporting representation for the proposed allocation. The Council will work to maintain continuous engagement with the Highways Authority to coordinate infrastructure delivery and traffic management.

Proposed changes
The policy wording be amended to clarify the requirement for a Transport Assessment to be submitted to support the proposal.

The Wildlife Trust for Bedfordshire, Cambridgeshire & Northamptonshire
• South East Rushden site – arable land with limited biodiversity interest – potential for net biodiversity gain
• Preferable to Rushden Lakes West, for which the Wildlife Trust (WT) has outstanding concerns – proximity to SPA/ Ramsar site/ SSSI
• Most significant concerns re Rushden Lakes West – increased pressure due to pet disturbance, predation and recreational use
Officer response

The Wildlife Trust (WT) is not raising an objection to Land east of the A6 Bypass/ Bedford Road, which it considers provides an opportunity to deliver net biodiversity gains. Instead, the WT is supporting the allocation of this site for 450 dwellings as a viable alternative/ replacement for Rushden Lakes West.

Proposed changes

None

East Northamptonshire Council (Housing Strategy)

- Under Policy 30 of the North Northants Joint Core Strategy, the site would be required to provide 30% of all dwellings as affordable housing – 135 units
- Refer also to 2020 Rushden housing needs study (for Rushden East), which would also be appropriate to inform affordable tenure mix/ property sizes
- 30% - 3 + bedrooms/ 45% - 2 bedrooms, but does not support over emphasis on large properties (more than 4 bedrooms)
- 70% (94) social or affordable rent/ 30% intermediate tenure or low cost ownership
- Need for specialist housing; e.g. sheltered housing, extra care, wheelchair accessible properties, bungalows (5%)
- Single bedroom houses/ maisonettes with individual entrances preferable to flats and affordable housing blended into scheme
- Built to National Space Standards etc, including a preference for curtilage parking
- Need to identify Registered Provider at an early stage

Officer response

In assessing the proposals, Development Management Officers will work to maintain continuous engagement with Housing Strategy colleagues to secure delivery of affordable and/ or specialist housing, in accordance with identified need.

Proposed changes

None, the requirements will be taken into account in delivering future planning applications
Bedford Borough Council

- Proposed allocation just to the north of the Borough boundary, but consider impact on Bedford’s highways will not be significant
- Many car trips will be within Rushden or along the A6 / A45 corridor northbound to local employment and retail opportunities.
- Any traffic impact in Bedford Borough is likely to be at A6 / Clapham Road junction, and through A6 settlements – need for Transport Assessment
- Note hourly bus service between Rushden and Bedford
- Pedestrian access and improved bus waiting facilities from main road (A6) to site

Officer response

In accordance with the Duty to Cooperate, the Council will work to maintain continuous engagement with neighbouring local authorities to manage the delivery of strategic development proposals with cross-boundary implications. It is acknowledged that for clarity the policy will make reference to the need for a Transport Assessment and that the site is served through public transport connections.

Proposed changes

The policy wording is amended to clarify the requirement for a Transport Assessment to be submitted to support the proposal and reference be added regarding the need to incorporate sustainable transport opportunities within the site.

Sport England

- No objection to proposed allocation should policy contain a principle/requirement ensuring that an access will be provided to the replacement Manor Road Playing field site (reference 20/01174/FUL)
- Supports the provision of sports facilities at the site
- Reference should be made to use of up to date Playing Pitch Strategy and Built Facilities Strategy to inform the sports facilities
Officer response

The Council will work to maintain continuous engagement with the Sport England to coordinate sports, recreational and community infrastructure. Delivery will be informed by the latest evidence base, as/when this is available.

Proposed changes

None

Rushden Town Council

- Support additional site allocation of Rushden South East (Land East of A6/Bedford Road) as a replacement for Rushden Lakes West (RLW)
- Object to continued inclusion of RLW as additional site allocation – Rushden South East is assessed as better/able to provide mitigation more easily; e.g. residents more likely to use town centre services than those at RLW
- Allocation of both sites, with capacities of 350 + 450 dwellings would be significantly overproviding housing
- Appropriate location – adjacent to the growth Town (Rushden) and its surrounding services
- Although separated from town by A6/Bedford Road, opportunities are available to effectively and safely link the site to existing town; e.g. footpath already exists across A6, could be upgraded
- Additional access can be facilitated at A6/A5028 roundabout (single carriageway), including to new sports ground; note also aspirations to expand Greenway/provide continuous green infrastructure link
- Would help facilitate relocation of Manor Park rugby pitches (Rushden Neighbourhood Plan Policy H2.D) and ‘infill’ land between relocation site and town
- Create a continued built form – helping link town to sports facilities (including John White Golf Club) and providing active frontages to public footpaths

Officer response

Rushden Town Council has expressed support for land east of the A6 Bypass/Bedford Road to replace RLW. This support is welcomed, as is the Town Council’s stated position and intentions, and detailed comments regarding the draft policy wording.

The Council will look to work with the Town Council (along with other key stakeholders), to deliver the site and relocation of sports facilities to a new hub east of the A6 (adjacent to the site).
Proposed changes

Detailed comments regarding potential amendments to the policy wording will be considered further.

Irthlingborough Town Council

Supporting representation:

- Plans need to incorporate pedestrian/ cycle access infrastructure, particularly across A6 Bypass
- Need suitable housing mix, including provision for both specialist/ older persons housing

Officer response

Irthlingborough Town Council has expressed support for land east of the A6 Bypass/ Bedford Road, subject to detailed comments regarding the draft policy scope. The Council will look to work with relevant key stakeholders, to deliver the site, associated infrastructure and to provide an appropriate housing mix.

Proposed changes

Detailed comments regarding potential amendments to policy wording will be considered further.

Natural England

- Rushden South East is immediately favourable from an environmental perspective compared to Rushden Lakes West (RLW)
- Pleased that the alternatives test is being explored to address the need to locate the additional ~500 home requirement of East Northamptonshire Local Plan to a less environmentally sensitive area when compared to RLW
- 25/08/2020 – preliminary opinion on Rushden South East i.e. based on an indicative outline of the site presented by ENC
- Welcomes draft policy point (e), re appropriate mitigation measures
- Location of Rushden South East site immediately escapes the residual issues associated with developing the RLW site
- Key impact pathways from the Rushden South East site to the SPA – potential for increased recreational pressure within the SPA; and for site to be Functionally Linked Land to the SPA
- Pending suitable/ bespoke mitigation strategy (such as a well-designed SANG) to address the risk from recreational pressure, and adequate winter
bird survey effort on Rushden South East site, Natural England considers that site presents considerably less environmental risk to the SPA when compared to RLW

- Site sits just outside of the 3km buffer zone for recreational pressure (as described within the NNJCS Mitigation Strategy), but mitigation for recreational pressure will still be required
- Need to make balanced decision within HRA as to whether site will contribute to significant additional visits to the SPA in the absence of alternative recreation option – risk to SPA from recreational pressure does not cease beyond 3km
- Support draft policy point (d) – improve connectivity to public rights of way (PRoW) network
- Rushden/ Souldrop corridor – provision of green infrastructure is a potentially appealing solution to address recreational impacts provided that the land area required to accommodate a ~3km dog walk can be provided
- No concerning link between proposed site and the PRoW accessing the SPA.

Officer response

Natural England’s advice is welcome, insofar as this is not raising an objection to land east of the A6 Bypass/ Bedford Road. It provides useful information for the Council and promoters in setting out what is needed to satisfy Natural England for the purposes of HRA/ Appropriate Assessment.

This feedback also provides clear direction that the allocation of this site for 450 dwellings would represent a viable alternative/ replacement for Rushden Lakes West, in accordance with Natural England’s requirements.

Proposed changes

None

Northamptonshire County Council (Development Management)

- Noted there is therefore a shortfall in excess of 600 dwellings across the two areas (Rushden and Irthlingborough) – concerns re impact on existing infrastructure and ability of site to be sustainable
- 450 dwellings would be expected to generate in the region of c.145 Early Years, c.145 Primary and c.110 Secondary & Sixth-form pupils – off-site infrastructure will be expected to accommodate the pupil yields – existing/ project capacity extremely limited
- No Early Years, Primary or Secondary Education provision considered to be within safe walking distance of the development – therefore necessary to
travel by car and/or bus – conflict with NCC objectives to reduce reliance on vehicular travel

- Schools closest to the development are situated in constrained, residential areas with limited scope for additional capacity
- Lack of safe, walkable access to any suitable Education provision in the area, and lack of capacity within local schools
- Any such development if approved would be required to mitigate its impact on existing infrastructure through provision of Section 106 developer contributions (in accordance with Planning Obligations Framework and Strategy)
- Developer contributions will continue to be required in order to retrospectively contribute to the provision of necessary infrastructure, supporting the forward-funding of infrastructure through repayment at a later date as development progresses – libraries; fire and rescue;
- Broadband – 40% full fibre connectivity across the county by December 2023 – important that new developments (both housing and commercial) are served by high quality full fibre networks

Officer response

The Council will work to maintain continuous engagement with the County Council (Development Management) to coordinate delivery of infrastructure to support the proposals. Delivery will be informed by the latest evidence base, as/when this is available.

Proposed changes

None

Northamptonshire County Council (Highway Authority)

No in-principle objection to proposed site:

- Signal toucan crossing would be essential across the A6 Bypass in order to connect the site for non-motorised users – need Road Safety Audit, before access layout agreed
- Existing cycle route on Bedford Road – looking for improvements by the development including some widening where possible
- High grade 6.5m wide loop road layout would be required for a bus to be able to turn around to serve site

Officer response
The Council will work to maintain continuous engagement with the Highway Authority to coordinate delivery of transport infrastructure to support the proposals. Delivery will be informed by the latest advice from the Highway Authority.

Proposed changes
None

North Northamptonshire Joint Planning and Delivery Unit (NNJPDU)

- JPDU supports principle of allocating additional sites to assist in maintaining a deliverable supply of housing sites to meet JCS housing requirements
- Identification of additional housing at the Growth Town of Rushden is considered to be consistent with the spatial strategy of the JCS set out in Policy 11
- Site assessment – criteria are consistent with those used in assessing strategic sites for JCS and are helpful in assessing whether proposed allocation complies with a number of JCS policies
- key issue to address – impact of development on a protected species or on a site recognised for its wildlife or geological importance (JCS Policy 4) due its proximity to SPA
- Supports part d of draft policy which seeks to maximise opportunities to improve connectivity to, and enhance quality of, rights of way network in particular providing pedestrian and cycle connections to surrounding urban area/ adjacent sports and recreational facilities

Officer response

In accordance with the Duty to Cooperate, the Council will work to maintain continuous engagement with partner local authorities to manage the delivery of development with cross-boundary implications, at a strategic level.

Proposed changes
None

Anglian Water

- Site together with Rushden East SUE would be expected to drain to Broadholme Water Recycling Centre (WRC)
• Not sufficient headroom available at Broadholme WRC to serve all of the housing anticipated to come forward within this catchment including this site together with Rushden East SUE

• Consider impact on Broadholme Water Recycling Centre and the timing of any proposed investment by Anglian Water

• No reference to Sustainable Drainage Systems which are intended to be designed from the outset as part of new developments – additional reference within policy proposed

Officer response

The Council will work to maintain continuous engagement with utilities companies/ infrastructure providers (amongst other key stakeholders) to coordinate infrastructure delivery.

Development will be assessed in accordance with all relevant policies within the Plan, including the need to incorporate sustainable drainage system (SUDs) so it is not necessary to repeat this within site specific policies.

Proposed changes

The requirement to address SUDs will be made clear by incorporating reference to it within the revised policy requirements.

East Rushden Residents Association

• Core concern – focus on cohesive Rushden town development where core objective is delivery of an enhanced integrated Rushden Town on completion of the town expansion – with fair access to all services and facilities

• Concerns that A6 will become the centre road for future Rushden, causing the town to be segmented into distinct sections

• A6 bypass – No mention of extension to make a dual carriage way of A6 to the Bedford Rd roundabout

• Impact on town centre needs to be considered as currently parking difficulties are current issues

• Town centre safety in people around, lighting and crossing the A6 – cycle routes need to be direct route so children are not tempted to take risks on crossing A6

Officer response:

The proposed allocation of additional housing land has arisen due to ongoing uncertainties around the timing of delivery for the Rushden East and
Irthlingborough West sustainable urban extensions. Analysis of the overall impacts of these additional proposals is covered either by the relevant policy criteria and/or other Plan policies. These will be addressed at the development management stage by way of engagement with key stakeholders; e.g. Highway Authority, Natural England, Environmental Protection officers.

Proposed changes

None

Individuals – representations

Objections to Land east of the A6 Bypass, Bedford Road, to the south east of Rushden, raised the following concerns:

- Increasing urbanisation/ loss of character, countryside and green space
- Impact on wildlife – red kites, hedgehogs, newts
- Infrastructure capacity – lack of social/ community infrastructure
- Additional traffic/ gridlock – 200-400 additional car movements
- Cumulative impact of additional development upon A6
- A6 junctions – Avenue Road, Souldrop Road, Wymington Lane junctions; potential use of Newton Road as a “rat run”
- Noise/ pollution/ traffic management, especially at construction phase
- Increased carbon emissions

Officer response:

The proposed allocation of additional housing land has arisen due to ongoing uncertainties around the timing of delivery for the Rushden East and Irthlingborough West sustainable urban extensions. Matters of environmental impact; noise, pollution, traffic and wildlife are covered either by the relevant policy criteria and/or other Plan policies. These will be addressed at the development management stage by way of engagement with key stakeholders; e.g. Highway Authority, Natural England, Environmental Protection officers.

Proposed changes

None

Promoters of alternative sites – 3 representations
Vistry Homes Ltd (Bidwells)

Alternative site proposal: Land off Chelveston Road, Raunds, Northamptonshire

- Objection to proposal to allocate Land East of the A6 at Rushden to meet the shortfall of housing established through the delay in delivery of strategic sites:
- No policy basis for the Council continuing to restrict consideration of sites only to Rushden
- Allocating a single, strategic site to address the current shortfall in housing land will not help to fully address the Council’s existing and worsening shortfall in deliverable housing land
- Allocation of further large/strategic scale growth at Rushden runs risk of compromising delivery of existing planned growth in the area, particularly Rushden East SUE
- Approach which disperses growth to the Market Towns, including Raunds, would be more effective in addressing the housing land supply issues faced in the area.
- North Northants Joint Core Strategy (JCS) will be more than five years old by time Local Plan Part 2 is adopted – given failure to deliver on strategic sites and emergence of shortfall in deliverable housing land supply is likely to render the JCS out of date
- Prudent for Local Plan Part 2 to have regard to the Local Housing Need (LHN) Standard Methodology figure (current and emerging), against which housing land supply will be measured, to avoid exacerbating housing land supply issue.
- Site identified for allocation is in an area the Council have previously assessed as not being suitable for development

Gladman Developments Ltd

Alternative site proposal: Land at Slater’s Lodge, Newton Road (north of proposed Rushden East SUE)

- Following up previous representation (March 2020) re Rushden East Masterplan Framework Document (MFD)
Both Rushden Lakes West and Land east of A6/ Bedford Road could be considered new strategic directions/ strategic scale developments, so should form part of wider Joint Core Strategy review

Should be working to maximise delivery potential of most sustainable growth location (i.e. Rushden East)

Society of Merchant Venturers (Savills)

Alternative site proposal: Springfield Farm, Oundle Road, Thrapston

Follow up to representation, on behalf of the SMV, on Focussed Consultation that took place between February to March 2020 with regards to potential additional allocation site at Rushden Lakes West for up to 450 dwellings

In accordance with NPPF paragraph 49, Council should be seeking to “boost significantly the supply of housing” – housing requirements are not a cap on development

Proposed Standard Methodology 2 for assessing local housing need (MHCLG), calculates the housing need for East Northamptonshire District as 821 dwellings per year – significant increase in housing need

Slow delivery of major strategic developments – proposed additional allocation in Rushden for 450 houses may well not be sufficient to overcome these issues

Site will also help balance direction of housing growth within District rather than concentrating in southern sub area – away from major strategic developments proposed at Rushden East and Irthlingborough West

Council must be mindful that there may be better performing sites in other parts of the district, such as Thrapston

In first instance ENC should identify further site allocations in order to increase dwelling provision overall – at very least Springfield Farm should be identified as a reserve site

Officer response

The consultation provided a further opportunity for the promoters to put forward alternative site specific proposals to the new proposed South East Rushden (Land east of A6 Bypass/ Bedford Road) allocation. Three sites have been put forward, at Raunds, north of the Rushden East SUE and at Thrapston.

Sites have been considered in accordance with the requirements of the adopted spatial development strategy (JCS policies 11 and 29) as a key determinant in conjunction with the merits of individual sites. The need for additional land is to fulfil housing shortfall at Rushden and Irthlingborough; therefore in order to accord with the spatial development strategy, sites at Rushden (Growth Town) should be considered first, followed by
Ithlingborough (given that this town has a current shortfall in supply). Sites at Raunds and Thrapston, while these may be potentially deliverable, are not considered to be appropriate if the spatial development strategy is appropriately applied.

Gladman's proposals (expansion of the Rushden East SUE) to accommodate land at Slater's Lodge were considered in the September 2020 site assessment. These are not considered to provide a sustainable approach to development at this point in time as the site is not well connected to the town centre of Higham and Rushden. Further, development would rely upon the provision of significant infrastructure and development associated with the Rushden East SUE before the site could realistically come forward.

Proposed changes

None
Appendix 2 – Rushden East SUE Masterplan Framework Document consultation:

Representations received during additional sites consultation, 5th October – 16th November 2020

Supporting Representations
Representations in support of the proposals, or offering no objection/ comments were submitted by the following:

- Grafton Underwood Parish Council
- Thrapston Town Council
- Huntingdonshire District Council
- Elton Parish Council
- Gretton Parish Council
- East Rushden Residents Association
- Irlhlingborough Town Council
- Environment Agency
- Sport England
- Cadent
- BPA – Total Fina Pipeline
- CLH Pipeline System
- National Grid
- Natural England
- NNJPDU
- Northamptonshire Police

Individuals – representations

- Most of us attended the developer consultation exercise earlier this year and they were unable to answer some of the most basic questions.
- The residents here have seen no notice of a formal application for planning permission for the proposal
- Previous comments from the consultation in March 2020 for the Rushden East SUE should be taken in account.
- Despite comments made by the Inspector for the Core Strategy that the detailed concerns of the Town Council need to be considered as part of the masterplan process, the Council do not feel that enough credence has been given to these concerns.
- There are currently, 5 dwellings in Alexandra Road which are not included on the Masterplan Framework Document – this is unacceptable.
The proposed ‘Green Corridor’ runs directly through houses in Alexandra Road.
There is concern that this will become a ‘rat run’ for crime, criminals will able to access on motorbikes
How will current residents access their properties?
Will Alexandra Road be adopted and improved for existing residents?
When will the plan for the Grey Land be available?

Officer response

Whilst these representations in part refer back to historic consultations/exhibitions held, they also comment on the content of the current consultation. The detailed issues raised will be considered in advance of the formal approval of the MFD.

Proposed changes

None

Higham Ferrers Town Council

- Higham Ferrers Town Council have been consistent in their views on the extent of the boundaries for Rushden East right from initial consultations as part of the development of the Core Strategy. Their view has always been that the development should be focussed towards the south and have objected to any of the boundaries extending towards Chelveston Road. The Core Strategy includes an indicative area of search and the proposed boundaries extend outside of this area.
- The proposed connectivity between Rushden East and the existing town areas of Rushden and Higham Ferrers is inadequate. A SUE should promote sustainable travel. The maps in the MFD pages 6/7 and 30 do not identify any links into Higham Ferrers.
- The MFD is missing crucial detail of the links to the existing greenway in Higham Ferrers and Rushden.
- There is a concern over the deliverability of the ‘super crossings’. No evidence has been put forward for how these will be delivered. No information is provided on how the A6 is to be treated as part of the SUE development.
- No evidence base has been included within this consultation regarding traffic modelling and impact of traffic flow on surrounding roads.
- The majority of the employment land for the SUE has been placed within the Higham Ferrers administrative area, however, the Town Council have seen no evidence as to the reasoning behind this decision. Whilst not available as a
part of the public consultation, ENC have provided a report carried out on behalf of the consortium titled ‘Rushden East SUE Employment Mix Review’ (Stantec, January 2020). This appears to be the only evidence paper to suggest why the consortium is proposing this level of employment land.

- Higham Ferrers Town Council strongly disagrees with the proposed placement of the cemetery. The proposed location at the southern end of the SUE area means that many Higham Ferrers residents will not want to use these spaces. Higham Ferrers residents want to be buried within the area they lived, not at the opposite end of a neighbouring town.
- It is noted that no allotment space is provided within the Higham Ferrers area. Higham Ferrers Town Council would be happy to run any allotment space if it is placed within their administrative area. The town currently has no allotments and the Council have a waiting list for interested parties.
- The current proposals in locating school provision to the south of the SUE does not make for sustainable travel such as walking/cycling as easy as it should be for residents of Higham Ferrers.
- Higham Ferrers Town Council supports the creation of an access into Rushden East via Hayden Road/Alexander Road. This is an essential location for a crossing point, being at the centre of the SUE development and helping to open up the Alexander Road area for new development in conjunction with the SUE.

Officer response

Much of this representation relates to the detailed content of the MFD. Many of the responses made in this respect from its previous consultation are currently under consideration as the MFD evolves, which will ensure compliance with both the strategic Joint Core Strategy Policy 33 and the additional guidance provided through the Local Plan policy.

However, this representation raises some issues which require addressing here and the bullet points summarised above are responded to as follows:

- The definition of the site boundaries has evolved over time and is set out in the MFD in line with the strategic guidance set out in Policy 33 of the Joint Core strategy and para 10.20 of that document, which refers to a broad area of search and that detailed boundaries will be determined through a master planning process.
- Connectivity is a key issue for the MFD to consider and the connectivity opportunities between both Higham and Rushden are still being explored. For example the Council is seeking to advise future funding opportunities through a bid to Homes England to explore the feasibility
of providing additional overbridge crossings, both in terms of potential locations and deliverability.

- The request for links to the existing Greenway is acknowledged and will be considered as part of the ongoing connectivity opportunities.

- Pages 31-36 of the MFD provide guidance and key principles in relation to the A6 and the potential crossing arrangements. The details of such crossing are however still under consideration following discussions with the local highway authority.

- The principle of Rushden East has been agreed through the Joint Core Strategy and the evidence base produced to support the proposal of the Rushden East SUE. Further traffic assessments supporting the proposal will be supported through the planning application.

- The employment provision has been informed through previous employment studies that have contributed to emerging Masterplans and the current MFD, the Council is currently updating this work to inform the appropriate mix as set out in the strategic policy. The SUE is a strategic development and is not specifically informed by the parish areas of Higham and Rushden. The location of the employment provision in the northern part of the SUE allows greater connectivity to the strategic road network.

- The requirements for a cemetery are set out in para 2.2.29 of the MFD as a single site. As indicated above the SUE provides a strategic, comprehensive approach to meeting future needs around housing, employment and infrastructure/facilities including green infrastructure and allotments.

- In relation to school provision within the MFD, again the development proposed is one of a strategic nature. The layout and context of the MFD’s parameters are essential to ensure good planning. One of the 2 primary schools identified within the MFD serves the northern part of the development proposal. The secondary school serve a much wider catchment area and its location within the SUE is considered appropriate within the overall layout of the development, which will assist the mix of uses within the local centre.

- The proposed access into Rushden East via Hayden Road is addressed in paras 2.3.17-2.3.18 of the MFD as a potential option. However, this is subject to ongoing concerns expressed through the representation submitted by the local highways authority as to the suitability of this junction in relation to traffic flow on the A6. That representation is highlighted within this appendix.

Proposed changes
None in relation to the Local Plan policy and supporting text, although it is recognised that the MFD will consider some of the issues raised in the representation as the document evolves.

ENC: Housing

Under section 2.4.7 (affordable housing) of the MFD there needs to be a mention of how the affordable housing requirement will be informed by the findings of the Rushden East Housing Study (commissioned by East Northants Council and a developer led consortium)

Officer response

This representation is in addition to the previous representation on Rushden East Sustainable Urban Extension (SUE).

Proposed changes

It is suggested that reference is made within the MFD with regard to the findings of the Rushden East Housing Study.

Huntingdonshire District Council

HDC is supportive of the additional policy Rushden East Sustainable Urban Extension to enable the delivery of the site already identified in the Local Plan Part 1 and welcomes the additional policy details proposed within the SUE that the policy and Masterplan Framework Document provide.

In line with comments made in response to the 1st draft Local Plan Part 2 consultation (November 2018/February 2019) HDC supports the Council’s approach to housing distribution and does not consider it to be a barrier to housing delivery within the Huntingdonshire Local Authority Area. HDC would welcome any future opportunities to work with ENC on any cross boundary or strategic issues.

Officer response

This representation is supportive of additional policy details (proposed within the Sustainable Urban Extension) that the policy and Masterplan Framework Document provide. Previous comments made at the earlier consultation are repeated.

Proposed changes
Anglian Water

- Note that it is intended to provide a specific allocation policy in relation to Rushden East site which is identified in the adopted Core Strategy.
- As the Development Plan is expected to be read as a whole, we consider that there is no need to repeat the requirements as set out in the adopted Core Strategy and Anglian Water does not have any comments to make in relation to the proposed policy wording and related supporting text.
- In addition, we note that it is proposed to incorporate the text of the Rusden East Masterplan Framework document as an Appendix to the Part 2 Local Plan as referenced in the new Rushden East policy.
- The previous comments made in respect of the Masterplan Framework Document Anglian Water had previously made comments and would ask that these comments are fully considered when finalising the text to be included in the Part 2 Local Plan.
- We welcome the requirement to demonstrate a commitment to garden city principles particularly resilience in relation to water use, however the earlier parts of the Masterplan do not specifically reference an integrated approach to water management and design including the use of SuDS and water reuse measures.

Officer response

This representation is in addition to the previous comments on Rushden East Sustainable Urban Extension (SUE) and requests that these are taken into account. It is noted that it is proposed to incorporate the text of the Rushden East Masterplan Framework document as an Appendix to the Part 2 Local Plan as referenced in the new Rushden East policy. It is recognising that further work will be required on specific matters to ensure the SUE is deliverable and can effectively mitigate its impact on local infrastructure.

Proposed changes

None

Sport England
- Sport England supports the provision of sports facilities at the site. However, to support the policy reference should be made to use of an up to date Playing Pitch Strategy and Built Facilities Strategy to inform the sports facilities at the site.

Officer response

Sport England supports the provision of sports facilities and highlights the need for the up to date Playing Pitch Strategy and Built Facilities Strategy to inform the sports facilities at the site. It is suggested that this advice should be applied to the Rushden East Masterplan Framework document.

Proposed changes

The MFD should be revised to ensure that the up to date advice has been included.

Gladmans

- It is noted that there are no changes proposed to the previous SUE site boundary within the policy extract or the Draft Masterplan Framework Document from that published at the beginning of 2020. Therefore, our previous consultation response of March 2020 remains relevant in response to this consultation and should be read alongside this submission.
- We naturally remain disappointed that a draft masterplan and local policy is being progressed that seeks to define a boundary for the development that would exclude the Slater’s Lodge Land in its entirety, despite forming an integral part of the broad area that is identified within the NNJCS.
- Gladman uphold the desire to seek a commitment through the wording of planning policies that access can be secured to the Slater’s Lodge Land through the Council’s Masterplan and can be fully integrated within the masterplan proposals.
- We would welcome the opportunity to discuss this issue further with the Council in advance of the progression of the Local Plan Part 2 to the Regulation 19 stage with a view to pro-actively agreeing common ground regarding the way forward for our land interests within the SUE’s broad area.
- The draft policy and supporting text do not include a number of important planning application requirements which represent areas of policy direction that should be included in the policy wording for example phasing, heritage and employment requirements.
- Clarification is sought as to the manner in which the MFD will maximise the employment aspects of the SUE.
Officer response

Previous representation should be read in addition to points noted above and will be considered as the MFD progresses.

In response to the additional issues raised the Council has engaged all stakeholders through previous consultations to ensure representations are invited in respect of the preparation of the MFD. Moving forward the Council will continue to be proactive in publicising and informing progress on the MFD. It will also respond proactively to requests for information.

The detailed planning application requirements are set out in the MFD, they are not required to be repeated in the Local Plan policy or text as this provides a context for the delivery of the SUE. The MFD forms a part of the Local Plan.

It is not the purpose of the Local Plan Policy to provide a commitment to ensure that access can be secured to Slater’s Lodge through the MFD, the allocation of additional strategic land provision is something which will be required to be addressed through a future review of the strategic plan. However, in the interests of good planning practice both the SUE and the MFD should anticipate the potential for future growth and the sustainability and connectivity of the Rushden East development should reflect the possibility of future extensions. This will be reflected by the guidance provided in the MFD.

In respect of maximising the employment aspects of the SUE the Joint Core Strategy Policy 33 requires a mix of employment opportunities. The Council is currently undertaking work to evidence how the detailed mix of employment could be delivered.

Proposed changes

None

Higham Ferrers NP Group (Mr Cheetham)

- Nothing much has changed apart from your procedure; therefore wish to resubmit the previous representation.
- We understood our Neighbourhood Plan would be an important and very relevant planning objective representing the views of the Community up to around 2030. The fact there was no updated Local Plan in existence or Master Plan for the Higham East area of the SUE when our Neighbourhood
Plan was prepared and approved by your Council should assist taking on board at least the Vision and Objectives for our Town and its existing population when preparing your Local Plan Part 2.

Officer response

This representation is in addition to the previous representation on Rushden East Sustainable Urban Extension (SUE). It does not specifically comment on the content of this consultation on the development boundaries for the delivery of the with additional direction to enable the Masterplan Framework Document (MFD) to be incorporated into the Local Plan Part 2 – it is noted that nothing has changed other than a change of procedure.

Proposed changes

None

Northamptonshire County Council Development Management

The County Council welcomes the inclusion of additional site specific detail in the draft Plan with regards to the Rushden East SUE; however it recognises that further work will be required on specific matters to ensure the SUE is deliverable and can effectively mitigate its impact on local infrastructure.

Officer response

This representation is supportive of the inclusion of the MFD, whilst recognising that further work will be required on specific matters to ensure the SUE is deliverable and can effectively mitigate its impact on local infrastructure.

Proposed changes

None

Northamptonshire County Council Highways

‘Super Crossings’ are suggested for the two main roundabouts on the A6. These have not been discussed or agreed with the highway authority and, from the limited information and detail available, would not appear to be appropriate in the locations suggested.
• The Local Highway Authority supports proposals to connect the SUE by sustainable means and highlight that discussions are ongoing with the consortium applicants on design of walking and cycling facilities at the existing A6 roundabouts.

• A6 traffic calming. Concerns remain the A6 is a key strategic route, expected to take increased traffic levels in the future. The potential that the route will need to be dualled in the future is recognised. Significant slowing or deviation of the route would divert existing traffic movements through the town, which would be highly undesirable.

• A6 access to Hayden Road. Concerns are raised that an additional junction introduced on the A6 will lead to substantial delays on the route.

Officer response

This representation is submitted in addition to the previous representation on Rushden East Sustainable Urban Extension (SUE). The comments relate to detailed matters contained in the MFD there are no objections to the policy proposals.

Proposed changes

No changes are required to the policy. However, the representation raises issues that will need to be resolved in advance of the formal approval of the MFD.

Savills (Taylor Wimpey)

This representation raises a number of issues in relation to the consultation process, primarily focussed on the delivery of the SUE and the MFD.

Comments submitted in response to the earlier Masterplan consultation (Feb/March 2020) remain and resubmitted as part of this consultation.

Key issues raised and officer responses are set out below.

Issue

Clarity is requested that the title of the consultation being “additional sites consultation (Rushden)” is not appropriate for the SUE.

Officer response
It is accepted that Rushden East is not viewed as an additional site for consideration. To clarify the Rushden East element of the consultation is to seek agreement on the site boundary and the accompanying MFD, it is not an additional site, the principle for the delivery of Rushden East is set out in the Joint Core Strategy.

Issue

It is unclear from the consultation explanation on the Council's website whether the MFD is part of the consultation.

Officer response

The website has been updated at various points to reflect the latest position. However, it does make clear that the consultation seeks the incorporation of the MFD within the Local Plan and a hyperlink to the MFD is provided both on the website and on the consultation form. Its contents are therefore considered to form part of the consultation. In respect of Rushden East the primary concerns of the draft Plan policy are to set out the boundaries of the SUE and incorporate the MFD within the Local Plan. It is acknowledged that the MFD, although at an advanced state in preparation is still in progress. However, the draft Local Plan policy is focussed on the principle of setting the MFD within that document as it seeks to allocate land (ie by defining the boundaries of the SUE). It is argued that the approval of the precise wording/content of the MFD will continue to evolve in compliance with the principles set out in the Joint Core Strategy Policy 33.

Issue

Figure 1, in the draft Local Plan, which shows an appropriate extent of land for the SUE, is supported. However, a clarification is suggested that this expands upon Figure 23 of the Joint Core Strategy rather than supersedes it.

Officer response

This is accepted and the policy can be amended to reflect this proposal.

Issue

It was the understanding that the MFD was intended to be for supplementary planning guidance only and clarification is sought that there is no conflict between Joint Core Strategy Policy 33 and the draft Local Plan policy.

Officer response
The MFD defines the boundaries for the SUE. The allocation of land for development can only be undertaken through a Development Plan Document. The MFD therefore forms part of the Local Plan and provides additional guidance to amplify the both the strategic and local plan policies. The draft Local Plan policy is considered to support the strategic policy and does not invite conflict.

Issue

Concerns are raised in respect of the last para of the draft policy in respect of delivering the necessary legal agreements. It is requested that the final para be replaced with the following wording:

“The infrastructure requirements for the proposed SUE are to be provided for through planning conditions and/or planning obligations following the principles of fairness and proportionality. To ensure all parts of the SUE make an appropriate contribution towards the SUE infrastructure it is expected that collaboration will be sought as part of S.106 planning obligations.”

Officer response

This proposal is accepted and the policy can be amended to reflect this proposal.

Issue

Clarification is respected in respect of para 9.6 of the supplementary text which appears confusing in that it relates to the potential for additional development in the longer term. This could be misinterpreted as relating to Figure 1 in the Local Plan rather than provide scope for development beyond the land shown in Figure 1.

Officer response

It is accepted that further clarification could be provided in respect of this point. It is therefore considered that the wording “with potential capacity for future additional land in the longer term” be removed. Future development will be a matter for consideration through the revision to the strategic plan. However, in the interests of good planning practice both the SUE and the MFD should anticipate the potential for future growth and the sustainability and connectivity of the Rushden East development should reflect the possibility of future extensions.

Issue
The detailed comments previously submitted in respect of the MFD are resubmitted.

**Officer response**

This is acknowledged. Detailed responses in respect of the MFD from its previous consultation are currently under consideration as the MFD evolves, which will ensure compliance with both the strategic Policy 33 and the additional guidance provided through the Local Plan policy.

**Proposed changes**

Proposed changes to the draft supporting text and policy are as set out above in the officer responses to this representation and shown in Appendix 6.
Technical Advice Note 2: Habitat Regulations Assessment Implications of Rushden Lakes West vs Rushden Southern Option

East Northamptonshire Local Plan

East Northamptonshire District Council

November 2020
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1. Introduction

1.1 AECOM has been appointed by East Northamptonshire District Council to undertake the Habitat Regulations Assessment of the East Northamptonshire Local Plan. Habitats Regulations Assessment is a plan compliance assessment required by the Conservation of Habitats and Species Regulations 2017 (as amended). The ultimate purpose is to ensure that plans and projects will not have an adverse effect on the integrity (the coherence of structure and function) of internationally important wildlife sites: Special Areas of Conservation (designated for habitats and species other than birds), Special Protection Areas (designated for birds) and Ramsar sites (wetlands of international importance).

1.2 A plan cannot legally be adopted if the HRA concludes that it will adversely affect the integrity of any international sites, unless there are no viable alternatives to delivering the objectives of the plan that would cause less harm (such as by selecting alternative sites) and there are imperative reasons of overriding public interest (IROPI) that justify the plan being adopted despite the harm it will cause. Even then, compensation is required to address the harm to the international site. All HRAs must consider the implications of the Local Plan ‘in combination’ (i.e. cumulatively) with other plans and projects that may affect the same international sites.

1.3 Public consultation was undertaken on the Local Plan earlier this year (10 February - 23 March 2020) to consult on the proposal to allocate an additional site of around 450 dwellings to ensure the Council would be able to meet its minimum housing requirements, as set out in the North Northamptonshire Joint Core Strategy (JCS) up to the end of the plan period - 2031.

1.4 As part of the public consultation a representation was submitted by both Natural England (NE) and the local Wildlife Trust objecting to the proposed allocation at Rushden Lakes West in respect of its potential impact on the Upper Nene Gravel Pits Special Protection Area (SPA), a European designation which protects birds. The Council resolved that further assessment work be undertaken to inform the Council’s approach to delivering future housing requirements within the Growth Town of Rushden, to support a pre-submission plan.

1.5 An initial Technical Note was produced in September 2020 to evaluate the relative risks posed to European sites by a range of alternative growth options identified for consideration, in order to inform the ultimate selection of sites. Following the production of that report the Council decided to consult upon a potential alternative to Rushden Lakes West. That alternative is formally named ‘Land to the east of the A6 Bypass, Bedford Road, south east of Rushden’. As shorthand, it is also referred to as ‘South of Newton Road’, ‘Rushden South East’ or the ‘Southern Option’. The latter is the term used in this report.

1.6 Following completion of the consultation on the Southern Option, and the analysis of data provided by the promoters of Rushden Lakes West and the Southern Option in support of their sites, this second Technical Advice Note has been prepared to advise the Council on the technical acceptability of the two options in the opinion of AECOM, the Council’s HRA consultant.

1.7 Note that this document does not present, or constitute, the full Habitat Regulations Assessment of the East Northamptonshire Local Plan.
2. Rushden Lakes West

Urbanisation

2.1 Due to the proximity of this development site to the SPA/Ramsar (nearest built footprint being 300m from the SPA/Ramsar) urbanisation needs consideration. Urbanisation refers to the general effects that arise from increasing amounts of residential and employment development in close proximity to wildlife sites. An increasing urban population within close distance to a site can result in increases in fly-tipping, littering, noise pollution, light pollution, introduction of invasive species and (depending on site vulnerabilities), polluted runoff, fires and cat predation. Many of these impact pathways are directly related to the accessibility of the site to the public and the extent to which the site is hidden from casual scrutiny of anti-social activities. Each potential urbanisation impact is taken in turn below.

Increase in anti-social activities that can cause ecological harm

2.2 These activities are inter-linked to the public accessibility of the site and the extent to which the site is sheltered from scrutiny. Much of the closest parts of the SPA are surrounded by dense tree belts which does provide significant sheltering from scrutiny. At the same time, existing strategic mitigation strategy for the SPA has already led to an increased wardenning presence throughout the SPA to advise visitors of the importance of the SPA and to increase scrutiny of on-site behaviour. Nonetheless, the fact that the nearest area where human activity may be regularly occurring is 150m from the SPA/Ramsar boundary does increase the risk of such ecologically harmful anti-social incidents.

2.3 For example, research in Dorset¹ has indicated that a high proportion of heathland fires appear to be started by children and are more likely to occur outside school time. The study identified a high frequency of wildfires associated with urban areas and were more likely to be reported from SSSIs that had densely developed areas within 500m of their boundaries. This illustrates the potential increase in ecologically damaging incidents in urban areas, although the SPA/Ramsar site does not contain the kind of tinder-dry heath and grassland habitats that make fires a significant concern on urban heathland sites.

Noise pollution

2.4 AECOMs professional experience is that noise impacts are unlikely to arise from noise-generating activities located more than 200m from the qualifying bird species. Research on noise disturbance provides some guidance on whether development sites might require mitigation measures. Studies indicate that noise levels in excess of 84 dB(A) typically elicit a flight response in birds² and the same research recommends that construction noise levels are kept below 70 dB to avoid excessive disturbance of birds³. The noisiest construction activity is generally impact piling, where a hammer is dropped on the pile. This has a typical maximum noise level of 100-110dB at 1m from source. Noise attenuates by 6dB for every doubling of distance, such that impact piling typically results in noise levels below 70 dB at distances of more than 100m from source. Therefore, the 300m separation between construction activity and the SPA/Ramsar should ensure no disturbance arises through this pathway even if undertaken during the core September to March period of relevance to non-breeding birds.

Light pollution

2.5 AECOM experience indicates that light spill from street lighting will not illuminate receptors at distances of 300m or more from source, particularly when thick tree belts lie between the SPA/Ramsar boundary and the development site. While these issues would need to be specifically modelled for any planning application (for example once a lighting layout and luminaire design for the development exists), a 300m separation would likely that light levels at the SPA/Ramsar could be kept to an acceptable level. The same applies to construction lighting, although a detailed Construction Environment Management Plan would need to be produced confirming the lighting required for winter working, as well as any necessary mitigation measures. There are various standard techniques available for minimising light impacts including installing screening and directing lighting away from the SPA.

2.6 The site promoter has already produced a shadow HRA\(^4\) which addresses all the potential impacts of development including during construction and this will need to be expanded upon for any planning application. As part of the initial Shadow HRA, it is identified that the potential adverse effects of light pollution will be avoided through the identification of ‘Dark Areas’, into which no light spill will be permitted. This is an approach that has been used successfully to control light pollution in new developments likely to otherwise affect the South Hams Special Area of Conservation (SAC) in South Devon. Prior to commencement of any development, dark areas are identified on a map and maximum lux levels within these areas are agreed with the local planning authority and Natural England. In the case of the South Hams SAC maximum light levels were set at 0.5 to 1 lux (i.e. no brighter than full moonlight). It is proposed that the boundary of the whole of the Ditchford Nature Reserve be identified as marking the extent of the ‘Dark Area’ at Rushden West (and this could be extended to include part of the SANGS as well if this is thought to be necessary). Planning conditions can then be used to ensure that all lighting design and installation is compliant with the Dark Areas and introduces no artificial light into them.

**Cat predation**

2.7 In their initial response to the consultation on including Rushden Lakes West in the Local Plan the Wildlife Trust raised the issue of cat predation. AECOM does not consider cat predation to be a significant constraint to the achievement of conservation objectives for a site designated for wintering birds, rather than for breeding birds. Cat predation can be a concern where a site is designated for nesting birds, particularly ground nesting birds, due to the fixed location of nests, the vulnerability of eggs and the vulnerability of birds on the nest as individuals or isolated pairs. In contrast, the wintering birds for which this SPA is designated are highly mobile adults and sub-adults (rather than chicks or eggs) that congregate in flocks specifically in order to enhance their predator detection/deterrent abilities.

2.8 The presence of cats in the area seems unlikely to result in significant flushing of flocks (indeed, cats are unlikely to try and attack flocks due to the number of birds present and thus the high risk of detection), or to affect the overall number of birds at the SPA. Moreover, the 300m minimum separation distance would also significantly reduce the potential for cats to enter the SPA/Ramsar in significant numbers. Research by University of Bristol has identified that the average cat roaming distance is 40m-200m from home, while research undertaken by The People and Wildlife Research Group and Royal Holloway University of London indicates that the median maximum distance travelled by a domestic cat in an urban area is 278m. The creation of wet ditches between the development and the SPA/Ramsar would further minimise the risk of cats from the development penetrating the SPA/Ramsar boundary.

2.9 To ensure that the creation of wet ditches between the development and the SPA/Ramsar will not affect water quality within the SPA/Ramsar, A detailed site investigation and groundwater monitoring regime within the sphere of influence of the “wetland barrier feature” along the northern site boundary will be undertaken. Once this model has been produced it will be possible to design an engineered water feature that will not impact upon the existing groundwater regime. At this stage it is envisaged that the waterbody will in any event be a lined (clay) feature, isolated from the water table, which is likely to require a dedicated water feed source, most likely to be a holding tank, which will be provided as part of the wider site SuDS system.

**Summary**

2.10 In summary, it is considered that the urbanisation pressures of delivering a large housing site approximately 300m from the SPA/Ramsar, with potential foci of human activity 150m from the SPA/Ramsar boundary, could be addressed through a combination of partial or total closure of the closest parts of the SPA/Ramsar to public access at least during the winter period, installation of wet ditches (which are proposed by the site promoter), increased visitor management within the SPA/Ramsar (e.g. to address any increase in fly-tipping incidence), the proposed 300m physical separation between the development and the SPA/Ramsar and careful construction practices. However, these are all issues that would not require consideration at all for a site located at a greater distance from the SPA/Ramsar (particularly if located outside easy walking distance i.e. more than 1km from the site). Moreover, until a detailed strategy to address on-site (i.e. within the SPA/Ramsar) human activity is produced, residual uncertainty will remain over the ability of this site to be delivered without an adverse effect on the integrity of the SPA/Ramsar site.

2.11 This is reflected in Natural England’s most recent letter in response to the consultation on the Southern Option\(^5\) in which they state with regard to Rushden Lakes West that ‘We would like to point out that the location of the Rushden South East site immediately escapes the residual issues associated with developing the RLW site which may make it impossible to discount adverse effects within an Appropriate Assessment for that site—even if other matters become resolvable. These residual issues include the risks of general urbanisation and development in such close proximity to the SPA, and the risk that RLW will set a precedent for further development in similarly environmentally sensitive localities across the Nene Valley area’.

Recreational pressure

2.12 The HRA of the Joint Core Strategy established a 3km zone from the Upper Nene Valley Gravel Pits SPA and Ramsar site, within which a net increase in the number of residential dwellings could affect the integrity of the SPA through increased recreational pressure ‘in-combination’, without considering mitigation measures. This was based on the median distance travelled by a visitor from a home postcode to a survey point location within the designated site in a Visitor Access Study\(^6\) undertaken on behalf of the North Northamptonshire Joint Planning Unit by Footprint Ecology. This zone was agreed with Natural England and it is basis for the existing mitigation SPD for the SPA and the associated SPD Addendum. More recent disturbance studies undertaken by Wild Frontier Ecology\(^7\) illustrate the high contribution that walkers and dog walkers make to disturbance events within the SPA. For example, of 189 disturbance events recorded around all lakes at Ditchford, walkers and dog walkers accounted for 68% of disturbance events.

2.13 Rushden Lakes West is well within the 3km zone around the SPA/Ramsar, with the site boundary being 150m from the SPA/Ramsar and the nearest proposed area of housing being 300m from the SPA/Ramsar and thus well within easy walking distance (a five-minute walk is typically defined as 400m).

2.14 The site promoter produced a shadow HRA report\(^8\) to support their allocation in the Local Plan. That report identifies that approximately 330 residents of the development are likely to walk for recreation at least once a week, with more than 100 likely to do so 5 times a week. Given the proximity of the housing to the SPA (within a c. 5-minute walk) and the high profile of that site, it is very likely that these people would include the SPA in their walks. People who visit an SPA once a week or more have a disproportionate recreational pressure effect and a development is likely to have a much greater number of such residents if it is located very close to the SPA. According to the shadow HRA report the worst-case assessment has estimated that the development could result in an additional 3,095 visitor movements a month within the SPA and a worst-case 8% increase in annual visitor numbers. This is a very large increase from a single development and AECOM considers that it is a reasonable prediction. Therefore, when considered alone, the development would have an adverse effect on the integrity of the Upper Nene Valley Gravel Pits SPA/Ramsar site without a robust mitigation strategy.

2.15 Recreational pressure mitigation strategies for European sites (and SSSIs) generally consist of a mixture of Suitable Alternative Natural Greenspace (i.e. large areas of natural informal greenspace with attractive walks for visitors to walk the dog and undertake other casual recreational activities) and/or Strategic Access Management and Monitoring (SAMM) measures. These latter are intended to directly manage visitors within the European site by (for example) dog-on-lead policies, additional wardening, installation of infrastructure such as hides (where relevant) or seasonal footpath closures. The relative balance between SANG and SAMM varies depending on (among other factors) the likelihood that SANG will be effective. For some European sites (e.g. the Solent Coast or Cannock Chase SAC) mitigation is entirely through SAMM as for it was considered that the draw of the sites was such that SANG would likely be ineffective.

2.16 The main purpose of a SANG is for people to visit that site as an alternative to the SPA. When a development site and its SANG are situated very close to an SPA (particularly when that SPA provides unique attractions such as large bodies of open water) there is always a residual risk that people will visit the SANG in addition to the SPA and that further mitigation measures may therefore need to be triggered as the development is built out. This is reflected in the Wildlife Trust response to the Additional Sites Consultation regarding Rushden Lakes West (dated 17\(^{th}\) March 2020) in which it is observed that ‘Whilst

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\(^5\) Letter to East Northamptonshire District Council dated 12/11/20
\(^7\) Upper Nene Valley Gravel Pits Disturbance Study, Wild Frontier Ecology, April 2019
the ongoing monitoring has shown that the wildlife sites show some signs of recovery, data from the visitor counters indicate that the numbers of people visiting the nature reserves is still increasing notwithstanding the introduction of the Rushden Lakes East mitigation, although it is also noted that ‘Whilst many challenges remain, it is apparent from the ecological monitoring that the measures put in place do indicate some recovery from a low point caused by abuse of the adjacent lake complex before LXB became involved’.

2.17 For Upper Nene Valley Gravel Pits SPA/Ramsar it is considered that SANG will have a useful role to play but for any development (such as Rushden Lakes West) located within easy walking distance of the SPA robust access management within the site would be fundamentally important. Since the site is designated for its seasonal wildfowl interest (non-breeding and wintering waterfowl and waders) closing access to the nearest parts of the SPA (lakes L2 and L3) during winter would probably be a highly effective measure.

2.18 The site promoter has produced a detailed recreational pressure mitigation strategy (contained within a shadow HRA report) which consists of SANG, proposals to increase public accessibility of the wider area and enhance visitor management within the SPA. The promoter (The Crown Estate) is in a fairly unique position to come to an agreement with the Wildlife Trust (who manage this part of the SPA) over access management and controls as they are the landowner of this part of the SPA. The developer has also suggested a layout for the development itself that would include wet ditches separating the housing development from the SPA/Ramsar, further restricting direct access by residents.

2.19 As a guide, the standard rate of SANG provision in other parts of the country is 8ha/1000 new population, with a minimum SANG size of c.10ha, so a 10ha SANG may be required for this development assuming approximately 2.4 residents per dwelling. It is noted that the current concept for the SANG is only 6ha in size. Experience elsewhere indicates that to adequately replicate the walking experience of using the SPA the minimum SANG size is 10ha as this is sufficiently large to accommodate a 3km circular walk (this being the typical walk length undertaken by users of the Upper Nene Valley Gravel Pits SPA).

2.20 AECOM considers that there is a reasonable prospect that the impacts of this development on the SPA could be mitigated in the fullness of time, with further work in the lead up to a planning application, such as expansion of the SANG from 6ha to 10ha. This is mainly because the measures being proposed for introduction within the SPA would have a high likelihood of being effective. Based on the applicant’s shadow HRA, these are:

- Permanent or seasonal closure of permissive paths in the most sensitive areas;
- Diversion of existing the Public Right of Way (PROW) and some permissive paths to guide existing access away from sensitive areas (e.g. where there may be grazing cattle or concentrations of wintering birds);
- Installation of locked gates with access into some areas limited to authorised groups/individuals (e.g. the angling club);
- New boundary/stock fencing at appropriate locations around Ditchford Reserve (e.g. to prevent conflict between grazing animals and dogs);
- Screens and viewing points at sensitive locations e.g. along appropriate sections of the northern shore of lake L3.
- Closure of the existing car park on Ditchford Road to unauthorised users

2.21 For example, winter closure of footpaths within the Rushden Lakes part of the SPA would be extremely effective in controlling disturbance in the core season. Some of these measures fall within the broad list identified in the existing mitigation SPD (‘Fencing throughout to keep people on paths, Interpretation, Warden, Re-route footpaths away from sensitive areas, Promote Rushden Hall Park as local off-lead area (e.g. in new home packs’). It is necessary to clarify whether any of these measures are already effectively funded through the SPD Mitigation Strategy. Discussions with East Northamptonshire Council indicate that the following measures currently have funding:

- Screening and fencing at Titchmarsh Nature Reserve;
- Warden presence throughout the SPA;
- Leaflet production and printing to go at key points along the SPA and also handed out at various events;
• Signage for the angling club near Blackthorn Marina; and
• Increasing education and awareness of the importance of the Nene Valley SPA.

2.22 It would therefore appear that the measures proposed by the site promoter go beyond those currently funded for delivery through the strategic mitigation package.

2.23 It is considered possible that the recreational pressure issues posed by the delivery of a large amount of housing 300m from the SPA/Ramsar boundary could be addressed in the fullness of time if the package of measures was sufficiently extensive (particularly seasonal closures of the closest parts of the SPA/Ramsar) and if the proposed SANG could be increased in size. It should be noted, however, that there is no certainty that the proposed SANG could be increased sufficiently. Moreover, such detailed bespoke SPA management measures would not require consideration at all for a site located at a greater distance from the SPA/Ramsar (particularly if located outside easy walking distance i.e. more than 1km from the site). Moreover, until the detailed mitigation strategy is further advanced, residual uncertainty will remain over the ability of this site to be delivered without an adverse effect on the integrity of the SPA/Ramsar site.

Functionally-linked land

2.24 In consultation with Natural England over the Kettering Local Plan Part 2 HRA it was agreed that the document ‘Impact Risk Zones Guidance Summary Sites of Special Scientific Interest Notified for Birds Version 1.1’ (dated March 2019) should be used to define a precautionary distance around with SPA within which functionally-linked land associated with the SPA could be found. Based on that report it was agreed that there is a basis to use a distance of 10km, accepting that this distance is precautionary. This is based on the statements in the report that ‘Golden plover can forage up to 15km from a roost site within a protected site’ but that ‘Developments affecting functionally linked land more than 10km from the site are unlikely to impact significantly on designated populations’ and that a table in the Natural England report indicates that 5km may the most appropriate zone for residential development.

2.25 In determining whether an adverse effect on the integrity of the SPA/Ramsar (its structure and function, and ultimately, its ability to achieve its conservation objectives) it is insufficient simply to confirm whether SPA birds use specific fields; an indication of regularity of use and numbers of birds is also needed to ascertain whether a given land parcel supports a significant proportion of the SPA/Ramsar population on a regular basis. In order to take ‘in combination’ effects (i.e. the cumulative value of many separate land parcels) into account, a field is typically considered to support a significant percentage of an SPA/Ramsar population of non-breeding birds if it regularly supports more than 1% of the SPA population of a given species. The 1% thresholds for the key species are shown in Table 3 below, using the SPA citation as the reference.

Table 1: Threshold for determining whether a given land parcel supports a significant population of SPA/Ramsar birds

<table>
<thead>
<tr>
<th>Common name</th>
<th>Latin name</th>
<th>Maximum count</th>
<th>c1% of SPA/Ramsar population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shoveler</td>
<td>Anas clypeata</td>
<td>178</td>
<td>2</td>
</tr>
<tr>
<td>Wigeon</td>
<td>Anas penelope</td>
<td>5,001</td>
<td>50</td>
</tr>
<tr>
<td>Mallard</td>
<td>Anas platyrhynchos</td>
<td>2,312</td>
<td>23</td>
</tr>
<tr>
<td>Gadwall</td>
<td>Anas strepera</td>
<td>773</td>
<td>8</td>
</tr>
<tr>
<td>Pochard</td>
<td>Aythya ferina</td>
<td>625</td>
<td>6</td>
</tr>
<tr>
<td>Tufted Duck</td>
<td>Aythya fuligula</td>
<td>1,187</td>
<td>119</td>
</tr>
<tr>
<td>Bittern</td>
<td>Botaurus stellaris</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Coot</td>
<td>Fulica atra</td>
<td>2,323</td>
<td>23</td>
</tr>
<tr>
<td>Cormorant</td>
<td>Phalacrocorax carbo</td>
<td>285</td>
<td>3</td>
</tr>
<tr>
<td>Golden Plover</td>
<td>Pluvialis apricaria</td>
<td>5,790</td>
<td>58</td>
</tr>
<tr>
<td>Great Crested Grebe</td>
<td>Podiceps cristatus</td>
<td>288</td>
<td>3</td>
</tr>
<tr>
<td>Northern Lapwing</td>
<td>Vanellus vanellius</td>
<td>3,349</td>
<td>35</td>
</tr>
</tbody>
</table>

2.26 This site lies only a few hundred metres from the SPA. Based on distance alone, it is therefore possible that it could constitute functionally-linked land for the birds of the SPA, particularly golden plover, lapwing

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9 There is an error in the JNCC Natura 2000 Data Sheet which states that the number of Gadwall is only 12. This is incorrect and the actual number is reported correctly in the SPA citation sheet as shown above.
and wigeon. Whether it actually does so is dependent upon factors such as site size, sightlines, habitat suitability and existing disturbance levels. Wintering bird survey data are also of value.

2.27 Based on detailed work undertaken by the site promoter as documented in their Shadow HRA, including wintering bird survey and drawing upon advice from local ornithological experts, there is no reason to conclude that this site constitutes significant functionally-linked land for any SPA/Ramsar birds. The local records centre did not return any data on golden plover. There were records of lapwings, but these were from areas within the local SSSIs from 1982 to 2017 with counts ranging from a single individual to 1,000 individuals. No golden plover or lapwing were recorded within the development site during any of the wintering bird surveys undertaken. The only lapwing observed during the surveys conducted to date were in flight and approximately a kilometre to the north of the development site. A single mallard (foraging in north-east of field) and two mute swans (foraging and loafing in a field) were recorded. However, both of these species were only recorded on the development site in February 2020 in very low numbers. These records indicate that the field is not used regularly by features of the SPA/Ramsar during the winter period. For the purposes of the Shadow HRA the Crown Estate also contacted two local surveyors - Steve Brayshaw and Chris Green - about the use of the development site by the target species. Both confirmed, to their knowledge, that no golden plover, lapwing or wigeon have been recorded on the development site for at least the last 10 years.

2.28 It is therefore concluded that the development of Rushden Lakes West would not have an adverse effect on the integrity of the SPA/Ramsar through loss of functionally-linked habitat.

2.29 There has been some discussion with Natural England regarding consideration of the future potential of an area to be functionally-linked land, as well as the current use. Since the habitat requirements of golden plover and lapwing (the key SPA species likely to use fields outside the SPA boundary during the winter) are not highly specific, almost any large area of pasture or arable land with good sightlines up to 5km from the SPA (and potentially further) could become functionally-linked land in the future; but there is at least as good a chance that it will not do so. It is probable that there are many more suitable fields that don’t serve as functionally-linked land around SPAs than which do. However, it is true that if one is considering future potential, fields very close to the SPA probably do have greater future potential than those further away.
3. Rushden Southern Option

Recreational pressure

3.1 In their letter in response to an earlier Rushden large site alternatives consultation, dated 25/08/20, Natural England stated that ‘all [the alternative large] sites [to Rushden Lakes West] carry a risk of recreational pressure on the SPA beyond that anticipated within the Mitigation Strategy [i.e. when the Mitigation Strategy was prepared]. Therefore, like Rushden East SUE, they will all require bespoke mitigation options to address this in order to achieve sustainable development, which is Habitats Regulations compliant’. Having said that, the letter only singles out the Southern Option ‘This site sits just outside of the 3km Mitigation Strategy buffer zone; therefore, your authority will have to assess whether mitigation options for recreational pressure are required at this site via the HRA process’.

3.2 Natural England’s reasoning was not explained in that letter, but it is presumably linked to the quantum of development proposed on one site (450 dwellings), the fact that, according to Table 3 of the SPD, only 119 dwellings were assumed at Rushden (excluding Rushden East) at the time the SPD was drawn up and the fact that the alternative sites now being considered are intended to make up for a shortfall in delivery at Rushden East. Natural England have since clarified in response to the consultation on the Southern Option\(^\text{10}\) that the reasoning for advising that mitigation is necessary is that ‘honeypot SPA visitor locations such as Rushden Lakes are immediately accessible via road from Rushden South East, and there are limited alternative locations for the (at least 1000) prospective residents for recreation’.

3.3 Paragraph 1.5 of the Mitigation SPD does allow for this approach commenting ‘Due to its size Rushden East will provide its own Suitable Alternative Natural Greenspace (SANG) and is therefore not considered to fall in the remit of this mitigation [SPD]... Other large-scale development [sic], that have the scope to deliver SANGs, are unlikely to be required to meet the standard contribution as a bespoke project level HRA will be required and the mitigation identified in that assessment will need to be delivered’.

3.4 The Southern Option is located 3.3km from the SPA at its closest and nearly 4km away at its most distant. It is thus outside the 3km zone for recreational pressure. Following the Mitigation SPD strictly, this site should not therefore need to deliver mitigation for recreational pressure. However, noting Natural England’s comments, it would be robust and appropriate for mitigation (potentially in the form of a SANG) to be included.

3.5 Based on visitor surveys undertaken at Upper Nene Valley Gravel Pits and elsewhere, residents who live close to an SPA are much more likely to regularly visit the site than those who live more distantly. This is illustrated in Figures 11 and 12 of the Footprint Ecology Visitor Survey for the SPA which show that for the Upper Nene Valley Gravel Pit SPA and other sites there is a rapid drop in visitor rates\(^\text{11}\) with distance from the site, with by far the highest visitor rates being from within 500m. In other words, 450 dwellings located (for example) 400m from the SPA (i.e. a c. 5 minutes’ walk) are likely to exert a considerably greater recreational pressure on the SPA than the same number of dwellings located 3km from the SPA. This is partly because at 3km or greater very few residents are likely to walk to the site (for example Table 22 and Figure 13 of the Footprint Ecology report shows that 25% of people who visit the site on foot live within 500m, with 75% living within 1.5km) and will instead need to make a conscious decision to drive to the site and then find a parking space. At a 3km distance from the SPA there are also other possible locations (either existing or future) that are easier (or at least equally easy) to visit, such as Rushden Hall Park or Rushden East Country Park, particularly if the only purpose (as is the case for many people who visit the SPA) is to walk in a large, open, natural area (with or without a dog).

3.6 The Southern Option site as currently proposed for allocation is 22.6ha in size. At a typical East Northamptonshire housing density of 35 dwellings per hectare 13 hectares of the site would be needed to accommodate 450 dwellings. This would leave just under 10 hectares available to deliver recreationally accessible green infrastructure and the site promoter’s submission to support their allocation has confirmed that approximately 9ha of land would be available for this purpose, concentrated in the north east corner of the site. To maximise the benefit of the open space to minimise potential daily recreational use of the designated site, the GI package would be designed to provide areas of natural green space

\(^{10}\) Letter to East Northamptonshire District Council dated 12/11/20

\(^{11}\) The number of groups from a particular 500m distance band visiting the SPA per day, as a proportion of the number of residential properties within that distance band. It is therefore an indication of the relative number of people from a given distance band who visit the SPA
with species rich grassland, areas of native species woodland / scrub planting and wetland areas. A network of informal footpaths will be provided through the GI. These footpaths will link to existing public rights of way (PROW) surrounding the site and a new northern link will allow access to the GI package provided by the Rushden East SUE.

3.7 Experience elsewhere indicates that 10ha is the typical minimum size for an effective stand-alone SANG, irrespective of the size of the population it intends to serve. However, a smaller area of publicly accessible semi-natural greenspace suitable for dog walkers and casual recreation is acceptable if it can be connected to another SANG or large area of open space. This is relevant for the Southern Option because it is sufficiently close (approximately 500m or a c. 6-minute walk) to the 33ha Rushden East Country Park that a smaller SANG could nonetheless be of disproportionate value by being well connected to that Country Park via an attractive and winter accessible footpath. This would mean for example that the necessary 3km circular walk (this being the typical walk length undertaken by users of the Upper Nene Valley Gravel Pits SPA) could be achieved through the SANG and Country Park combined.

3.8 Therefore, while a definitive conclusion cannot be drawn about this site allocation at the Local Plan stage, there is considered no reason that subject to further work on mitigation design and extent, it would be impossible to deliver this site without adverse recreational pressure effects on the integrity of the SPA/Ramsar site. Moreover, given its distance from the SPA/Ramsar site it is likely to be significantly easier to divert recreational pressure away from the SPA/Ramsar site and into the on-site or adjacent large ecological country parks, which would total 42ha combined, than is the case for Rushden Lakes West.

Functionally-linked land

3.9 The site is a mix of arable and pasture, is quite large and has fairly good sightlines. It is located 3.5km from the SPA/Ramsar at its closest. It is therefore entirely possible that it could constitute functionally-linked habitat for the SPA. A data request to the local Biological Records Centre revealed no evidence that the site supports a significant number of any bird species for which the SPA is designated. However, this could simply indicate that no surveys have been undertaken.

3.10 In order to support the allocation of this site in the Local Plan the site promoter has sought records of wintering birds associated with the SPA (particularly golden plover) from the County Bird Recorder; and the Bedfordshire & Luton Biodiversity Recording & Monitoring Centre. In addition to reviewing desk-based information, an initial phase 1 ecological assessment of the site was completed in September 2020. This assessment reviewed and mapped all habitat types present within the site. As part of the phase 1 habitat assessment, an experienced ornithologist reviewed the suitability of the habitats to provide suitable foraging or loafing areas for the designated species. The Bedfordshire & Luton Biodiversity Recording & Monitoring Centre provided no records of golden plover within the site or the tetrads surrounding the site. The County Recorder identified a single winter record of golden plover in tetrad SP96X which is over 1km to the east of the site.

3.11 Golden plover surveys were commissioned by the North Northamptonshire Joint Planning Unit to support strategic development sites in Rushden. These surveys also included land within 500m of the sites. The 500m buffer zone of the Rushden East SUE included land adjacent to the northern boundary of the Southern Option. The bird survey work completed for the strategic site comprised six survey visits over January – February 2014. These surveys were completed when the designated site was flooded. The surveys only identified golden plover on two survey occasions; once in January and once in February 2014. None were recorded on the open arable land situated immediately north of the Southern Option site. Only 15 golden plovers were recorded in January 2014. In February 2014, 43 golden plovers were recorded. This number of golden plovers does not exceed the 1% threshold of the designated site and as such the land was not identified as providing a significant resource required to maintain the integrity of the designated site.

3.12 In addition, the fields that constitute the Southern Option development site are divided by a line of tall mature trees and are bordered either by trees or hedgerows. The fields are also located on a slight slope which would obstruct the potential sightline of wading species. The existing boundary treatments and the natural sloping of the land is likely affect golden plover sightlines reducing the potential for significant use by golden plover.
3.13 Based on available evidence there is no reason to conclude that the site does constitute significant functionally linked habitat for the SPA/Ramsar. However, this will need to be confirmed by wintering bird surveys. If it is identified that the site does constitute a significant area of functionally linked land (i.e. more than 1% of the SPA/Ramsar population of any designated species on a regular basis) then mitigation will be required. This will most likely take the form of either a) adjusting the layout of the development to preserve the relevant area of functionally-linked land or b) enhancing other areas in the vicinity of the development site to maximise their potential to serve as functionally-linked land. This latter could include amending farming practices (including no shooting within mitigation areas and amending crop types or management regime to control vegetation height), arable reversion and/or supplementary feeding.

3.14 It is not possible to provide a more detailed analysis of functionally-linked land for the Local Plan HRA without the results of specific bird surveys. However, it is considered that allocating a suitable site for development prior to at least one season of wintering bird surveys being completed is legally compliant. Firstly, the law accepts that ecological investigation to support plan development must be tiered, with more detailed investigation undertaken at each subsequent stage:

- The Court of Appeal\(^\text{12}\) has ruled that provided the competent authority is duly satisfied that mitigation can be achieved in practice (in other words that solutions exist that are likely to be effective) this will suffice to enable a conclusion that the proposed development would have no adverse effect.
- The High Court\(^\text{13}\) has ruled that for a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of the Habitats Regulations.'
- Advocate-General Kokott\(^\text{14}\) has commented that 'It would also hardly be proper to require a greater level of detail in preceding plans [than lower tier plans or planning applications] or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure'.

3.15 Secondly, there is a low risk of this site proving undeliverable due to SPA bird issues. The functionally-linked habitats in question are common, widespread and easily recreated (or managed in a more favourable manner), most of the sites are more than 5km from the SPA which reduces the risk they will be significant for golden plover, and the species in question (golden plover and lapwing) do not have highly specific habitat requirements and are sufficiently widespread in their use of this functionally-linked land that development is only likely to affect a small amount of their overall foraging resource.

\(^{12}\) No Adastral New Town Ltd (NANT) v Suffolk Coastal District Council Court of Appeal, 17th February 2015
\(^{13}\) High Court case of R (Devon Wildlife Trust) v Teignbridge District Council, 28 July 2015
4. Conclusion

4.1 On balance, it is considered that allocating the Southern Option (formally known as ‘Land to the east of the A6 Bypass, Bedford Road, south east of Rushden’) poses the lowest risk of ultimately proving difficult or impossible to deliver for the requisite number of dwellings. It is therefore recommended that this is the most appropriate site to allocate in the Local Plan Part 2 to address the needs of Rushden.

4.2 It is possible that the urbanisation and recreational pressure HRA issues posed by Rushden Lakes West may ultimately be addressable, and Local Plan policy could undoubtedly be written to ensure adequate safeguards were in place. However, there are more outstanding issues requiring further work, design and resolution relating to the Rushden Lakes West site than is the case for the Southern Option and that inevitably means that greater uncertainty over deliverability exists for Rushden Lakes West.

4.3 There is also greater certainty with the Southern Option over the effectiveness of the necessary recreational pressure mitigation because it is likely to be significantly easier to divert recreational pressure away from the SPA/Ramsar site and into the on-site or adjacent large ecological country parks, which would total 42ha combined.

4.4 Finally, in the opinion of AECOM it is considered unlikely that Natural England will withdraw their objection to the Rushden Lakes West site even with further work undertaken to address recreational pressure and urbanisation issues. This is because Natural England have clear concerns in principle over development of this site due to the fact that any further loss of greenfield land around the SPA reduces their future options with regard to managing surrounding land to help restore SPA/Ramsar bird populations. It is considered that an ‘in principle’ objection from Natural England to a development site because of potential implications for a European site would carry significant weight with a planning inspector.
Draft Policy: Land east of the A6/Bedford Road, Rushden

Land to the east of the A6/Bedford Road, Rushden, as shown on the policies map and indicated in fig 1 below, is allocated for residential development together with associated supporting infrastructure, which should include a mix of ancillary retail, business and community uses to support the proposal.

A masterplan, to be agreed by the local planning authority, will address all relevant policy requirements. The key principles of the proposed development will deliver the following:

a) Up to 450 dwellings;

b) A housing mix which includes provision for both specialist and older persons housing, and on site affordable housing (meeting the target of 30% of the total number of dwellings provided within a Growth Town);

c) Vehicular access should to be provided directly from the Bedford Road/ A6 Bypass roundabout, with the proposals informed by a Transport Assessment subject to approval by the Highway Authority;

d) To maximise opportunities to improve connectivity to, and enhance the quality of, the public rights of way network; in particular

- providing pedestrian and cycle connections to the surrounding urban area, and to adjacent sports and recreational facilities, such as the relocated Manor Park playing pitches and John White Golf Club (to the south east);

- improving local bus connections within the site;

- delivering enhancements and net biodiversity gain to the Rushden- Souldrop local green infrastructure corridor;

e) Appropriate mitigation measures, to the satisfaction of Natural England, to avoid significant adverse impacts upon the integrity of the Upper Nene Gravel Pits Special Protection Area;

f) High quality landmark features at the main access point, adjacent to the A6 / Bedford Road roundabout; and
g) Appropriate multi functional structural landscaping to service the development, including sustainable drainage systems (SuDS) and suitable bunding along the western boundary.
provide the necessary mitigation for noise and air pollution arising from the A6 Bypass.

h) The development proposal will be expected to be guided by a design code to be agreed with the local planning authority as part of the application process.

Figure 1: Land to East of A6 Bypass, Bedford Road – Site Location Plan
8.0 Housing Delivery

Additional housing requirements – Rushden and Irthlingborough

8.37 The Joint Core Strategy (Policies 11 and 33) emphasises that the focus for this Plan should be to work with key stakeholders to secure the delivery of priority strategic sites, particularly those at Irthlingborough West and Rushden East. The delivery trajectories set out in the Joint Core Strategy (Annex 1) are as follows:

- Irthlingborough West – 700 dwellings, 2019-2030; and
- Rushden East – 1,600 dwellings, 2020-2031.

8.38 The trajectories for the major strategic sites (sustainable urban extensions) have been reviewed yearly, through subsequent Authorities’ Monitoring Reports (AMRs). Since adoption of the Joint Core Strategy (July 2016) the trajectories for Irthlingborough West and Rushden East have been substantially reviewed, in response to the latest deliverability evidence. The 2019 AMR\(^1\), indicates the following:

- Irthlingborough West – 250 dwellings, 2026-2031; and
- Rushden East – 1,200 dwellings, 2022-2031.

8.39 The April 2019 trajectories for the two sustainable urban extensions equate to a combined reduction of 850 dwellings for Irthlingborough and Rushden within the Plan period. Predominantly this is due to development viability affecting housing delivery of these two sites; in particular costs associated with ground stability mitigation for Irthlingborough West arising from the former mine workings. The revised trajectories equate to residual shortfalls of 323 dwellings and 306 dwellings, for Irthlingborough and Rushden respectively.

8.40 The NPPF requires the Council to maintain a rolling supply of specific deliverable sites (paragraph 67). Challenges around development viability impacting on delivering major sustainable urban extensions was the subject of detailed discussion held during the 2015 Examination for the Joint Core Strategy. However, the Inspector concluded that, the overall urban-focused spatial development strategy concentrating “on existing towns and a series of deliverable SUEs represents the most suitable and sustainable strategy for the area over the plan period” (paragraph 91, Joint Core Strategy Inspector’s Report, 22 June 2016).

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\(^1\) Item 10: [https://www.east-northamptonshire.gov.uk/meetings/meeting/1062/planning_policy_committee](https://www.east-northamptonshire.gov.uk/meetings/meeting/1062/planning_policy_committee)
8.41 The Local Plan housing requirements for Irthlingborough and Rushden (Joint Core Strategy Policy 29/ Table 5) represent minimum housing delivery figures and, the Joint Core Strategy (paragraph 9.10) allows for the Local Plan Part 2 to assess higher levels of housing provision at individual settlements, or in locations where this would meet a shortfall in deliverable sites at another settlement within the southern part of the District, which includes Irthlingborough and Rushden. In other words, the Joint Core Strategy allows for the allocation of additional housing land to meet any outstanding residual requirements for Irthlingborough and Rushden (totalling 629 dwellings, as at 1 April 2019).

8.42 The combined shortfall for Irthlingborough and Rushden equates to greater than 500 dwellings, this exceeds the definition of a “strategic” housing requirement, as defined in the Joint Core Strategy (Figure 12: Key Diagram/paragraph 9.14). However, regard should also be given to the housing land supply figures for Higham Ferrers, which currently exceed the Joint Core Strategy requirement by 244 dwellings (principally due to additional brownfield development opportunities within the urban area). If the Higham Ferrers figure is applied to offset the Irthlingborough and Rushden shortfall, this would give a residual requirement for 385 dwellings across the three urban areas.

8.43 The Local Plan Part 2 has considered a number of possible further directions for growth around Irthlingborough and Rushden. The following locations at Irthlingborough and Rushden (lying within the East Northamptonshire area) were assessed:

- North of the A6, Irthlingborough;
- North and East of Crow Hill, Irthlingborough;
- East of Higham Ferrers;
- South East of Rushden; and
- West of Rushden Lakes.

8.44 An assessment of the potential locations was undertaken in autumn 2019. This recommended that a site allocation for mixed use development to the west of Rushden Lakes was the most appropriate option, due its access to services and facilities (e.g. Rushden Lakes, the Greenway and Stanton Cross), and to support the implementation of consented new infrastructure including the Ditchford Lane/ Rushden Lakes link road.

8.45 This site assessment was endorsed by the Planning Policy Committee (17 December 2019). This was followed by a 6-weeks consultation (February – March 2020) proposing the allocation of a new mixed use development of up
to 450 dwellings on land identified at Rushden Lakes West. Due to the proximity of the site to the Upper Nene Valley Gravel Pits SPA/ Ramsar site, the policy proposal highlighted a need for appropriate mitigation measures, to the satisfaction of Natural England, to avoid significant adverse impacts upon the integrity of the adjacent SPA/ Ramsar site. However, in its response to the consultation Natural England submitted a written objection to the proposal. Whilst additional work has been undertaken to provide appropriate mitigation measures (including restricting the site area and reducing its capacity) the objection remains.

8.46 As part of the requirements to address the objection submitted by Natural England’s the Council has undertaken a more detailed assessment of viable alternative site options (previous work was informed by broad site locations) around the designated Growth Town of Rushden.

*Rushden South East: Land east of the A6 / Bedford Road – alternative site specific proposal*

8.47 A site assessment was undertaken (September 2020\(^3\)), to consider alternative site specific proposals to Rushden Lakes West, capable of accommodating up to 450 dwellings. This considered land east of Higham Ferrers (at Slater’s Lodge, a potential northern development phase for Rushden East), and three potential site allocations to the south east of Rushden (south of Newton Road and east of the A6 Bypass).

8.48 This more detailed site assessment process identified land east of the A6 / Bedford Road as a viable alternative to Rushden Lakes West. This site was identified as having a number of positive attributes, namely:

- Opportunities for connectivity to the existing urban area (via Bedford Road / High Street South);
- Single ownership;
- Active promotion by landowner/ partner housebuilder;
- Potential to provide new access from Bedford Road roundabout, with a 40mph limit already in force;
- Deliverable independently of Rushden East sustainable urban extension; and
- No known constraints.

8.49 The Policy (below) sets out the development principles and requirement for the development of; land east to the east of the A6 / Bedford Road.

Draft Policy Rushden East Sustainable Urban Extension

In order to meet the requirements of Policy 33 of the adopted Joint Core Strategy the area shown on the local plan policies map, and defined in figure 1 below, identifies the development boundaries for the delivery of the Rushden East Sustainable Urban Extension (SUE). This constitutes a mixed use development, where land is allocated for up to 2,700 dwellings, a mix of retail, community facilities, employment development and open space, including a two new primary schools, (and land reserved for a secondary school), a town park, allotments, sports facilities, a cemetery, and Suitable Alternative Natural Green Space and associated infrastructure.

Figure 1 expands upon the policy guidance for Rushden East, provided in the Joint Core Strategy and the broad location for the Sustainable Urban Extension (as shown in figure 23 of the Joint Core Strategy).

Policy 33 of the adopted Joint Core Strategy requires a masterplan to be prepared to define the policy expectations for the development of the SUE. The Masterplan Framework Document (MFD) forms part of the Local Plan and it is set out as an appendix to that document.

The MFD provides a spatial development context for the delivery of the site. This is designed to inform future planning applications and proposals for development will be granted planning permission where they are consistent with the relevant policy expectations and guidance set out in the MFD. The MFD accords with the adopted Joint Core Strategy Policy 33 to ensure a comprehensive approach to site delivery.

The SUE will be developed as a sustainable place providing a range of opportunities and services that support meeting local needs on a daily basis. The development proposal will need to ensure it can demonstrate good integration within the wider setting taking into account both the natural and built environment. It will maximise sustainable travel connections so that the proposed development does not become physically or socially segregated from the existing communities and town centres of Rushden and Higham Ferrers.

However, in accordance with the policy objectives for the ‘grey land’, located within the SUE, (as shown in figure 2.1 of the MFD) to deliver a ‘bespoke residential character’, the Council will bring forward detailed design guidance through a Supplementary Planning Document.

Planning permissions must also be linked to any necessary legal agreements for the improvement, provision, management and maintenance of infrastructure, services and facilities, open spaces and other matters necessary to make the development acceptable and which facilitate the comprehensive delivery of development within the SUE in accordance with the MFD.

The infrastructure requirements for the proposed SUE are to be provided for through planning conditions and/or planning obligations following the principles of fairness and proportionality. To ensure all parts of the SUE make an appropriate contribution towards the SUE infrastructure it is expected that collaboration will be sought as part of S.106 planning obligations.
8.0 Delivering Sustainable urban extensions

9.1 The Joint Core Strategy (Annex A), made provision for the delivery of 2,300 dwellings (27% of the total requirement for 8,400 dwellings) at the two Sustainable Urban Extensions (SUEs) within the District during the Plan period. Trajectories for SUEs in subsequent Authorities’ Monitoring Reports (2017, 2018 and 2019) have seen the anticipated delivery at these progressively diminishing; such that as at 1 April 2019 it is currently forecast that just 1,450 dwellings would come forward at the two sites by 2031 (17% of the total requirement). Table xx below provides a comparison between the 2016 (Joint Core Strategy adoption) and 2019 (latest Authorities’ Monitoring Report) positions.

<table>
<thead>
<tr>
<th>Sustainable Urban Extension</th>
<th>Relevant Policy reference</th>
<th>Joint Core Strategy, Annex A (base date, 1 April 2016)</th>
<th>2019 Authorities Monitoring Report (base date, 1 April 2019)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rushden East</td>
<td>JCS Policy 33</td>
<td>1,600</td>
<td>1,200</td>
</tr>
<tr>
<td>Irthlingborough West</td>
<td>JCS Annex A</td>
<td>700</td>
<td>250</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>2,300</strong></td>
<td><strong>1,450</strong></td>
</tr>
</tbody>
</table>

9.2 The effective implementation of the overall spatial strategy, as defined by the Joint Core Strategy, is underpinned by the timely delivery of the SUEs across North Northamptonshire. It was concluded by the Inspector; that the overall urban-focused spatial development strategy concentrating “on existing towns and a series of deliverable SUEs represents the most suitable and sustainable strategy for the area over the plan period” (paragraph 91, Joint Core Strategy Inspector’s Report, 22 June 2016).

9.3 Delivery of the two SUEs (at least, in part) remains important to delivery of the Local Plan as a whole. This section will provide the necessary additional policy direction which, in association with the strategic framework set by the Joint Core Strategy, should allow for the timely implementation of the SUEs.

Rushden East

9.4 The Joint Core Strategy (Policy 33) provides a comprehensive framework for delivering the principal strategic development proposals to the east of
Rushden. This Sustainable Urban Extension is anticipated to be delivered over the duration of the next 20 years. Of this, 1,200 (out of up to 2,700 dwellings) are currently anticipated to come forward by 2031.

9.5 JCS Policy 33 anticipated that the detailed development proposals should be supported by an agreed development masterplan, which would guide the development of Rushden East through the Local Plan Part 2 or a planning application (JCS paragraph 10.31), which ever comes forward first. The draft Masterplan Framework was published for consultation during February/March 2020\(^1\) and it is proposed that this will be incorporated into the Local Plan Part 2 (Appendix xx).

9.6 The JCS does not define a firm development boundary for the Rushden East Sustainable Urban Extension. Instead, it provides an indicative broad location (Figure 23). The Masterplan Framework document, however, defines the extent of the development area. The site allocation has capacity to accommodate at least 2,700 dwellings, with potential capacity for further additional development in the longer term.

9.7 The extent of the gross development area, to be shown on the Policies Map, is defined in Figure 1, above. The extent of the site allocation, as put forward in the Masterplan Framework, has been informed by the 2014 Landscape Assessment and the spatial framework defined by JCS Policy 11; i.e. the need to direct development towards Rushden.

\(^1\)https://www.east-northamptonshire.gov.uk/downloads/file/11671/draft_masterplan_framework_document_-janeary_2020