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Meeting: Planning Policy Executive Advisory Panel
Date: Monday 26th September, 2022
Time: 5.00 pm
Venue: Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

To members of the Planning Policy Executive Advisory Panel

Councillor David Brackenbury (Chair), Councillor Mark Dearing, Councillor Barbara Jenney, Councillor David Jenney, Councillor Anne Lee, Councillor Steven North and Councillor Kevin Thurland

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<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer Wednesday 21 September 2022</p>			

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Planning Policy Executive Advisory Panel

At 5:00pm on Monday 5 September 2022

Held in the Kasen Room, Cedar Drive, Thrapston

Present:

Members

Councillor David Brackenbury (Chair)

Councillor Mark Dearing

Councillor Anne Lee

Councillor Barbara Jenney

Councillor Kevin Thurland

Councillor David Jenney

Officers

George Candler – Executive Director for Place and Economy

Simon Richardson – Interim Planning Policy Lead Manager

Louise Tyers – Senior Democratic Services Officer

9. Apologies for Non-Attendance

Apologies for non-attendance were received from Councillor Steven North.

10. Members' Declarations of Interest

The Chair invited those who wished to do so to declare any interests in respect of items on the agenda.

No declarations were made.

11. Minutes

RESOLVED:

The minutes of the meeting held on 28 June 2022 were approved as a correct record and signed, subject to:

Minute 6 – North Northamptonshire Strategic Plan Issues and Scope Consultation – under heading for Kettering North replace the word “Several” with “A large number of”.

12. Kettering Station Quarter Masterplan

The Interim Planning Policy Lead Manager introduced the report which informed the Panel of the Kettering Station Quarter Masterplan and sought Members endorsement of the Masterplan prior to its consideration by the Executive.

In March 2019, the then Kettering Borough Council, and those partners who made up the Northamptonshire Property Partnership, were successful in

securing £115,000 of capacity funding from One Public Estate Phase 7 to prepare a joint Services and Assets Delivery Plan which would establish detailed options for the delivery of housing sites, commercial floor space and the provision of car parking to serve Kettering railway station. The purpose of the project was to formulate a Station Quarter Delivery Plan which was to design and layout improved access and public realm for a new station forecourt, including a multimodal interchange area and a potential second entrance to the station from the land to the west.

During discussion, the following principal points were noted:

- i. It was noted that the project was not financially viable at the current time, but it was hoped that enough progress could be made ready for when funding was available.
- ii. Members asked how Highways would deal with the increase in traffic through the Masterplan. Officers confirmed that the concept had to be developed further but Highways had looked at its potential and further measured work was needed. It was important to ensure that Highways looked at the junction at the beginning.
- iii. Members welcomed the report as it dealt with a problem which needed to be dealt with. It was acknowledged that there was a lot of work to be done.
- iv. In response to a question as to what was being proposed to enhance Station Road, officers advised that it would be around townscape features such as signage and street furniture.
- v. It was noted that prior to this work being undertaken, the sports club were looking at relocating from their current site and were interested in a piece of land in Hanwood Park. If they did relocate, there could be the potential for further expansion.
- vi. Members requested that an indication of the timescales for each of the phases be presented in due course.
- vii. It was noted that the current costs for the project was around £11m and for future reporting, it would be important to ensure that the costs were updated to consider inflation and other implications.
- viii. Members asked how this project would affect car parking in Kettering town centre. It was confirmed that a Car Parking Strategy would start to be developed later this year.

RESOLVED:

- (i) To note and endorse the content of the report and the Kettering Station Quarter Masterplan prior to its consideration by the Executive

Reason for Recommendation:

To introduce to Members the Kettering Station Quarter Masterplan and agree ways for taking the findings into investment and redevelopment opportunities for the area.

13. Anglian Water Draft Drainage and Wastewater Management Plan

The Interim Planning Policy Lead Manager introduced the report which provided the Panel with an outline of the draft Drainage and Wastewater Management Plan which had been prepared by Anglian Water. The Panel's agreement was sought on the draft responses to a series of questions set through the consultation.

A Drainage and Wastewater Management Plan (DWMP) was a long-term strategic plan that set out how wastewater systems, and the drainage networks that impacted them, could be maintained, extended and improved to make sure that they were robust and resilient to future pressures. It was also used to understand current and future risks to drainage and water quality. The DWMP covered the period 2025-2050, where the impacts from growth and climate change over time would be monitored and predicted. This would ensure that customer needs were met alongside environmental regulations and maintenance of the network.

During discussion, the following principal points were noted:

- i. It was noted that flood investigation reports were required for each flooding incident and Members enquired whether these were up to date following the floods at Christmas 2020. It was confirmed that not all the reports had been completed.
- ii. It was stated that the Council did not have any flood officers and the service was undertaken by West Northamptonshire Council, which was under a lot of pressure. It was accepted that the flood investigation reports were a part of the process but there was also a requirement for action to be taken when needed.
- iii. Members asked whether we knew where all the water recycling plants were, and this would be an area that the Panel may want to have a look at in the future.
- iv. There was a need to be strong with the water companies to try and stop the network from leaking.
- v. It was suggested that the responses to the consultation questions could be made a little bit stronger and officers undertook to do this.

RESOLVED:

- i. To note the contents of the Anglian Water Draft Drainage and Wastewater Management Plan and endorse the Council's response to the consultation.
- ii. That any proposed amendments or additions following the Panel's meeting will be delegated to the Executive Member for Growth and Regeneration, in consultation with the Executive Director for Place and Economy.

Reason for recommendations:

To inform members of the Anglian Water consultation and agree the Council's response.

14. Executive Forward Plan

The Executive Forward Plan for September to December 2022 was noted.

15. Close of Meeting

The Chair thanked Members, officers and the public for their attendance and closed the meeting.

The meeting closed at 6.40pm.

Chair

Date

PLANNING POLICY EXECUTIVE ADVISORY PANEL 26 September 2022

Report Title	Kettering General Hospital Local Development Order
Report Author	Simon Richardson - Interim Planning Policy Lead Manager simon.richardson@northnorthants.gov.uk
Relevant Executive Member	Councillor David Brackenbury – Executive Member for Growth and Regeneration

List of Appendices

Appendix A – Kettering General Hospital LDO

1. Purpose of Report

- 1.1. To update Members of the outcome of the decision on the Kettering General Hospital Local Development Order.

2. Executive Summary

- 2.1 Members will recall that the draft Kettering General Hospital Local Development Order (LDO) was presented to this Panel on two occasions, 24th January 2022 and 28th June 2022. On both occasions Members commented on the content of the LDO and the consultation and the responses received. Officers sought to adopt the issues raised through both EAP meetings, and Members will recall, the comments made through the consultation.
- 2.2 Conscious that the last Panel meeting recommendation included “that any amendments to the draft LDO, prior to its consideration by the Strategic Planning Committee, be made by the Assistant Director of Growth and Regeneration, in consultation with the Chair of the Executive Advisory Panel” then Members aren’t made directly aware of the changes and the decision of the Strategic Planning Committee.
- 2.3 This report confirms that the LDO was made (approved) at Strategic Planning Committee on 22nd August 2022 and provides details of the amendments that resulted from discussions.
- 2.4 To conclude, it is recognised that the contributions made by EAP Members gave a greater depth to the final LDO for recommendation to Strategic Planning Committee. However, the recommendation agreed at the EAP was “that any amendments to the draft LDO, prior to its consideration by the Strategic Planning Committee, be made by the Assistant Director of Growth and

Regeneration, in consultation with the Chair of the Executive Advisory Panel.” It's considered important in this instance to report back to Members on the amendments made, to show how influential their input was on this proposal. Especially given the EAP structure is in its relative infancy at North Northamptonshire Council, and there are numerous other reports likely to be presented to this Panel over the coming months. These will become clearer in the second of the reports to be presented to this EAP today.

3. Recommendations

3.1 That Members note the content of this report.

Reason for Recommendation:

3.2 To ensure Members have knowledge of the content of the Kettering General Hospital Local Development Order, and its outcome when considered at the Council's Strategic Planning Committee.

4. Report Background

4.1 Members will recall that the Draft Kettering General Hospital Local Development Order was presented to this Panel on 24th January 2022, along with proposals for its consultation. At this meeting, Members were informed of plans for the extensive redevelopment of the hospital site, and the challenges likely from delivering on a proposal of this scale, over a period likely to extend to 8-10 years, whilst still maintaining a fully functional hospital service through the period. Members were informed of the benefits to be gained for their delivery of the project by agreeing a Local Development Order for certain types of development in specified locations.

4.2 The principle of the proposed LDO was supported, but there was concern over potential sensitivities with neighbouring residential properties and ensuring green space within the hospital site is protected. It was also commented that the period the LDO should cover should be definitive. As a result, following discussions with the Hospital Trust, the draft LDO was amended so that the green space within the site was clearly marked for protection as a “Green Zone”, and the LDO was identified to be effective for a period of 10 years from the date of approval, or until rescinded by the Council.

4.3 The resultant consultation ran from 8th April to 12th May 2022, from which five responses were received. As a result of the responses, officers proposed a series of amendments to the LDO, for endorsement by the EAP at its meeting on 28th June 2022. The amendments included to conditions and informatives, their introduction being important in ensuring that the detail of the LDO is appropriate, and that stakeholders and residents in the vicinity are comfortable with the parameters in which the LDO is to operate, and that Members retain a degree of direct responsibility for development agreed through the LDO, as well as the more major forms of development, which would still be subject to planning applications in the normal way.

4.4 During discussions, there were concerns raised over how measures could be taken to ensure that the Hospital Trust would work within the framework of the

LDO, and if the parameters of it could be enforced if they weren't adhered to. In addition, it was noted that there weren't conditions covering areas of development expected, including noise and vibration, asbestos and burning on site. In addition, Members raised issues in relation to off-site parking and impact of construction traffic accessing the site. This concern related to impacts within the site, as well as access to the site, highway and junction capacity concerns were raised relating to ensuring town centre traffic is kept moving.

- 4.5 Again, the resolution was that any amendments to the draft LDO, prior to its consideration by the Strategic Planning Committee, be made by the Assistant Director of Growth and Regeneration, in consultation with the Chair of the Executive Advisory Panel. It's considered important that Members are made aware of the outcome of the LDO, how the issues they raised have been addressed, and that there's some recognition for the contribution made through the Executive Advisory Panel. Especially important as the role EAPs make in the Council's decision-making processes continue to bed down, but also whilst reflecting on the items expected to be brought to this meeting in the coming months and years.

Strategic Planning Committee

- 4.6 Members of the Strategic Planning Committee received the LDO with amendments made as a result of the stakeholder and public consultation earlier in the year. In response to discussions at the Planning Policy EAP in June, further amendments were introduced to respond to concerns over environmental, demolition, construction and highways issues. In terms of environmental aspects, they included issues of ensuring energy performance, protecting against hazardous substances at the site, and tree/landscape protection. In relation to highways matters, Members expressed concern that it wasn't yet clear which of the accesses to the hospital would be used by construction traffic. Members also stated that it was essential to keep traffic moving in Rothwell Road and the surrounding routes, including Kettering town centre. There was a need to understand what impact the LDO would have on traffic and traffic management.
- 4.7 As a result, officers further engaged with colleagues from the Local Highways Authority to seek clarity on their views to the highways concerns. They expressed that the core transport issue would be a major consideration through the Phase 1 and 2 redevelopment proposals, and that the impact of development allowed through the LDO would be relatively modest. The impact of temporary structures and small-scale development such as those to be delivered through the LDO would be felt more within the site than impact to any significant degree on the road network beyond the hospital grounds.
- 4.8 Members were also reminded of the hospital's commitment to prepare and deliver on a Travel Plan for Kettering General Hospital. A Transport Assessment will be provided with the Phase 1 and Phase 2 applications for the hospital, and the range of development proposed through the LDO will be accounted for within that submission. In isolation, it was reported that the impacts of traffic provided through the LDO alone is unlikely to be sufficient to impact on the surrounding road network.

- 4.9 In addition, further conversations were held with colleagues from Environmental Protection, Building Control, and the Council's Ecologist. As a result, it was concluded that some of the suggested areas for consideration through conditions were not suitable, in a number of cases as they are addressed through other legislation eg. Building Regulations and Health & Safety at Work Act.
- 4.10 Notwithstanding this, it was agreed to add detail to the conditions contained within the LDO, to ensure that issues relating to transport, the environment, demolition and construction are considered through a Construction Management Plan (CEMP) condition. The condition requires that details of development are forwarded to the Council through a Construction Management Plan (CEMP), to which the Council will be given 28 days to respond, after which the proposal is deemed to be approved. This will provide the surety required that development the subject of the LDO is carried out in an appropriate manner, with only limited loss of flexibility or risk of delay in the Hospital Trust's programme to deliver redevelopment.
- 4.11 A habitats site survey has not been undertaken for the site however, having engaged with the Council's ecologist a criterion was added to the Construction Management Plan condition requiring an assessment by a suitably qualified ecologist be undertaken to report on the potential for protected species or other ecological impacts from development considered through the LDO. The results of an EIA Screening Opinion was also reported, the conclusions of which was that the LDO does not give rise to any significant environmental effects, and therefore no Environmental Statement was required.
- 4.12 Given the public interest and significance of the proposed redevelopment of Kettering General Hospital, at the Chair's discretion, representatives of the Hospital Trust were invited to make a short presentation to Members ahead of the committee meeting to outline the plans for the hospital and answer any questions. The presentation was very informative and well received by Members. The representatives agreed they'd be happy to attend again in the future, if invited. This was thought useful given the numbers of applications likely to pass through this committee over the period of the hospital's redevelopment.
- 4.13 Members agreed for the LDO to be made, with one small point of clarity introduced as a late item. That being the addition of the word surface to make it clear that as indicated below, only surface car parks fall within the remit of the LDO, and decked or multi-storey car parking will still require planning permission - *"The construction of non-adoptable roads, paths and footways, surface car parking areas and associated infrastructure above and below ground within Zones A, B or C will not require a planning application."*
- 4.14 The two Executive Advisory Panel discussions on the LDO were healthy and prompted officers to explore at greater depth the issues being raised. Officers engaged in the discussion and heard the points raised, and in following up, the result has meant the introduction of more elements to the conditions. This it is believed has created a clearer and more robust document, that will ensure use of the LDO will provide benefit to the Hospital Trust, whilst ensuring the Council can carry out its role in managing development proposals to its full capacity.

- 4.15 The LDO has been forwarded to the Secretary of State as required. The Hospital Trust is preparing a draft Construction Management Plan to form the basis for its response to the condition contained within the LDO. The final LDO is attached at Appendix A for Members information, pages 5-7 show the LDO conditions and informative.

5 Implications (including financial implications)

6.1 Resources, Financial & Transformational

- 6.1.1 Resources necessary to cover the costs of preparing and implementing the Local Development Order were covered by the Hospital Trust contributing to meeting the costs through a Planning Performance Agreement with the Council. There will be a subsequent loss of income suffered by the Council through the loss of planning fees. However, there is also a saving in the Council not needing to commit officer time to assessing applications that meet clear criteria considered appropriate for approval. A resource commitment is required in considering the Construction Management Plan, however this is not considered to be of significance.
- 6.1.2 The strong partnership working between the local authority and the Hospital Trust is transformational, helping to smooth the path for the Trust to deliver on a high-quality health facility with limited disruption to its service. It is also helping in building a better understanding and stronger relationship between the two public sector organisations in delivering other goals, including health and fitness and with the economy.

6.2 Legal

- 6.2.1 Paragraph 51 of the National Planning Policy Framework (NPPF) encourages local planning authorities “to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area”.
- 6.2.2 The LDO will be effective for a period of 10 years, or until rescinded by North Northamptonshire Council.

6.3 Relevant Policies and Plans

North Northamptonshire Corporate Plan

- 6.3.1 Key commitment six of the Corporate Plan targets modern public services. It aims to provide efficient, effective and affordable services that make a real difference to all our local communities. The LDO will undoubtedly provide a degree of flexibility to the Hospital Trust in its planned delivery of a high-quality health facility.

Planning Policy

- 6.3.2 Policy 10: Provision of Infrastructure of the North Northamptonshire Joint Core Strategy advocates that development must be supported by the timely delivery of infrastructure, services and facilities. To achieve this, it identifies that local planning authorities will work with developers and infrastructure/service

providers to identify viable solutions to delivering infrastructure. The LDO, and the work that's gone into its preparation is an example of this policy and criteria being implemented.

6.4 Risk

6.4.1 The Council has notified the Secretary of State of its approval, as required. The Secretary of State has the capability of calling in the LDO, however, the risk is considered minimal.

6.4.2 Development at the hospital will be monitored through the Council's continued involvement with its redevelopment. If it is found that inappropriate development has progressed under the LDO, officers will investigate through the Council's normal enforcement procedures, this may mean inviting a planning application to consider an unauthorised development. The Council will work proactively with the Hospital Trust to seek to find a suitable solution.

6.5 Consultation

6.5.1 Consultation was undertaken with stakeholders, statutory agencies and residents/businesses immediately abutting the hospital site. The consultation ran for 4-weeks between 8th April and 12th May 2022 via the Council's website, using e-mails and neighbour notification letters to residents. A public notice was also added to the Kettering Evening Telegraph.

6.6 Consideration by Scrutiny

6.6.1 This report has not been considered by Scrutiny.

6.7 Climate Impact

6.7.1 Climate change is playing a fundamental consideration in the redevelopment of Kettering General Hospital. The LDO has limited powers to tackle climate change but will contribute to support the redevelopment of the hospital, and with it thereby support the hospital's efforts to achieve Net Carbon Zero.

6.8 Equality Implications

6.8.1 An Equalities Screening Assessment has been completed. There are no negative equality impacts identified.

6.9 Community Impact

6.9.1 It is anticipated the LDO will have a limited impact on the community. The LDO will support the redevelopment of the hospital, which will bring with it significant community benefits in terms of health facilities and new job opportunities through growth in facilities.

7 Background Papers

7.1 The Kettering General Hospital website <https://www.kgh.nhs.uk/building-a-better-kgh-271120/>

7.2 Kettering Borough Council's Planning Policy Committee - 11th March 2021

- https://www.kettering.gov.uk/meetings/meeting/1892/planning_policy_committee
- 7.3 North Northamptonshire Planning Policy Executive Advisory Panel – 24th January 2022
<https://northnorthants.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=281>
- 7.4 North Northamptonshire Strategic Planning Committee – 22nd August 2022
<https://northnorthants.moderngov.co.uk/ieListDocuments.aspx?CId=144&MId=821>

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North
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Kettering General Hospital Local Development Order



Introduction

The purpose of the proposed Local Development Order (LDO) is to increase certainty and provide flexibility for the Kettering General Hospital NHS Foundation Trust relating to the proposed major redevelopment of its site at Rothwell Road, Kettering. The intention is that agreement of the LDO will permit development that would be acceptable in planning terms, to simplify the process of granting planning consent where appropriate and accelerate delivery of redevelopment at the site.

As one of the hospitals announced by Government for significant investment, £46m of funding has already been committed to build a new Urgent Care Hub at the hospital site. The Trust has submitted a Strategic Outline Case to secure significant new funding within its Health Infrastructure Plan (HIP2) to deliver phased masterplan proposals across the site. In addition to the £46m Urgent Care Hub, the submission of the HIP2 for £532m could deliver phases one and two of the programme. The ambition is to secure funding of around £765m for further phased development. Such redevelopment will clearly bring significant uplift in the hospital environment, healthcare delivery and the support it can provide to the community.

For further information on the Trust's proposals, please review the following link, (noting that the website text was written in summer 2021).

<https://www.kgh.nhs.uk/building-a-better-kgh-271120/>

Representatives of North Northamptonshire Council and the Hospital Trust have been in discussions to explore innovative ways of approaching what is likely to be a quite lengthy, complex and uncertain planning process to progress such a major redevelopment scheme. Redevelopment will consist of a significant number of individual development activities of different scales, inter-linked and with potential impacts, many of which require planning permission. The result is that managing the whole redevelopment package can bring with it unpredictable challenges, which in turn brings delays to development, and with it extra costs.

Both parties have therefore been selecting the most appropriate planning consent path, in an effort to ensure that the Trust can bring forward a high-quality development with efficiency and certainty, reducing effects on development costs, infrastructure requirements and potential delays. A consent structure has been identified which combines certainty (as far as it is possible to do so), with flexibility that development can proceed in a way that responds to the Trust's healthcare delivery needs. But within a framework that pays regard to the Council's processes, in terms of the appropriate assessment of proposals, and accountability to relevant stakeholders and members of the public.

This Local Development Order (LDO) has been subject to a thorough and transparent consultation with stakeholders and members of the public. All consultation responses were assessed by the Council and changes made to the final draft, with clear reasoning for why changes were made in some instances and why they were not in others. The Council's Planning Policy Executive Advisory Panel has provided governance in helping to shape the LDO, with the Council's Strategic Planning Committee agreeing to make the LDO in August 2022.

Background to the Hospital Site

The site of Kettering General Hospital lies within the town boundary and is accessed via Rothwell Road on its northern boundary, with a mix of residential properties and commercial units beyond. It is bounded by the Midland Mainline railway to the east and residential streets to the south and west. The site is compact, providing very little spare ground for expansion, or the relocation of facilities or activities to move to whilst redevelopment takes place. A small nature conservation park sits towards the south-eastern corner of the site.

Some buildings are linked by corridors and others by open walkways exposed to the elements. The buildings within the site have emerged over an extended period of time, different in character and providing different challenges. There are also several car parks throughout the site, mainly surface level, but also one with a single deck. The site falls significantly from north-west to south-east.

An aerial photograph of the hospital site is provided below:



Kettering General Hospital, Rothwell Road, Kettering

Kettering General Hospital Local Development Order

Paragraph 51 of the National Planning Policy Framework (NPPF) encourages local planning authorities *“to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area”*.

The National Planning Practice Guidance (NPPG) provides further guidance and states that *“Local Development Orders are made by local planning authorities and give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need for developers to make a planning application to a local planning authority. They create certainty and save time and money for those involved in the planning process.”*

Senior officers of the Council and the Hospital Trust agree that an LDO would be an appropriate mechanism to consider in respect of the Trust’s proposals. Agreeing an LDO for the hospital site provides for a proportionate, impact-based approach which allows the delivery of what would be considered non-contentious elements whilst ensuring development not covered by the Order (or relevant permitted development rights) would be governed by the normal planning procedures, requiring the need for the submission of planning applications.

The real purpose of the LDO is to allow the Council to permit certain uses or allow for certain development to be undertaken, to obviate the need for an applicant (in this case the Hospital Trust) to seek planning permission, and thereby streamline the planning process. Typically, such LDOs can be used to facilitate major new redevelopment projects or implement proposals alongside a masterplan, and this is the context for the proposed LDO for the Kettering General Hospital site.

Zones within the Hospital Site

It is recognised that some areas within the hospital boundary, and areas on its edge, are more sensitive than others, in particular those areas on the periphery bounded by residential properties. Consequently, the parameters of the LDO have reflected these sensitivities and the development that is allowed through the LDO.

As such, the hospital site has been identified in three zones (see zone plan at Appendix A):

Zone A – this is the central part of the site measured at (as a minimum) 50m distance from the site boundary.

Zone B – this is an area on the eastern edge of the site which is the focus for the hospital's new energy centre development, and where there are less sensitive receptors (the railway line) beyond the site boundary.

Zone C – this is the remainder of the area of land that forms the 50m buffer to the site boundary, marked at 10m bands.

***Green Zone** - this is the open areas of landscape including the pocket park on the southeast and southern edges of the site. The Green Zone provides a visually important and functional open space area, and it is the Trust's intention to retain its significant role within the context of the wider redevelopment of the site. The proposed LDO does not permit any development in the Green Zone.*

The LDO will itself grant planning permission for the development specified in conjunction with the plan at Appendix A. If the development proposal falls within that described below, and within the zones identified by zones A-C then the specified development would not require a planning application.

Within Zone A -

1. Where proposed buildings, structures and/or plant within this Zone would otherwise require an application for a determination as to whether prior approval for demolition is required, then such submissions would not be required (and prior approval would not be required).
2. Where new buildings, structures and/or plant are proposed within this Zone, then planning applications will not be required for buildings including walkways and covered links that are lower than 20m (excluding plant) from ground level measured at their highest point.

Within Zone B –

1. Where proposed buildings, structures and/or plant within this Zone would otherwise require an application for a determination as to whether prior approval for demolition is required, then such submissions would not be required (and prior approval would not be required).
2. Any new chimney which is lower in height than the existing chimney will not require a planning application.

3. Where new buildings, structures and/or plant are proposed within this Zone, then planning applications will not be required for buildings (excluding plant) including walkways and covered links that are lower than 15m from ground level measured at their highest point.

Within Zone C –

1. Where proposed buildings, structures and/or plant within this Zone would otherwise require an application for a determination as to whether prior approval for demolition is required, then such submissions would not be required (and prior approval would not be required).
2. All proposed buildings within this zone which are 10m or lower (excluding plant) will be permitted without needing a planning application except that no new building or plant will be permitted within 10 metres of the site boundary without the submission of a planning application.

All Zones –

The construction of non-adoptable roads, paths and footways, surface car parking areas and associated infrastructure above and below ground within Zones A, B or C will not require a planning application.

N.B. 1. The LDO will only apply to proposals which are related to the main use of the site as a hospital and related or ancillary uses.

2. Permitted development rights as set out within the General Permitted Development Order will still apply.

3. The LDO will be effective for a period of 10 years from the date of approval, or until rescinded by North Northamptonshire Council. It is planned the LDO will be presented to the Council's Strategic Planning Committee for determination on 22nd August 2022, which would mean it will be active till 21st August 2032.

Conditions –

Standard conditions and an informative required of all development the subject of the Local Development Order are set out below:

LDO1 – Construction Management Plan (CEMP) Condition

Prior to the commencement of development subject to the Local Development Order a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include the following elements:

- a) Demolition/Construction and deliveries shall only be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
- b) Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors. To include a map suitable for printing and being distributed to drivers visiting the site during the works.

- c) Provision should be made for site operatives, visitors and the parking, turning, loading and unloading of construction vehicles within the curtilage of the site and off the public highway.
- d) Measures to control the emission of dust, mud and debris in relation to demolition/construction at the site and surrounding area - road sweeper vehicles will be utilised to ensure the area remains clear of dust and dirt and bowsers may be deployed during significantly dry and windy periods.
- e) A named site-based contact should be available in the event of an immediate concern or emergency enquiry.
- f) Measures to control noise and/or vibration
- g) A scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works, which must not include burning on site.
- h) Measures to protect existing trees from damage during site clearance, demolition and construction phases, in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction'.
- i) An assessment by a suitably qualified ecologist regarding the potential for protected species or other ecological impacts.

The Local Planning Authority will respond to the CEMP within 28 days, after which the contents are considered to be approved. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works.

REASON: Details are required prior to the commencement of development because demolition and construction management occurs early in the construction process and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

LDO2 - Roads and Footpaths Design Condition

Any roads or footpaths within the site intended for use by members of the public will normally be constructed to adoptable standards having regard to the intended nature and volume of use and desirable speed for vehicles.

REASON: In the interests of protecting highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Crime Prevention Design Advice Informative

Northants Police and Northants Fire & Rescue Crime Prevention Design Advisors should be notified by the Council from a crime reduction and fire prevention design perspective having regard to notification by the Trust of development falling within the LDO which raises relevant issues.

Statement of Reasons

The reasons for this Local Development Order are described throughout this report. However, in summary, the following points are of significance:

- the LDO site boundary is the full extent of Kettering General Hospital, as shown in the plan at Appendix A.
- a description of the development allowed by the LDO is contained under the heading *Zones within the Hospital Site* above.
- it can be a mechanism through which less contentious development in defined areas can be managed more effectively.
- it can provide a way for the Council to support delivery of a significant redevelopment package and play an important role in allowing a strategic framework for managing minor or less contentious development proposals.
- it provides certainty to the Hospital Trust in terms of its ability to deliver development at the site for those aspects covered by the LDO, and reduces the risk of delay

What is the timetable for considering the LDO?

Desktop studies	September-December 2021
Presentation to Planning Policy Executive Advisory Panel	24 th January 2022
4-week public consultation	8 th April – 12 th May 2022
Report of representations and amendments to the Planning Policy Executive Advisory Panel	28 th June 2022
Report to Strategic Planning Committee for determination	22 nd August 2022
Notify Secretary of State	23 rd August 2022

For further information, please contact:

Simon Richardson or Richard Marlow

Planning Policy

North Northamptonshire Council

E-mail: planningpolicy@northnorthants.gov.uk

Tel. No: 01536 534316

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Draft

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PLANNING POLICY EXECUTIVE ADVISORY PANEL 26th September 2022

Report Title	Planning Policy Work Programme Update
Report Author	Richard Palmer Planning Policy Manager richard.palmer@northnorthants.gov.uk
Relevant Executive Member	Cllr David Brackenbury - Executive Member for Growth and Regeneration

List of Appendices

Appendix A – Inspector’s Post Hearings Letter

1. Purpose of Report

- 1.1. To provide Members with an update on progress with the key work programme projects being undertaken by the Planning Policy team.

2. Executive Summary

- 2.1 This report informs Members of the progress with current key projects and identifies any issues arising along with progress anticipated for the remainder of the financial year.
- 2.2 This includes projects detailed in the Local Development Scheme, namely, the East Northamptonshire Local Plan Part 2; the Gypsy and Traveller Sites Allocation Policy; and the North Northamptonshire Strategic Plan. Also, the report covers issues including neighbourhood planning, development monitoring, supplementary planning documents, Tresham Garden Village and Kettering Energy Park.

3. Recommendations

- 3.1 It is recommended that Members note the contents of this report and provide comment on the priorities identified for the remainder of the financial year.

Reason for Recommendation

- 3.2 To inform Members of the status of current work projects and progress for the remainder of the financial year.

4. Report Background

- 4.1 A verbal report was last provided to Members on the Planning Policy work programme at the meeting of the Planning Policy Executive Advisory Panel (EAP) on 9th December 2021, together with a report setting out a revised Local Development Scheme, which updated the project timelines for the preparation of documents that comprise the Council's Development Plan.
- 4.2 This report provides a further update and informs Members of progress to date, sets out the immediate work programme in this area, and outlines the progress being made on other areas of work, together with indications of timescales for reporting back to Members on key project milestones.
- 4.3 A large number of projects remain on the current work programme, falling within the main categories of NNC Policy Development; Sovereign Authority Legacy Projects; and Other Policy Projects and Areas of Work. Workstreams completed over the last 10 months include the adoption of the Kettering Part 2 Local Plan, the North Northamptonshire Strategic Plan Issues & Scope consultation, approval of the Ise Valley Strategic Plan, and the Residential Annexes SPD for the former East Northamptonshire area. Progress has also been made in other areas of work not detailed above. Also, it is planned key milestones will be reached with other pieces of work commented upon below.

Part 2 Local Plans

- 4.4 Good progress has been made in respect of the Part 2 Local Plans. Since Vesting Day, the Corby Part 2 Local Plan was adopted in September 2021, and the Kettering Part 2 Local Plan was adopted in December 2021.
- 4.5 The East Northamptonshire Local Plan Part 2 was submitted to the Planning Inspectorate for Examination in March 2021 and hearing sessions took place on the Plan between April and May 2022. Following the completion of the hearing sessions, officers have been working on a series of action points requested by the Inspector, the last tranche of which have recently been submitted to the Inspector for consideration.
- 4.6 The Council has now received a Post Hearings Letter from the Planning Inspector setting out her response to the key issues which arose during the hearing sessions (Appendix A). The purpose of the letter is to make clear how those issues need to be responded to in order to enable the Plan to move forward and address issues of soundness, without which it could not be adopted. Whilst officers are still awaiting a more detailed response on some of the later action points, the letter provides a clear overview of issues along with the Inspector's direction in respect of actions to be taken to ensure the Plan is found sound.
- 4.7 Key issues arising from the Post Hearings letter are set out as follows:
- a) Several amendments are required to the spatial development strategy policies. (These policies have been drafted to define settlement built up areas through a series of criteria, rather than being depicted by a physical line on a map). The amendments are proposed to provide greater clarity

and definition in the application of these policies. Officers have provided a policy redraft to respond to the Inspector's requests;

- b) A number of detailed amendments have been proposed to the economic prosperity policies to address issues of effectiveness and consistency with national policy;
- c) Rushden East Sustainable Urban Extension (SUE). The Masterplan Framework Document (MFD) which accompanied Policy EN33 is considered too detailed for inclusion in the Local Plan. Neither is it considered to provide sufficient flexibility. Policy EN33 is requested to be reviewed, with the key principles from the MFD being set out in the policy itself. More detailed design matters should be retained within the MFD, which should not form part of the Local Plan, but progressed separately, for example as a Supplementary Planning Document. Further, there is no evidence to suggest supporting a blanket restriction of large-scale distribution uses within the Rushden East SUE;
- d) Specialist housing provision. The Inspector has requested further modifications to specific plan policies, for example, relating to the application of wheelchair accessible housing and the marketing of custom build housing;
- e) Further information is required to clarify the extent to which vacant plots on existing sites and planning permissions would meet the pitch requirements for meeting the needs of gypsies and travellers; and
- f) In addition to the above there are various requirements for detailed drafting amendments to specific policies and monitoring indicators to add clarity or delete criterion to ensure policies are considered sound.

4.8 The Inspector has indicated that the above requirements can be addressed through Proposed Modifications to the Plan which, when made, would mean that the plan is likely to be capable of being found legally compliant and sound.

4.9 Once Modifications are agreed with the Inspector, it is proposed these will be reported to the Planning Policy EAP in December, and then subsequently consulted upon early in the new year. Responses to this consultation are then sent to the Inspector for her to consider, before the Inspector's Report is sent to the Council for a fact check and then published. The Inspector's Report and an amended Plan will be presented to this EAP, expect in early Summer 2023, before passing through Executive and full Council for adoption, probably in mid to late Summer. This will then ensure council wide local plan coverage.

Gypsy and Traveller Sites Allocation Policy DPD

4.10 This planning document will identify projected need for gypsy and traveller accommodation and will seek to allocate land to provide sufficient pitch numbers to meet the identified need. To support the preparation of this DPD, procurement is being undertaken to commission specialist consultants to provide an update to the baseline position set out in the Gypsy and Traveller Accommodation Assessment (2019), this will involve detailed interviews with families, which will guide the preparation of a pitch deliverability assessment.

- 4.11 This work will guide the preparation of material to be published as an early engagement consultation. The material will be presented to Members of the Planning Policy EAP in the new year, with a six-week consultation to follow shortly after.

North Northamptonshire Strategic Plan

- 4.12 The review and update of the Joint Core Strategy, through the Strategic Plan, will provide the strategic policy framework for identifying and meeting the future needs of North Northamptonshire up to 2041. The development of this workstream will require further resource, likely to be identified through the restructure of the planning service. This should help in accelerating the Strategic Plan's preparation.
- 4.13 Members of this Executive Advisory Panel considered and provided feedback on the draft Scope and Issues consultation document and the approach to consultation at its meeting on 21st February 2022.
- 4.14 Consultation was undertaken on the Scope and Issues between 28th March and 23rd May 2022. The Sustainability Appraisal Scoping Report was subject to consultation at the same time. A verbal update was provided to the EAP on 28 June 2022, highlighting the key issues arising from the consultation.
- 4.15 This initial consultation produced a significant response, which Officers are reviewing with the intention of reporting back to this EAP on 24 October 2022, to provide a detailed overview of issues and consideration of next steps.
- 4.16 In addition to the above, a Call for Sites consultation took place between 12th January and 25th April 2022, to provide developers and land promoters with the opportunity to submit sites for future consideration through the Plan review and other relevant documents. Again, this consultation received a significant level of response. Officers are currently reviewing the responses received, which will include assessing the issues attributed to each individual submission.
- 4.17 The Local Development Scheme, which provides the project milestones for the Development Plan Documents was last reported to this EAP at its meeting held on 9th December 2021, and subsequently adopted at full Council on 31st March 2022). It indicated that following the early stakeholder engagement, an options consultation was anticipated to be undertaken in November 2022. Given the significant response to the initial consultation exercise, this timescale will be reviewed.
- 4.18 The undertaking of various evidence based technical reports to support the drafting of the Strategic Plan continues to progress. This work includes the Housing & Economic Needs Assessment, Special Protection Area, Retail Capacity and Strategy. Climate change evidence is currently being procured. Officers have also been involved in Sub-Regional studies, including England's Economic Heartland Connectivity Study and the South East Midlands Local Enterprise Partnership (SEMLEP) Logistics Study. It is intended to present a detailed report on the Issues & Scope consultation at the next meeting of the Panel, on 24th October 2022.

Neighbourhood Plans

- 4.19 Neighbourhood Plans continue to be a busy area of policy development activity, with over 40 neighbourhood plans being progressed or made (adopted) within North Northamptonshire to date.
- 4.20 Five Plans have been made since vesting day (1st April 2021) and further plans are moving towards referendum following the receipt of examiner reports. In addition, reviews of made neighbourhood plans are underway in some areas where the original plan is now over 5 years old, for example at Rushden.
- 4.21 Whilst the Council has continued to encourage and support the progress of neighbourhood plans within its administrative area, officer involvement and workload pressures have resulted in the team appointing a Neighbourhood Planning Lead Officer on a six-month contract. This officer is tasked with helping to manage an increased workload in this area, whilst also harmonising the service to ensure a consistent approach across the whole area, through the preparation of a protocol to work from. This piece of work is expected to be ready to present to Members at an EAP meeting before Christmas.

Monitoring

- 4.22 Monitoring is a key area of work that informs a wide range of development plan documents, as well as policy mapping and assessing the performance of plan policies. It is also undertaken to respond to Central Government requirements, such as the production of the Council's Monitoring Report.
- 4.23 The formation of North Northamptonshire Council has brought about new challenges, particularly in respect of harmonising the approach to monitoring across the different IT systems, and collating data alongside the current vacant posts across the team, and GIS capabilities.
- 4.24 To date, the focus of monitoring activity and resource has been provided in respect of progressing housing land availability data across the former Council areas. Current work is progressing well to allow data from the 2021/22 financial year to be completed in the coming weeks which in turn will inform the Council's latest housing land supply position. Elsewhere monitoring has been undertaken in respect of plan policy, retail and employment assessments, though this has not been consistent or comprehensive across the former areas. Officers are considering options to provide a consistent baseline of data across the whole authority area, and are keen to ensure that available data is published within reasonable time of its completion.
- 4.25 More recently, specialised areas of monitoring have been required to address areas such as self and custom build housing and informing the presence of houses in multiple occupation. In addition, the need to provide comprehensive policies maps, illustrating on an Ordnance Survey base map all the policies and proposals contained in development plan documents and saved policies represents a commitment set out in the Local Development Scheme. Officers will report the results of monitoring to Members once available, potentially in early 2023.

Other Areas

- 4.26 In addition to the above priorities there are further areas of the work programme that require progressing, including completing the investigation into Houses in Multiple Occupation (HMOs). The Inspector undertaking the Examination of the East Northamptonshire Local Plan Part 2 has recommended that the Rushden East MFD could also be produced as a Supplementary Planning Document (SPD).
- 4.27 Linked to work on Climate Change and the Net Zero agenda, the policy team has been assisting the promoters for the Kettering Energy Park (located at Burton Wold wind farm) in their work to develop a masterplan for the site, as required by JCS Policy 26 (Renewable and Low Carbon Energy). The promoters are about to launch a consultation website detailing their proposals for the site and invite public comment to these with a view to making masterplan amendments as necessary. Once finalised the intention is that the promoters will seek agreement for a formal consultation on a revised version for, likely to be in early 2023, and which will inform the submission of a planning application. The promoters wish to attend this Panel on 24th October 2022 to inform Members of the progress made to date.
- 4.28 Tresham Garden Village has seen limited progress made over the last 18 months however, the proposal remains a key development proposal, something the Council is keen to advance after it was identified as an area of opportunity as a new village through Policy 14 of the Joint Core Strategy, to create a model of sustainable rural living with exemplary standards of design using carbon neutral standards. The Council commissioned consultants to provide advice to help determine how it could be involved in unlocking this development. This is expected to be available in the next couple of months, it is intended that this be reported to the EAP to guide the Council's next actions on this development proposal. In the meantime, a site visit for Members of the EAP is being arranged for early November.
- 4.29 There's a busy schedule of meetings and topic matters coming up over the next few months. This provides challenges for the team, and means prioritising projects at times however, progress is being made, and timescales should become more achievable once the service's restructure is further evolved and the recruitment of new staff is complete. Some of the reports may be quite extensive, officers will seek to ensure Members are given sufficient time to properly absorb the contents of all reports and supporting papers.

5. Issues and Choices

- 5.1 This report is set out for information purposes, to update and inform Members of the Executive Advisory Panel of progress and issues arising from the main workstreams. Progress is being made in the various projects referenced above, and others not mentioned plus other general day to day tasks normally expected of the Planning Policy team.

6. Implications (including financial implications)

6.1 Resources and Financial

6.1.1 The costs associated with progressing each of the items detailed in the work programme will be met through existing budgets. Also, the cost of delivering against the agreed work programme will continue to be forecast for future years. The Planning Policy team is currently carrying a number of vacancies, which is challenging when seeking to meet agreed timescale. However, exploring innovative ways of delivering the service will continue, including seeking to make efficiencies, develop income and savings. Restructure of the service, and recruitment to fill vacant posts will in time help to ensure progress continues to be made in a timely manner.

6.2 Legal

6.2.1 The production of Development Plan Documents is required to comply with legal and regulatory legislation as set out in relevant planning legislation, for example the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country (Local Planning) (England) Regulations 2012 in relation to Development Plan Documents. All other workstreams will meet their own legislative requirements and follow the Council's Constitution and Statement of Community Involvement.

6.3 Risk

6.3.1 The risks to the work programme vary in relation to individual projects, for example in respect of the East Northamptonshire Part 2 Local Plan the failure to make the Proposed Modifications required to ensure the plan is found legally compliant and sound and the risk of any challenge arising from responses to the Proposed Modification consultation are highlighted.

6.3.2 Additional risks associated with the work programme relate to the level of resources to be made available both in relation to staff and finances to enable the timely delivery of projects. In respect of staffing resource, the policy team now carries a number of vacant posts which is currently impacting on delivery timescales set out in the Local Development Scheme and the capacity to provide comprehensive data monitoring to support policy development.

6.4 Consultation

6.4.1 All projects will be subject to public consultation, where relevant, in line with legislative requirements and the Council's approved Statement of Community Involvement.

6.5 Consideration by Scrutiny

6.5.1 None at this time.

6.6 Climate Impact

- 6.6.1 Development Plan Documents include policies designed to secure the development and use of land contribute to the mitigation of and adaptation to climate change. Policies are also subject to sustainability appraisal.

6.7 Community Impact

- 6.7.1 There are wide ranging beneficiaries from the progression of the work programme projects including residents, businesses, visitors and service providers across the North Northamptonshire administrative area. The Development Plan Documents will help provide for many aspects including future housing, employment, recreation and leisure needs. In addition, other workstreams are supporting further policy development and delivery for North Northamptonshire

7. Background Papers

- 7.1 North Northamptonshire Council Planning Policy Executive Advisory Panel – 9th December 2021
<https://northnorthants.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=280>
- 7.2 North Northamptonshire Council Planning Policy Executive Advisory Panel – 28th June 2022
<https://northnorthants.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=790>

Examination of the East Northamptonshire Local Plan Part 2

Inspector: Caroline Mulloy BSc (Hons) DipTP MRTPI

Programme Officer: Ian Kemp



Mr Palmer
Planning Policy Manager
Growth and Regeneration
North Northamptonshire Council
Thrapston Office
Cedar Drive
Thrapston
Northamptonshire
NN14 4LZ

10 July 2022

By email via the Programme Officer

Dear Mr Palmer,

Examination of the East Northamptonshire Local Plan Part 2 Next Steps following the Hearing sessions

At the Examination Hearing which closed on 5 May 2022, I discussed a number of issues on which the Council's planning policy team agreed to either clarify and update its evidence or provide draft Main Modifications (MMs) to address matters of soundness. These were set out in an action list that was updated after the close of the Hearing. Proposed MMs were also set out in the Statements of Common Ground (SoCG) with Natural England and Historic England. The proposed MMs set out in the SoCG with Natural England (Exam-13) are necessary to ensure that the requirements of the Habitat Regulations¹ are met.

The Council has now submitted most of the documents and a draft schedule of MMs for which I am grateful. Please note that I am still awaiting the following outstanding information which was requested at/following the Hearing sessions:

- Revised Spatial Strategy policies taking account of my recent comments.
- Graphical representation of the Housing Trajectory.
- Information regarding the extent to which vacant plots on existing Gypsy and Traveller sites can accommodate the outstanding requirement.

This information is required to be submitted by 12 August 2022.

As indicated at the close of the Hearing, I am now writing to set out the next steps for the Examination. My comments are based on all that I have read, heard and seen to date. However, I emphasise that the Examination is not yet concluded and consultation on proposed MMs is still to take place. Consequently, the comments set out in this letter are without prejudice to my final conclusions on the Plan and subject to receipt of the outstanding information.

¹ The Conservation of Habitats and Species Regulations 2017

Further main modifications

In addition to the proposed MMs already identified, there are a number of matters, where I consider that further amendments are necessary to ensure a sound plan on adoption. I set these out below and advise that the full reasoning for them will be set out separately in my report.

Spatial Development Strategy (Policies EN1; EN3; EN4; EN5; EN6)

As discussed at the hearing sessions, several amendments are required to the spatial development strategy policies and supporting text in the interests of effectiveness and consistency with national policy. These are set out in the Action Points. I shall continue to liaise with the Council via the Programme Officer regarding the wording of the policies.

Economic Prosperity

A number of amendments are required to the economic prosperity policies as set out in the list of Action Points and the proposed Main Modifications in the interests of effectiveness and consistency with national policy. In addition, criterion d of Policy EN23 should be deleted for reasons which will be set out in my report.

Delivering the Housing Requirement

Housing supply

The Council has provided a list of sites which contribute to each of the sources of supply set out in question 3 of the Matters, Issues and Questions to a base date of 1 April 2020 for which I am grateful. Revised trajectories have also been provided for the Rushden East and other housing sites, reflecting discussions at the hearing sessions. Whilst a housing trajectory has been provided, this will also need to be provided in graphical form for inclusion in the Plan.

Housing Allocations in Oundle (Policies EN24, EN25, EN27)

As discussed at the hearing sessions, a number of amendments are required to the policies in the interests of effectiveness as set out in the Action Points (26-45). In addition, Policy EN24 should be deleted in the interests of effectiveness.

Rushden East Sustainable Urban Extension (SUE) (Policy EN33).

The Masterplan Framework Document (MFD) for the Rushden East SUE is too detailed for inclusion within the Local Plan. In its current form it does not provide sufficient flexibility and could constrain the future development of the site and is not, therefore, effective. Consequently, as discussed at the hearing session and set out in the action points (49-62), the 'blue box' planning/development plan document (DPD) requirements of the MFD should be reviewed with a view to incorporating them within a revised Policy EN33. Policy EN33 would be strengthened by the inclusion of these planning requirements. I have received a first draft of the revised policy and will liaise with the Council via the Programme Officer regarding the detailed wording in due course.

More detailed design matters should be retained within the MFD or potential supplementary planning document (SPD). For the avoidance of doubt, the MFD/SPD would not form part of the Local Plan but should be progressed separately. There is no requirement in the Joint Core Strategy (JCS) for the masterplan to be included within the Local Plan.

Furthermore, there is no evidence before me to support a blanket restriction of large-scale distribution uses within the Rushden East SUE. Neither is there a requirement for a blanket restriction of such uses in the JCS. Consequently, no reference should be made in Policy EN33 to such a restriction. However, in recognition of the potential landscape impacts of such uses generally, Policy EN33 should include a specific criterion which seeks to ensure that appropriate mitigation is incorporated into any proposals for large - scale distribution uses.

Meeting Housing Needs (Policies EN29, EN30, EN31, EN32)

Policy EN29 Delivering wheelchair accessible housing

Additional information has been provided in terms of the proportion of the Council's existing housing stock which is wheelchair accessible. The Council has provided revised wording for Policy EN29 which reflects the distinction between wheelchair accessible and wheelchair adaptable homes. However, further modifications are required to reflect paragraph 009 (Reference ID: 56-009-20150327) of the Planning Practice Guidance which states that Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

Policy EN32 Custom Build Housing

In addition to the proposed modifications set out in the draft schedule, the second sentence of criterion b and criterion b ii of Policy EN32 should refer to a minimum period of 6 months as opposed to 12 months after which the serviced plots may be released for general market housing in the interests of effectiveness.

Gypsies and Travellers

Further information is required to clarify the extent to which vacant plots on existing sites and planning permissions would meet the pitch requirement.

Town Centres (Policies EN21, EN22, EN23; Appendix 4)

A number of changes, set out in the Action List, are required in order for the policies to be effective and consistent with national policy. I will liaise with the Council via the Programme Officer in due course on the precise wording of the policies.

Town Strategies (Policy EN40; EN37)

Policy EN40 Former Rushden and Diamonds FC Stadium site

For reasons which will be set out in my report, Policy EN40 should include an additional criterion requiring that facilities of an equivalent value should be provided to mitigate the loss of the stadium and associated playing fields.

Policy EN37 Rectory Business Centre, Rushden

Criterion e should be deleted as there is no evidence to support the requirement for development contributions for education and training and the mechanism to secure the provision of such contributions is not clear.

Social Capital (Policy EN17)

Policy EN17 should be deleted as the school/site is constructed.

Natural Capital (Policies EN7, EN8, EN9, EN10, EN11)

A number of changes to the policies are required, in particular, to clarify the circumstances in which financial contributions will be sought towards the off-site

provision of open space/green infrastructure and sports provision and how contributions will be calculated, in order to avoid double counting.

Infrastructure and Viability

I note the information provided by the Council in response to my request. However, the information does not adequately explain how the section 106 cost assumptions have been arrived at in paragraph 4.31 of the East Northamptonshire Local Plan Viability Assessment (B-13). A more detailed explanation is required to ensure that the costs are justified and that the Plan is effective.

Monitoring and Implementation

As discussed in the hearing sessions, Table 29 'Performance indicators and targets for monitoring' requires amendment to ensure that the targets are more specific and measurable in the interests of effectiveness.

There are a number of other detailed MMs arising from discussions at the Hearing sessions and set out in the Action Points and I will liaise with the Council on these in due course. The list of Action Points with the latest updates should be added to the Examination website.

Overall, at this stage of the Examination, I consider that, subject to MMs, the Plan is likely to be capable of being found legally compliant and sound. My final conclusions on this and all of the main issues covered in the Matters, Issues and Questions will be set out in my report, which will be published following consultation on the proposed MMs, taking account of any representations on them.

The next step in the Examination is for the Council to prepare a consolidated schedule of all the potential MMs identified prior to, and during, the Hearing sessions, set out in the Statements of Common Ground and as set out in this letter. The Council should also consider the need for any consequential changes that might be required in connection with any potential MMs.

The schedule of MMs should be presented in plan order. The proposed additional modifications (AMs) should be set out in a separate schedule. For clarity and to avoid an excessive number of MMs, it is best to group all the changes to a single policy together as one MM, setting out the full policy with additions shown underlined and deletions shown as ~~struck through~~.

There are a number of proposed MMs which would generate changes to the submitted Policies Map. Additionally, the Council has identified a number of areas where the Policies Map needs to be updated and amended for factual and other reasons. It is important that the Schedule of Proposed Modifications to the Policies Map accompanies the consultation on proposed MMs for transparency.

The proposed Policies Map changes and any AMs being proposed by the Council should be published alongside the MMs for completeness, albeit these are outside the scope of the Examination.

The MMs will need to be the subject of Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA), insofar as this is necessary, to be undertaken by the Council prior to consultation and published alongside the proposed MMs. The updated SA and HRA will need to reflect the two SoCGs with Natural England and Historic England.

With regards to the evidence provided by the Council at my request during and after the Hearing, the consultation should make it clear that interested parties can comment on the documents submitted where this relates to their representation on a proposed MM.

Advice on MMs and SA, including on consultation is provided in the Planning Inspectorate's Procedure Guide for Local Plan Examinations 2021 (in particular, paragraphs 6.1 to 6.12). Amongst other things this states that the scope and length of the consultation should reflect the consultation at the Regulation 19 stage (usually at least 6 weeks). It should be made clear that the consultation is only about the proposed MMs and not about other aspects of the plan and that the MMs are put forward without prejudice to the Inspectors' final conclusions.

I will need to review the schedule provided and may have comments on it. I will also need to agree the final version of the schedule before it is made available for public consultation for a minimum of 6 weeks. The draft SA and HRA should be sent to me for consideration before they are published alongside the proposed MMs.

If, following the MMs consultation, I consider that a further Hearing is necessary to discuss matters raised in representations, I will advise the Council at that stage. However, currently I do not anticipate a further Hearing will be required.

I would be grateful if the Council could publish a copy of this letter on the Examination website as soon as possible after receiving it. However, I need to be clear that I am not inviting or proposing to accept comments on this letter from any Examination participants. The consultation on the proposed MMs will provide the opportunity for any further representations on whether they adequately address any outstanding issues of soundness and legal compliance with the Plan.

I would like to thank the Council for its cooperation during the Hearing sessions and the work to date on the proposed MMs. If you need any clarification on the contents of this letter, please contact me through the Programme Officer.

Yours sincerely,

Caroline Mulloy

Inspector

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North Northamptonshire Council

1 OCTOBER 2022 TO 31 JANUARY 2023

Published by: Democratic Services

Leader of North Northamptonshire Council: Councillor Jason Smithers

INTRODUCTION

This is the North Northamptonshire Council's Forward Plan. It is published pursuant to The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. Its purpose is to provide the required 28 days' notice of the Council's intention to take 'key decisions' and to hold meetings or parts of meetings in private. It gives advance notice of all the "key decisions" and "exempt decisions" which the Executive or another body or officer so authorised are likely to take over a four month period. The Plan is updated on a rolling monthly basis.

The Members of the Executive are:

Councillor Jason Smithers	Leader of North Northamptonshire Council
Councillor Helen Howell	Deputy Leader of North Northamptonshire Council
Councillor Helen Harrison	Sport, Leisure, Culture and Tourism
Councillor Scott Edwards	Adults, Health and Wellbeing
Councillor Harriet Pentland	Children, Families, Education and Skills
Councillor Lloyd Bunday	Climate and Green Environment
Councillor David Brackebury	Finance and Transformation
Councillor Graham Lawman	Growth and Regeneration
Councillor Matt Binley	Highways, Travel and Assets
Councillor David Howes	Housing, Communities and Levelling-Up
	Rural Communities and Localism

The concept of a "key decision" is intended to capture the most important or significant decisions. "Key decisions" will normally be made at meetings open to the press and public. The press and public will only be excluded from such meetings as and when the Council's Monitoring Officer considers that this is necessary in order to avoid the public disclosure of confidential or exempt information.

The authority has decided that a Key Decision is one which is likely:-

- (a) to result in the authority incurring expenditure of which is, or the making of savings which are, significant; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more electoral wards in the area of the authority."

The Council has decided that significant expenditure or savings are those amounting to above £500,000.

In determining the meaning of "significant" for these purposes North Northamptonshire Council will also have regard to any guidance for the time being issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000.

At times it may be necessary for the North Northamptonshire Council to give consideration to items where the public may be excluded from the meeting. Members of the public are excluded from meetings whenever it is likely that, in the view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. This includes exclusion from access to any pertinent documents. Details of the exemption categories can be found in the 'Access to Information Procedure Rules' section in the Council's [Constitution](#). This plan provides advance notice of any items which may be held in private.

Paragraph 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 provides for members of the public to make representations to the Council on why an exempt item should be considered in public, rather than in private. Persons wishing to make such representations and/or obtain further details in respect of any issues referred to in the Plan should contact the undermentioned officer.

The Monitoring Officer may also include in the Forward Plan references to such other decisions, which are to be taken by the Council or any of its Committees or Sub-Committee or officers as they consider appropriate. These will be those decisions that are considered to be significant or sufficiently important and/or sensitive so that it is reasonable for a member of the public to expect it to be recorded and published.

All general questions or queries about the contents of this Forward Plan or about the arrangements for taking key decisions should be raised with David Pope, Democratic Services.

Please email: democraticservices@northnorthants.gov.uk

October 2022

Subject of the Decision:	Purpose of Report	Decision Maker	Is it a key decision?	Will it contain exempt information? /Reasons for exemption, if any	Consultation undertaken	Anticipated Date of Decision:	Report Author
Capital Programme Update	To report any adjustments to the in-year programme	Executive	Yes			13 th October 2022	Executive Director of Finance
Budget Forecast Update	To report any adjustments to the in-year budget	Executive	Yes			13 th October 2022	Executive Director of Finance
Parking Enforcement	To consider options for service delivery resulting from disaggregation	Executive	Yes			13 th October 2022	Executive Director – Place & Economy
Household Support Fund 3 Distribution	To approve the distribution of the third tranche of the Household Support Fund	Executive	Yes			13 th October 2022	Director of Public Health
Flepton Field - Oundle	To consider the ex-school playing field site, confirm it as surplus and grant	Executive	Yes	Yes Paragraph 3	Ward members and applicant	13 th October 2022	Executive Director – Place & Economy

	authorisation to progress the sale as an asset of community value. The process is regulated by statute							
Legal Service Provision	Approve the proposal to cease the current Shareholder Agreement and Collaborative Working Agreement with Pathfinder Ltd. and bring the upper tier legal provision in-house	Executive	Yes				13 th October 2022	Director of Governance and HR
Award of Highways Professional Services	To consider the award of highways professional services for active projects and works that started under the Council's contract with KierWSP	Executive	Yes				13 th October 2022	Executive Director – Place & Economy
Safer Streets Fund Round 4 - 2022-23	To approve the expenditure of the Home Office Grant monies for the Safer Streets Round 4 projects	Executive	Yes				13 th October 2022	Executive Director - Adults, Communities and Wellbeing

Discover NN Hub	Support the creation of a new facility at Rushden Lakes to promote North Northamptonshire and the local visitor economy	Executive	Yes		Crown Estates and local visitor economy sector	13 th October 2022	Executive Director - Adults, Communities and Wellbeing
Transforming NNC Adult Social Care Provider Services - Strategy and Case for Change	Seek approval from Executive to consult with regular users of NNC CQC regulated provider services on the future proposed strategy and implications	Executive	Yes			13 th October 2022	Executive Director - Adults, Communities and Wellbeing

November 2022

Subject of the Decision:	Purpose of Report	Decision Maker	Is it a key decision?	Will it contain exempt information? /Reasons for exemption, if any	Consultation undertaken	Anticipated Date of Decision:	Report Author
Capital Programme Update	To report any adjustments to the in-year programme	Executive	Yes	No		10th November 2022	Executive Director of Finance
Budget Forecast Update	To report any adjustments to the in-year budget	Executive	Yes	No		10th November 2022	Executive Director of Finance
Capital Monitoring Report	To report on the Capital Budget on a Quarterly basis	Executive	Yes	No		10th November 2022	Executive Director of Finance
Half Yearly Treasury Management	To consider and note the half yearly Treasury Management update	Executive	Yes	No		10th November 2022	Executive Director of Finance
Towns Fund Multi-use Building	To agree the submission of Business Case Summary Document to	Executive	Yes	No		10th November 2022	Executive Director – Place & Economy

	Department for Levelling Up, Housing and Communities (DLUHC).						
Hackney Carriage Fares Tariff	To consider any objections received to the consultation on increases to Hackney Carriage maximum fare tariff rates	Executive	Yes	No		10th November 2022	Executive Director – Place & Economy
Local Council Tax Support Scheme 2023/24	To recommend to Council a Local Council Tax Support Scheme for 2023/24	Executive	Yes	No		10th November 2022	Executive Director of Finance
Procurement of Shared Parts and Materials Suppliers for Housing Stock	To approve the award of 7 supply contracts for parts and materials for the Property Services stores	Executive	Yes	No		10th November 2022	Executive Director - Adults, Communities and Wellbeing
UK Shared Prosperity Fund	To provide an update on the investment plan submission and the government's response. To agree the related	Executive	Yes	No		10th November 2022	Executive Director – Place & Economy

	governance, monitoring and reporting arrangements for UKSPF in North Northamptonshire							
Carbon Management Plan	To consider the Council's carbon footprint data and carbon management plan	Executive	Yes	No		10th November 2022	Executive Director – Place & Economy	
Corporate Cleaning Service Contract	To approve procurement of a cleaning service contract for Council buildings	Executive	Yes	No		10th November 2022	Executive Director – Place & Economy	
Asset Disposal Policy	Approval of a forward policy for asset disposals	Executive	Yes	No		10th November 2022	Executive Director – Place & Economy	
Housing Revenue Account Integration and Housing Strategy Roadmap	Approval of the approach to integrate the HRA	Executive	Yes	No		10th November 2022	Executive Director - Adults, Communities and Wellbeing	
The Case for Social Housing	To inform Executive about the options available to increase social	Executive	Yes	No	Registered housing providers	10th November 2022	Executive Director - Adults, Communities and Wellbeing	

	housing numbers in NNC						
Street Lighting LED Upgrade	To consider further investment in street lighting and to form part of the current PFI contract	Executive	Yes	No		10th November 2022	Executive Director – Place & Economy
Treescape Fund	To consider accepting grant funding for the planting of trees on public open space	Executive	Yes	No		10th November 2022	Executive Director – Place & Economy

December 2022

Subject of the Decision:	Purpose of Report	Decision Maker	Is it a key decision?	Will it contain exempt information? /Reasons for exemption, if any	Consultation undertaken	Anticipated Date of Decision:	Report Author
Capital Programme Update	To report any adjustments to the in-year programme	Executive	Yes	No		22 nd December 2022	Executive Director of Finance
Budget Forecast Update	To report any adjustments to the in-year budget	Executive	Yes	No		22 nd December 2022	Executive Director of Finance
Housing Development Pipeline	To inform Executive about the current and projected sites to be brought forward for Council Housing development	Executive	Yes	No		22 nd December 2022	Executive Director - Adults, Communities and Wellbeing

January 2023

Subject of the Decision:	Purpose of Report	Decision Maker	Is it a key decision?	Will it contain exempt information? /Reasons for exemption, if any	Consultation undertaken	Anticipated Date of Decision:	Report Author
Capital Programme Update	To report any adjustments to the in-year programme	Executive	Yes	No		12 th January 2023	Executive Director of Finance
Budget Forecast Update	To report any adjustments to the in-year budget	Executive	Yes	No		12 th January 2023	Executive Director of Finance
The Lawrences Site	Proposal for social housing development	Executive	Yes	No	Yes; as part of planning process	12 th January 2023	Executive Director - Adults, Communities and Wellbeing

