

## PLANNING POLICY EXECUTIVE ADVISORY PANEL 26<sup>th</sup> September 2022

<b>Report Title</b>	<b>Planning Policy Work Programme Update</b>
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### List of Appendices

#### **Appendix A – Inspector’s Post Hearings Letter**

##### **1. Purpose of Report**

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- 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**

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- 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**

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- 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**

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- 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 9<sup>th</sup> 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 28<sup>th</sup> March and 23<sup>rd</sup> 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 12<sup>th</sup> January and 25<sup>th</sup> 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 9<sup>th</sup> December 2021, and subsequently adopted at full Council on 31<sup>st</sup> 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 24<sup>th</sup> 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 (1<sup>st</sup> 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 24<sup>th</sup> 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**

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- 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)**

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### **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

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