Good afternoon

Northamptonshire County Council’s response to the Regulation 19 Plan is set out below. Comments from Northamptonshire Highways are attached.

- The diagram under para 1.1.3 should be amended to delete NCC and replace with Northamptonshire.

- Para 1.1.14 should note that the plan also sits alongside the Northamptonshire Minerals and Waste Local Plan. As the Part 2 Local Plan does not show on its Policies Map mineral allocations or mineral safeguarding areas then it could be noted in this paragraph that these are the key elements from the MWLP that impact on South Northamptonshire.

- It is considered that references in Section 3.1 to review of the Part 1 Plan should be amended to refer to its review as the West Northamptonshire Strategic Plan (and also amend its commencement as commencing substantively in 2019).

- The plan does not include a requirement for development to incorporate sustainable drainage systems (SuDS). It is considered that the phrase ‘satisfactory surface water drainage system’ as within policy SS2(m) is open to interpretation, does not require the use of SuDS and does not indicate to what or whose standards ‘satisfactory’ will be aligned.

- Policy SS2 (m) requires that development ‘provides for satisfactory foul and surface water drainage and incorporates mitigation identified through flood risk assessments and the management requirements to address current and future risks incorporating the required climate change allowances;’ The NPPF requires a flood risk assessment for sites of 1ha or more. Local Standards and Guidance for Surface Water Drainage in Northamptonshire requires all major development, being 10 dwellings or more, to submit a drainage strategy which incorporates an assessment and mitigation measures for identified flood risk. The following rewording is therefore suggested: ‘provides for satisfactory foul and surface water drainage and incorporates mitigation identified through an assessment of flood risk and the management requirements to address current and future risks incorporating the required climate change allowances’

- It is considered that the local plan could provide a link to the Local Standards and Guidance for Surface Water Drainage in Northamptonshire: https://www.floodtoolkit.com/planning/surface-water-drainage/

- The County Council notes that whilst the Plan does not contain a formal policy on NRDA development, SNC recognises (para 3.1.10) that proposals may be required for South Northamptonshire to meet the needs of Northampton’s growth, through sites adjoining the built edge of Northampton. SNC proposes that these will be considered
under policy S4 of the WNJCS. It is noted however that in such instances, SNC may seek to accelerate delivery of these sites in order to meet short-term demand, through a range of tools at its disposal. The County Council strongly advises that any such approach should consider the impact of accelerated delivery of housing on infrastructure, and that necessary mitigations are put in place to ensure that sufficient capacity is available to fully meet the needs of the development. Any such requirements must be supported through appropriate development contributions secured through CIL and/or Section 106 obligations as appropriate.

- Policy LH1 – Development within Towns and Village confines. The Policy to support residential development within town and village confines in principle where it “does not need substantial new infrastructure or other facilities to support it” requires further consideration. The cumulative impact on a town or village of numerous small scale developments coming forward during the Plan period may have a significant effect on the capacity of local infrastructure to support it. This is particularly the case for local schools – in particular primary schools - which for some villages may equate to significant and/or unsustainable increases in pupil yields, which cannot be accommodated within the existing provision. Any such development being proposed must therefore be assessed for its cumulative impact on local infrastructure (particularly Schools) and effective mitigations put in place to address this, including the provision of additional capacity, supported by developer contributions (CIL & S106) as applicable. This is particularly relevant, but should not be limited to, sites of over 10 dwellings because of the potential cumulative impact.

- The Council welcomes the inclusion of Schools as essential infrastructure (Para 8.1.4), and the recognition by SNC of the importance of other types of infrastructure in supporting physical, social and green objectives such as libraries and broadband provision. Where there is insufficient capacity in existing infrastructure to meet the increased demand arising from new development, then it is essential that appropriate development contributions are secured through CIL and/or S106 obligations in order to mitigate this. The Council welcomes the position of SNC to only grant planning permission for new development “once the delivery of infrastructure within appropriate timescales has been secured” however this must also include a requirement to secure the required commitments and/or agreements to facilitate the delivery and funding of such infrastructure, through CIL and/or S106 as applicable. This must be agreed in conjunction with the provider of such infrastructure in order to ensure that all relevant options are considered. For example, any development which requires additional Education infrastructure must consult with the County Council as the Local Education Authority with statutory responsibility for delivery of Education and School place provision. This collaboration is essential to ensure a joined up approach to delivery of infrastructure.

- The County Council notes that SNC will be updating its Developer Contributions SPD. The County Council’s ‘Creating Sustainable Communities: Planning Obligations Framework and Guidance – January 2015’ document sets out the adopted approach of the County Council to requesting and securing Section 106 obligations in respect of Education infrastructure (amongst other service areas). It is recommended that the SNC’s updated SPD have reference to this document (or any subsequent versions
thereof), reflecting the latest available evidence base, and ensuring that there is sufficient clarity on the approach to securing developer contributions, including the relationship between Section 106 and CIL in supporting delivery of infrastructure, signposting to the County Council’s adopted policy where appropriate.

- The County Council notes the proposal of Policy INF1 to prioritise developer contributions for essential infrastructure, affordable housing “and then other infrastructure” in the event of viability constraints being demonstrated in relation to new development coming forward. Any such prioritisation process must be undertaken in collaboration with County Council and other infrastructure providers as may be applicable; failure to do so could result in insufficient contributions being secured to support delivery of additional infrastructure required to support development, and may result in objections being raised to development where such infrastructure is deemed undeliverable and the development unsustainable. It should also be noted that Affordable Housing creates a disproportionately high demand for school places. This needs to be taken into account and planned for, including through the S106 and CIL process.

- Paragraph 8.2.5 – With regards to the provision of superfast broadband, DCMS have recently (October 2018) published a consultation on the delivery of ‘full fibre’ connectivity to new build development. Whilst it is acknowledged that this is currently at consultation stage, the County Council request that SNC consider the proposals contained within the consultation document, and advocate that the aims of this approach be reflected in the Local Plan Part 2.

- Paragraph 8.5 (Meeting Education Needs) includes provision of primary, secondary, early years and lifelong learning as key requirements to support demands of population growth across the district. This should also include Sixth-Form education, as distinct from Secondary, and should also include Special Educational Needs and Disability (SEND) provision. Planning Obligations secured through CIL and/or S106 as applicable must be secured from new development as appropriate to ensure that these requirements can be fully met, and the County Council welcomes the approach set out by SNC to work collaboratively to ensure that these demands can be met.

- Paragraph 8.5.2 should include the words “including identifying suitable, accessible and available sites for new schools” – this is acknowledgement of the need for a planned approach to the identification of suitable sites for potential new schools to meet the future growth needs of the district.

- Paragraph 8.5.4 – Any reference to the SNC Developer Contributions SPD with regards to School and/or Education infrastructure should direct its users to the County Council’s adopted Planning Obligations Framework which, as the Local Education Authority with statutory responsibility for school place planning, sets out the approach to securing developer contributions for the provision of Education infrastructure. Replicating or replacing this guidance within SNC’s SPD is unnecessary and may create confusion for new development coming forward.

- Whilst it is certainly possible that in some cases co-location of community facilities and
education facilities may have a positive impact in meeting the wider needs of the
community, it should be acknowledged that due to the nature of the Academy & Free
School programmes, it is not always possible to guarantee that such an approach may
be possible. Policy INF3 should therefore be amended to reflect this. A collaborative
approach is strongly supported. Furthermore, Policy INF3 should be explicit in stating
that SNC will work with the County Council as the Local Education Authority to ensure
provision of Education infrastructure to meet the demands of growth in the District.
Failure to do so may result in insufficient provision being made available to meet the
demand arising from new development.

- The County Council welcomes the inclusion of Policy INF4.

I would be grateful if you could acknowledge receipt.

Regards
Mark

Mark Chant  Head of Planning Services

Northamptonshire County Council  Planning Services, One Angel Square, Angel Street, Northampton NN1
1ED

[Link: www.northamptonshire.gov.uk/planning]