Representations to the South Northamptonshire (Part 2) Local Plan Draft Submission (Regulation 19 consultation)

- Land south of Kislingbury Road, Rotherthorpe, Northampton
- Land at Lower Road, Milton Malsor, Northampton

- for Hollins Strategic Land LLP

Emery Planning project number: 18-183
Project : 18-183
Site address : Land south of Kislingbury Road, Rotherthorpe, Northampton and Land at Lower Road, Milton Malsor
Client : Hollins Strategic Land LLP
Date : 15 November 2018
Author : Shaun Gaffey/Stephen Harris
Approved by : Stephen Harris

This report has been prepared for the client by Emery Planning with all reasonable skill, care and diligence.

No part of this document may be reproduced without the prior written approval of Emery Planning.

Emery Planning Partnership Limited trading as Emery Planning.
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introduction</td>
<td>1</td>
</tr>
<tr>
<td>2. Objections to Scale and Distribution of Housing</td>
<td>2</td>
</tr>
<tr>
<td>3. Policy SS1 – Settlement Hierarchy</td>
<td>11</td>
</tr>
<tr>
<td>4. Omission Site – Land at Kisingbury Road, Rothersthorpe</td>
<td>13</td>
</tr>
<tr>
<td>5. Proposed allocation – Land at Lower Lane, Milton Malsor</td>
<td>16</td>
</tr>
<tr>
<td>6. Policy Recommendations</td>
<td>21</td>
</tr>
<tr>
<td>7. Appendices</td>
<td>23</td>
</tr>
</tbody>
</table>
1. Introduction

1.1 Emery Planning is instructed to prepare and submit representations to the Draft Submission Local Plan (Part 2) currently being consulted on by South Northamptonshire Council. These representations are submitted on behalf of our client, Hollins Strategic Land LLP, which has an interest in two sites in South Northamptonshire:

- Land south of Kislingbury Road, Rothersthorpe, Northampton.
- Land at Lower Road, Milton Malsor.

1.2 The purpose of the consultation is to seek views on the legal compliance and soundness of the plan when assessed against national planning requirements. It also seeks representations on whether or not the plan should be changed, and proposed amendments are encouraged.

1.3 These representations are submitted in the form of this statement, which makes site-specific representations on the omission of our client’s sites being allocated for residential development which we consider are required to meet the commitment of meeting Northampton’s needs in the Part 1 JCS. In light of the authority’s intention to renege on the Northampton Related Development Area commitment as set out in the adopted Joint Core Strategy (‘JCS’) then sites are required urgently to meet the significant housing shortfall.

1.4 These representations are also informed by a review of the various background papers also published as part of this consultation. We refer to the appropriate background documents where relevant.
2. Objections to Scale and Distribution of Housing

2.1 This section of the representations responds to the following question as set out in the representation form for the South Northamptonshire (Part 2) Local Plan Draft Submission (Regulation 19 consultation).

**Do you consider the South Northamptonshire (Part 2) Local Plan to be sound?**

2.2 No. We consider the draft plan in its current form to be:

- not positively prepared;
- not justified;
- not effective; and
- not consistent with national planning policy.

2.3 **In summary, in order to be sound the authority must allocate residential sites in order to meet commitments made in the adopted Joint Core Strategy. If based on the Council’s own evidence certain sites or areas of growth are considered to be undeliverable, alternative sites must be allocated to meet that need. The Plan as proposed cannot proceed.**

2.4 If it does proceed, then our omission sites would assist with ensuring that the emerging plan is positively prepared and that residential development is delivered through a plan-led strategy, as per the requirements of national policy and guidance.

**National Planning Policy Context**

2.5 We set out below the key paragraphs for plan-making.

2.6 Paragraph 11 of the Framework states:

“11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
2.7 Section 3 then sets out guidance for “Plan-Making”. A number of fundamental points are set out which we summarise as follows:

- The planning system should be genuinely plan-led (para 15); and,
- A framework for addressing housing needs and other economic (para 15).

2.8 Paragraph 67 states:

“Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

a) specific, deliverable sites for years one to five of the plan period; and

b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.”

2.9 Paragraph 73 of the revised National Planning Policy Framework 2018 (‘the Framework’) sets out national policy on ensuring the delivery of a wide choice of high quality homes. It states that local planning authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing, including identifying key sites which are critical to the delivery of the housing strategy over the plan period. It goes on to state that councils should:

“Identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”
a) 5% to ensure choice and competition in the market for land; or

b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or

c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.”

2.10 National Planning Practice Guidance (‘NPPG’) sets out guidelines for LPAs on identifying appropriate land to meet development needs over a plan period. Paragraph: 001 (Reference ID: 3-001-20140306) of the ‘Housing and economic land availability assessment’ section states that:

“An assessment of land availability identifies a future supply of land which is suitable, available and achievable for housing and economic development uses over the plan period.”

2.11 It goes on to state in Paragraph: 008 (Reference ID: 3-008-20140306) that:

“The following should be involved from the earliest stages of plan preparation, which includes the evidence base in relation to land availability: developers; those with land interests; land promoters; local property agents; local communities; partner organisations; Local Enterprise Partnerships; businesses and business representative organisations; parish and town councils; neighbourhood forums preparing neighbourhood plans.”

2.12 It goes on to state that LPAs should conduct a call for sites exercise which takes into consideration and assesses potential constraints to the promoted land, stating in Paragraph: 016 (Reference ID: 3-016-20140306) that:

“During the site survey the following characteristics should be recorded (or checked if they were previously identified through the data sources and call for sites):

- site size, boundaries, and location;
- current land use and character;
- land uses and character of surrounding area;
- physical constraints (eg access, contamination, steep slopes, flooding, natural features of significance, location of infrastructure/utilities);
Representations to the South Northamptonshire (Part 2) Local Plan Draft Submission (Regulation 19 consultation)
Land south of Kislingbury Road, Rothersthorpe, Northampton and Land at Lower Road, Milton Malsor
15 November 2018

- potential environmental constraints;
- where relevant, development progress (e.g., ground works completed, number of units started, number of units completed);
- initial assessment of whether the site is suitable for a particular type of use or as part of a mixed-use development."

2.13 Government guidance could not be clearer in that the development plan should, as a minimum, provide for objectively assessed needs for housing. As will now assess the Part 2 plan does not achieve basic requirement.

**Development Plan Context**

2.14 The proposed Part 2 plan follows the Part 1 Joint Core Strategy and once adopted they will form the development plan for the area. The Part 1 plan is clear as to what the Part 2 plan should be providing, however the Part 2 plan fails to undertake that role by not allocating land for development.

2.15 The policy context is set out by Policy S3 (Scale and Distribution of Housing Development) of the JCS which states:

```
"provision will be made for about 42,620 net additional dwellings in the plan area during the plan period 2011 to 2029. This provision will be distributed between the borough and district councils as follows:

- Daventry District about 12,730
- Northampton Borough about 18,870
- South Northamptonshire District about 11,020"
```

2.16 For South Northamptonshire District specifically, the overall requirement of 11,020 dwellings is then distributed as follows:

- Brackley Town about 2,160;
- Towcester Town about 2,650;
- South Northants Rural Areas about 2,360; and,
- **Northampton Related Development Area about 3,850** [our emphasis].
2.17 The authority proposes to no longer proceed on the requirement set out in the Part 1 plan and the specific Northampton Related Development Area commitment. This is confirmed in the committee report where this version of the plan was approved for submission (19 September 2018) which stated:

“3.12 Policy NRDA1 has been deleted from the plan following consultation with Natural England and continued discussion with the partner Authorities. As drafted, the NRDA Policy appropriately guided development to the most optimal locations which would be considered acceptable. Effectively, it ruled out all areas to the west of the M1 and areas in Harpole and Kislingbury parishes where there are undeveloped Sustainable Urban extensions and ‘made’ Neighbourhood Plans. However, there remain significant concerns about the impact of development to the east of the M1 on highways, and infrastructure provision as well potential impacts on the Upper Nene Gravel Pits Special Protection Area.

3.13 Due to these constraints, it remains unclear as to the scale of development that the Policy could realistically deliver within the short lifespan of the policy. The review of the Part 1 Plan (the WNJCS) will commence in 2018 and it is considered that this is the most appropriate mechanism to consider the future growth needs of Northampton in a comprehensive way.

3.14 Officers consider that suitable sites, so far as necessary to meet the housing needs of Northampton, where they are immediately adjoining the built up area of Northampton or well related to existing, allocated Sustainable Urban Extensions (SUEs) under construction, could be brought forward through the Development Management Process. Such sites would be required to be in conformity with WNJCS Policy S4 and set out how they contribute to meeting the vision and objectives of the WNJCS.

3.15 The revised plan makes clear that development in the villages will continue to be considered as ‘rural’ development and SNC will proactively seek to accelerate delivery on the SUEs within its administrative boundaries. The deletion of this policy overcomes a range of concerns raised by DDC, NBC and NCC under the DfC. However, joint work to address the speed of delivery and ensure that Northampton’s housing needs can be met will continue to be a priority.”

2.18 The above is an extensive quote. However, it is important to set it out in full as it demonstrates that the Council does not intend to deliver required housing through a plan-led strategy as required by paragraph 15 of the revised Framework, and proposes that housing need could be met through development management i.e. planning applications.

2.19 We agree that in the absence of the plan making any allocations, then the only way of meeting the need is through planning applications. Whilst our overarching point is that the Part
2 plan cannot proceed as proposed, if it does then flexibility must be built into the plan to enable sites to come forward. Policy SS1 and LH2 as drafted will not do so as they limit new development to sites within settlement boundaries. There is no evidence that the need in Policy S3 can be met if Policy SS1 and LH2 remain as proposed. We therefore propose changes in Section 5 of this statement to provide flexibility.

2.20 The current approach, where a commitment made in the JCS is arbitrarily discounted and no alternative is proposed to meet the deficit, is clearly not positively prepared, justified or effective.

2.21 We therefore propose that in light of the Council’s evidence which states that there are infrastructure issues with Northampton-adjacent sites east of the M1 significant enough to prevent delivery, the resultant shortfall should be addressed through allocation of additional sites in sustainable villages to the west of the M1. These sites can meet the needs of Northampton.

**Housing Supply**

2.22 There are two housing requirements to meet in South Northamptonshire.

2.23 The first is the requirement for South Northants excluding the NRDA requirement. The Council considers its supply to be 10.12 years although that will require testing should the plan proceed to Examination.

2.24 The second is the housing requirement for the NRDA. From Policy S3, the total requirement is 28,470 which comprises:

- Northampton Borough about 18,870;
- South Northants share of Northampton Related Development Area about 3,850; and,
- Daventry’s share of Northampton Related Development Area about 5,750.

2.25 The latest housing land supply Position Statement from Northampton Borough Council confirms that there is no 5 year land supply in Northampton and the NRDA. This information confirms that the trajectories in Appendix 3 of the JCS have not been met and consequently additional sites are required now to assist in meeting the current and projected significant shortfall.
To conclude, Part 1 of the development plan is clear that there is housing need to meet. Northampton’s needs - which form the majority - are not being met, which has created a resultant significant shortfall. This issue cannot be parked for a plan review and should be addressed at the appropriate stage, which is through this Part 2 local plan. This approach was recently confirmed in the recent findings of the Aylesbury Vale Local Plan Inspector (29th August 2018), where he was clear that the plan should “not simply abandon its function to a future review of uncertain timescale”. The full quote is:

“Early review

5) Firstly, I am severely troubled by an approach which envisages that the plan will need to be reviewed soon after adoption. Whilst Inspectors are generally willing to find a plan sound where one or two finite issues remain unresolved and are relatively peripheral to the main thrust of the plan, it appears that the consequences of an impending government decision on the route of the Oxford-Cambridge expressway are expected to lead to a fundamental review of the plan’s development strategy.

6) To be sound a plan must be positively prepared. A particularly encouraging element of the plan is the way it proposes to deal with the impending closure of RAF Halton. During the examination, the Council defended its approach by writing; “While there may be some uncertainty over the exact process for closure and all parties still await further detail, we cannot afford to ignore Government announcements and any development potential that results from them. It is after all better to plan positively for change rather than suffering the effects of an ad-hoc approach to the probable redevelopment of the camp.” The same sentiments apply with equal force to the announcements about the Cam-MK-Ox growth arc.

7) Predictable events should be planned for. Both Heathrow expansion and the Oxford-Cambridge expressway are predictable, known, events. Only the route of the latter is not yet fixed. To be sound, VALP should make contingency plans to accommodate them, not simply abandon its function to a future review of uncertain timescale.

8) About half of the growth expected to result from the implementation of the Cam-MK-Ox growth arc is expected to take place in existing settlements. Their location is, by definition, existing, and therefore, known. In my consideration of housing numbers I make recommendations for the plan to take account of that now, as it does already in respect of employment land.

9) For the known unknown of the route of the Oxford-Cambridge expressway, it would be surprising if the Council did not already have contingency plans for whichever route is chosen. Those contingency plans should be included in VALP as contingencies. If a decision is announced on the route while the Council is preparing its Modifications to the plan then a firmer view can be
Representations to the South Northamptonshire (Part 2) Local Plan Draft Submission (Regulation 19 consultation)
Land south of Kislingbury Road, Rothersthorpe, Northampton and Land at Lower Road, Milton Malsor
15 November 2018

2.27 Whilst the issues are different in that case, in the JCS area the housing need is predictable and the mechanism in the JCS for meeting that need is clear, which is the Part 2 plans. Yet, the Part 2 plans are failing to meet that need in full and relying on a plan review. The South Northamptonshire Part 2 plan considers the need can be met through the development management process and a review of the JCS, stating in paragraph 3.1.8 that:

“Following representations and further technical work, the allocation of one or more large strategic sites was dismissed at the pre-submission stage. This would not boost delivery in the shorter term and would be better considered through a review of the Part 1 Plan, where all options to meet Northampton’s housing needs can be considered and evaluated, including those located outside of South Northamptonshire District.”

2.28 We object to this approach for reasons set out above. A further plan review is clearly contrary to the recommendations of the Aylesbury Vale Local Plan Inspector as set out above, and is a reactive approach that does not meet the requirements of national planning policy and guidance.

2.29 If the plan does proceed, we therefore propose that the restriction on development in villages as set out in paragraph 3.1.10 of the emerging plan and 3.15 of the quote above is removed. Furthermore, we recommend the creation of a new policy, which sets out a clear commitment to deliver the houses needed through the abandonment of NRDA1 through the allocation of sustainable sites in and adjacent to Northampton and villages well related to Northampton. This is set out in section 5 of these representations.

2.30 Rothersthorpe and Milton Malsor are two such sustainable locations. They are sustainable in its own right as set out in the ‘Settlement Hierarchy for South Northamptonshire’ background document table which forms part of the evidence base for this consultation.

2.31 Furthermore, they are very well related to Northampton. Allocating sites such as this for residential development is a logical approach. It honours the commitment made in the JCS in locations that are very well related to Northampton and do not have the same delivery issues as those sites to the east of the M1, as per the Council’s own evidence.

2.32 The developments would provide both market and affordable housing which would make a significant contribution towards addressing the pressing need for affordable housing in the area.
New homes would also assist in supporting strong, vibrant and healthy communities in these villages, as per the aims of paragraph 78 of the revised Framework, which states that:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

2.33 The allocation of the sites would clearly support local services and would allow them to grow and thrive. It would also help to support the economy of nearby rural settlements as well as Northampton itself.

2.34 Taking the above into account, it is concluded that Rothersthorpe and Milton Malsor must have a role in providing the required housing as committed to in the JCS given their location on the fringe of Northampton. As stated above, they would assist in meeting the shortfall created through the abandonment of NRDA1, which we consider to be a minimum if the borough is going to meet its housing requirement. They would also significantly assist in meeting the wider needs of Northampton.

2.35 They are both deliverable in the short term, which is essential in meeting the commitment made in the JCS. There are no technical or site specific constraints that would materially weigh against the site’s allocation. These are discussed in the following sections.
3. Policy SS1 – Settlement Hierarchy

3.1 Three categories of settlement are set out for the distribution of development across the District, categorising towns and villages as: Rural Service Centres (First Tier); Primary Service Villages (Second Tier); Secondary Service Villages (Third Tier) and Small Settlements (Fourth Tier).

3.2 The approach taken to categorising villages within the draft Settlement Hierarchy is not consistent with the assertions set out in the Settlement Hierarchy Methodology and does not reflect the spatial aims of the West Northamptonshire Joint Core Strategy (WNJCS), and therefore this approach is not considered justified, effective or sound.

3.3 Our client’s primary concern is that the draft Settlement Hierarchy is based on an assessment of sustainability based on settlement size, and on the ability of individual settlements’ ability to meet the needs of its current population through self-containment, and fails to adopt a spatial approach which reflects the aims of the WNJCS.

3.4 Access to key services and facilities is clearly an important indicator of sustainability. The Methodology states that proximity to the urban area is an indicator of sustainability. It states:

“A settlement’s proximity to an urban area improves its overall sustainability as urban areas provide a wide variety of services and facilities”.

3.5 In the case of Rothersthorpe and Milton Malsor, they are 800m and 1km from the urban edge of Northampton respectively. As a result the scoring used for both settlements does not reflect their proximity to Northampton.

3.6 For example Rothersthorpe scores 0 for employment yet, the Pineham and Swan Valley Employment Area (139ha) is only 800m away and easily accessible by foot, cycle, bus and car. The Northampton Local Plan (Part 2) Employment Land Assessment states that “As a combined group of sites, both Swan Valley and Pineham remain an important strategic employment area for Northampton”.

3.7 Rothersthorpe scores 0 for bus services to the urban area. However it benefits from a direct bus service which operates at peak times and provides a connection to Northampton in 15 minutes. It has been unscored for direct bus services to Northampton in the methodology, as a result of the service being subsidised by Northamptonshire County Council. However, it is considered
that if more residents were able to utilise this service then it would make it more viable in the future.

3.8 Given the requirements of Policy S3 to deliver 3,850 dwellings for Northampton, the proximity of rural settlements such as Rothersthorpe and Milton Malsor is a crucial factor in assessing their sustainability as settlements as they can contribute to the overarching spatial strategy to deliver the required number of homes. Unmet need arising from the NRDA (which cannot be met within the urban area of Northampton), and the ability of a settlement to contribute towards meeting this need, should be a prominent factor in establishing a draft Settlement Hierarchy and reflected in Policy SS1. It has not and settlements which are closest in proximity to the urban area of Northampton, and are therefore most capable of meeting need from the NRDA, should be ranked most highly in the Settlement Hierarchy, particularly as there is currently an acknowledged shortfall in housing delivery within the NRDA.
4. **Omission Site – Land at Kislingbury Road, Rothersthorpe**

4.1 This is the first of our client’s sites we propose for residential development as an allocation in the Part 2 plan. Its allocation would assist in delivering the housing needs of the Northampton Related Development Area (NRDA).

4.2 It is proposed that the site would be deliverable within the first five years of the plan, which would make a significant contribution towards addressing the identified housing shortfall, particularly in the early part of the plan.

**Site description**

4.3 The site is located to the west of the village of Rothersthorpe to the south west of Northampton, at the junction of Kislingbury Road and Banbury Lane. The north eastern corner of the site is 800m from the urban edge of Northampton which is also the boundary of the Northampton Related Development Area.

4.4 The site is approximately 2.4 hectares and is broadly square in shape. The site comprises a field used for grazing and a small area of hard standing containing a horse shed and a caravan, with access currently via Kislingbury Road to the north.

4.5 The northern boundary of the site is formed by Kislingbury Road which runs through the centre of Rothersthorpe village and becomes North Street. The site is directly adjacent to residential dwellings to the north of Kislingbury Road. To the west of the site is agricultural land used for grazing.

4.6 To the east, the site is bounded by Banbury Lane, along which lies a cluster of residential dwellings. Banbury Lane continues along the southern boundary of the site which is formed by a farm and several large agricultural outbuildings. There are some trees around the site perimeter. The land itself is gently undulating in form.

4.7 A site location plan is appended to these representations at EP1.
Planning history

4.8 Planning application S/2017/2620/MAO was submitted as an outline application that proposed up to 66 units. The application was refused on 8 January 2018. Planning appeal APP/Z2830/W/18/3206346 was subsequently submitted and is currently pending decision.

4.9 The site has also been promoted through the development plan process, including the Regulation 18 consultation.

Site specific considerations

4.10 Rothersthorpe is a sustainable location in its own right. This is reflected in the ‘Settlement Hierarchy in South Northamptonshire’ background document which forms part of the evidence base for this consultation. Table 3 confirms that Rothersthorpe is ranked 43rd of 81 settlements with 33 points as per the authority’s own methodology. It is a sustainable location, well related to Northampton, and is capable of accommodating the proposed quantum of development.

4.11 There are no site specific considerations or issues that would materially weigh against the site’s allocation for residential development. As set out above, the site is currently the subject of planning appeal APP/Z2830/W/18/3206346.

4.12 All aspects of the proposed residential development in the appeal apart from heritage and drainage have already been agreed as acceptable by the Council. Therefore, it is an agreed position that there are no issues relating to the following:

- Highways
- Ecology
- Flood risk
- Arboriculture
- Ground conditions
- Topography

4.13 Confirmation of the above is was included in the reports and correspondence from the authority for the application as set out in the committee report.

4.14 We address each outstanding issue below.
Heritage and Landscape Impact

4.15 Our client has instructed specialist consultants to conduct an assessment of landscape impact. It is anticipated that the development of the site would not have a material negative impact in this respect, particularly in the context of the urgent need for the allocation of residential sites following the abandonment of NRDA1.

4.16 The site adjoins built development on 3 sides (north, east and south), is very well related to Northampton and is consequently a logical site for residential development.

4.17 On heritage matters, a Heritage Assessment was undertaken by CgMs. Their conclusion was that “development of the study site will not have an adverse impact on the heritage significance of any designated assets”. That remains the position.

Drainage

4.18 This is a relatively minor technical issue that will be addressed as part of the appeal process, through the statement of common ground.

Conclusion

4.19 To conclude, significant work has already been conducted which demonstrates that the site is deliverable. It is available now, it is in a sustainable and suitable location with excellent connections to Northampton, and it is clearly achievable with a realistic prospect of delivering much needed market and affordable housing within five years. This is crucial in meeting the shortfall created through the abandonment of NRDA1.
5. **Proposed allocation – Land at Lower Lane, Milton Malsor**

5.1 This is the second site proposed for residential allocation in the Part 2 plan. It is proposed on the same principle as the Rothersthorpe site in that it would deliver a much needed residential allocation in a sustainable location following the abandonment of the commitment made in JCS policy NRDA1.

**Site description**

5.2 The site is a rectangular parcel of land that adjoins the northern development envelope of Milton Malsor. The north eastern corner of the site is 1km from the urban edge of Northampton. The south eastern corner of the site is approximately 850m from the settlement of Collingtree, beyond which lies Wootton and Northampton. A site location plan is Appendix EP3.

5.3 It is therefore well related to infrastructure, amenities and facilities associated with Northampton. These include schools, a General Hospital, national rail links and retail/employment areas. The site is extremely well connected by road and is near to the A43 and M1.

5.4 Milton Malsor itself is sustainable in its own right, with facilities including a public house, a football club, two churches, village hall, village park and a primary school situated within easy walking distance of the proposed residential allocation. The High Street also has bus stops providing regular services to Northampton, as well as a convenience store/newsagent.

5.5 The proposed allocation site is approximately 5.07 hectares. It comprises one field used as agricultural land. Access can be achieved off Lower Road, with the western boundary of the site directly adjoining the adopted highway.

5.6 The site is bounded by urban features on three sides: residential development to the west and south, and a railway line to the east. The site is bounded to the north by agricultural fields currently used for grazing. Overall, the site is well contained and would be a logical extension to the village. There are some trees around the site perimeter. The land itself is gently undulating in form.
Planning history

5.7 There is no relevant planning history associated with this site.

Policy justification for proposed allocation

5.8 The policy justification for the allocation of this site is identical to that set out for the Rothersthorpe site above, in that the delivery of this site for market and affordable housing in a sustainable location would make a significant contribution towards addressing the identified shortfall in the wake of the abandonment of NRDA1.

5.9 As set out in the site description section above, Milton Malsor is a sustainable location in its own right. This is reflected in the ‘Settlement Hierarchy in South Northamptonshire’ background document which forms part of the evidence base for this consultation. Table 3 confirms that Milton Malsor is ranked 25th out of 81 settlements with 47 points as per the authority’s own methodology. It is a sustainable location, well related to Northampton, and is capable of accommodating the proposed quantum of development.

5.10 We therefore recommend that the restriction on development in villages as set out in paragraph 3.1.10 of the emerging plan and 3.15 of the quote above is removed, as per 3.15 of this statement.

5.11 Allocating sites such as this for residential development is a logical approach. It honours the commitment made in the JCS in locations that are very well related to Northampton and do not have the same delivery issues as those sites to the east of the M1, as per the Council’s own evidence.

5.12 The allocation would provide both market and affordable housing, which would make a significant contribution towards addressing the pressing need for affordable housing in the area. New homes would also assist in supporting strong, vibrant and healthy communities in these villages, as per the aims of paragraph 78 of the revised Framework.

5.13 The allocation of this site would clearly support local services and would allow Milton Malsor to grow and thrive. It would also help to support the economy of nearby rural settlements as well as Northampton itself, which is within 1km.
5.14 Taking the above into account, it is concluded that Milton Malsor must have a role in providing the required housing as committed to in the JCS given its location on the fringe of Northampton. As stated above, it would meet the shortfall created through the abandonment of NRDA1, which we consider to be a minimum requirement if the borough is going to meet its housing requirement. It would also significantly assist in meeting the wider needs of the area.

5.15 The site is deliverable in the short term, which is essential in meeting the commitment made in the JCS. There are no technical or site specific constraints that would materially weigh against the site’s allocation. These are discussed fully below.

Site specific considerations

5.16 There are no site specific considerations or issues that would materially weigh against the site’s allocation for residential development. We assess each individual matter below:

Flood risk and drainage

5.17 A review of the Environment Agency interactive flood risk map confirms that the site is in ‘Flood Risk Zone 1’ and is therefore not at risk of flooding in planning terms.

5.18 We are not aware of any issues relating to drainage.

Ground conditions

5.19 We are not aware of any issues relating to ground conditions against the site coming forward for residential development. The site is currently in use for grazing and is an undeveloped site. Therefore, it is very unlikely that there would be contamination issues that could not be mitigated to deliver residential development.

Heritage

5.20 There are no heritage issues associated with the site. Its allocation for residential development would not materially affect the setting of any heritage assets, including listed buildings and conservation areas.

5.21 Any future residential development would have full consideration of potential impacts on the Milton Malsor Conservation Area which lies to the south west of the site, and it is not considered that residential development of the site would have a negative impact on its setting due to the scale of the intervening development.
5.22 Similarly, the allocation of the site for residential development would not negatively impact upon the setting of nearby Grade II listed building ‘Stockwell Farmhouse’ and the Grade II* ‘Church of the Holy Cross’ to the west and south-west respectively.

**Ecology and arboriculture**

5.23 There are no ecological or arboricultural issues that would prevent the site from coming forward as a residential allocation.

5.24 The site is a fairly clear, undeveloped parcel of land currently in use as arable land. It does not have extensive tree coverage, ponds or other water courses that would support complex habitats. Further, there are no naturally wild areas where rare species would flourish, given its current agricultural use.

5.25 Consequently, it is considered that the allocation of the site for residential development would provide an opportunity to improve the site in ecological terms. Any residential allocation would provide, if required, species rich hedgerows, bat and bird boxes and other mitigation that would positively improve the site in ecological terms compared with the current use.

5.26 Therefore, the allocation of this site for residential development is acceptable in ecological and arboricultural terms.

**Land ownership**

5.27 Our client has an option on the land from the landowner. There are no restrictive covenants or ransom strips associated with the site. Suitable access can be achieved off Lower Road, with the site directly abutting the adopted highway.

5.28 On achieving an allocation and/or outline planning permission, our client would dispose of the land to a developer or build themselves through Hollins Homes. Our client is an established strategic land promoter and developer which is a clear positive when assessing the site’s deliverability.

5.29 Consequently, the site is deliverable in the short term without the need for negotiation on issues relating to ownership.
Noise

5.30 Given that the sites proximity to the M1 (although South Northamptonshire has recently issued planning approval for sites in much closer proximity to the motorway) and the railway along the eastern boundary, specialist acoustic consultants would ensure that appropriate mitigation would be incorporated into any future residential development.

Masterplanning

5.31 An indicative masterplan is currently being prepared to support the proposed allocation. The plan seeks to demonstrate that the proposed quantum of development can be comfortably accommodated within the site.

5.32 The plan will be informed by relevant specialist reports as referred to above. For example, it will demonstrate that there are significant opportunities for making ecological enhancements to the site through delivery of the allocation. As stated in the ecology section above, there are no significant ecological features associated with the site, and any proposed enhancements would represent an overall ecological benefit to allocating the site for residential development.

5.33 The plan will seek to demonstrate that the site can be independently delivered in access terms. There is a viable access point that is not restricted in terms of safety or by ownership/covenant issues. The access point would help to ensure a permeable development that is well related to Milton Malsor. This is a significant benefit of allocating the site, and further demonstrates that the site could independently come forward for delivery in the short term, thus making an immediate contribution towards maintaining the borough’s five year supply of housing land.

5.34 In summary, the plan will propose a bespoke development that would provide a mix of affordable, family and executive housing, all of which would be viable and popular house types in this area, particularly in the context of the site’s proximity to Milton Malsor.

5.35 The client is willing to engage in early discussions with the Council to ensure that the optimum development in terms of quantum, design and access is delivered should the site be allocated for residential development.
6. **Policy Recommendations**

6.1 Going forward the housing need should be met by sites in or adjacent to the NRDA or at sustainable locations in close proximity; for example Rothersthorpe and Milton Malsor. We propose that allocations are included and there is flexibility to enable sites to come forward through development management. If the plan proceeds, we object to the wording in 3.1.10 of the submission version plan. We propose the text should be amended as follows:

“This Plan does not contain a formal policy on NRDA development. Proposals to meet Northampton’s needs within South Northamptonshire, where they adjoin the built edge of Northampton will be considered under policy S4 of the WNJCS. Proposals should contribute to meeting the vision, objectives and other policies of the WNJCS. Where such development is proposed and considered acceptable, South Northamptonshire Council may use a range of tools, including shortening of implementation periods, to ensure developments are meeting a short-term need ahead of the review of the WNJCS. For the avoidance of doubt, development in or adjacent to villages within South Northamptonshire is not considered an appropriate location to meet the housing needs of Northampton. **Development within, or adjacent to the villages will be considered to meet the NRDA needs** (our emphasis). Proposals will be assessed against WNJCS Policy R1 and the policies of this Part 2 Plan.

6.2 We therefore request that such a change is included in the Plan, along with allocating specific residential sites in villages well related to Northampton.

6.3 We appreciate that this will result in a delay to plan preparation but the plan as proposed cannot proceed.

**Objection to Policy SS1: The Settlement Hierarchy**

6.4 Part 2 of the policy states that “New development should be within the settlement boundaries of these settlements in accordance with their scale, role and function unless otherwise indicated in the local plan”.

6.5 However as the Part 2 plan is no longer seeking to allocate land to meet the NRDA needs, then greater flexibility is required enable sites adjacent to settlement boundaries to come forward to meet that housing need. We propose that Policy SS1 should be altered as follows:

“2. Settlement boundaries for first, second, third and fourth category settlements are defined on the proposals maps. New development should be within or adjacent to the settlement boundaries of these settlements in
accordance with their scale, role and function unless otherwise indicated in the local plan.”

6.6 Policy SS1 should also recognise the proximity of both Rothersthorpe and Milton Malsor to Northampton and their ability to assist in meeting the requirement in Policy S3.

Objection to Policy LH1 - Development within Town and Village Confines

6.7 Following on from the recommendation above, we consider part 3 of this policy must be amended to include those sites allocated following the abandonment of NRDA1. Part 3 of the policy currently states that:

“Development outside of the village confines is considered to be in the open countryside and will not be acceptable unless it:

a. is allocated within a made neighbourhood plan;

b. is for starter homes in accordance with policy LH2; or

c. meets an exception test as set out in policy LH3; or

d. is for a single dwelling in accordance with policy LH4; or

e. is a self or custom build project in accordance with policy LH5; or

f. is a specialist housing and accommodation needs proposal in accordance with policy LH6

g. is a residential/nursing care proposal in accordance with policy LH9.”

6.8 It is considered that the following further criterion is added:

“h. on a site which has been assessed as being able to contribute to the housing delivery shortfall under Policy NRDA.”

6.9 This concludes our representations.
7. Appendices

EP1. Site location plan – Land south of Kislingbury Road, Rothersthorpe, Northampton
EP2. Site location plan - Land at Lower Road, Milton Malsor
Appendix EP2