Dear Mr Newton,

**PRELIMINARY MATTERS**

**Introduction**

1. The following matters have arisen from my preliminary appraisal of the South Northamptonshire Part 2 Local Plan (the Local Plan) and the supporting material. These are general procedural matters and issues that bear on the soundness or legal compliance of the Local Plan, and hence I am raising them at an early stage to assist with the examination.

2. In due course, I will be setting out the matters, issues and questions which will need to be addressed during the examination and that will be considered in the hearing sessions.

3. I have made it clear below where I consider that a reply would be helpful. I would appreciate responses to these questions and requests to be sent to the Programme Officer (PO) by 20 March 2019.

**Hearing Sessions**

4. We have agreed provisional dates for the examination hearing sessions, which are in the weeks commencing 10 and 17 June 2019. I am proceeding on the basis that hearings will take place Tuesday to Thursday of those weeks, with the Friday mornings kept in reserve in case of discussion over-runs.

5. You have asked whether minutes could be taken at the hearing sessions for circulation to respondents unable to attend in person. I consider that short notes of the day’s discussion, highlighting the matters covered and broad outlines of the points made would be acceptable. It must be made clear that these are the Council’s notes of the event. These notes should be made available in a specific folder on the examination website.

**Scope of the examination**

6. The Local Plan was submitted to the Secretary of State on 22 January 2019. Consequently, the transitional arrangements set out in paragraph 214 of the February 2019 version of the National Planning Policy Framework establish that the policies in the previous edition of the Framework published in March 2012 will apply for the purpose of examination of the plan, as will any previous Planning Practice Guidance, which has been superseded since July 2018.

7. Your covering letter accompanying the submission of the Local Plan of 22 January 2019 sets out the District Council’s request for me to
recommend any main modifications necessary to make the plan sound. I have noted that request and will proceed on this basis.

8. The Regulation 19 version of the Local Plan was published for consultation in September 2018. Included with your submission is a document described in the covering letter as a “Schedule of proposed Minor Amendments”. From my perusal of this table, as several of these proposed amendments would have a material effect on the Local Plan’s policies and the interpretation of them they clearly fall outside the scope of “additional modifications” as set out in the Planning and Compulsory Purchase Act 2004. Moreover, the submitted version of the Local Plan (dated January 2019) includes the modifications, although these are clearly highlighted in the text. Related changes also appear to have been made to the proposals map and insets since the Regulation 19 stage.

9. The latest iterations of the Habitats Regulation Assessment and Sustainability Appraisal are both dated September 2018, so it not clear that the January 2019 version of the Local Plan has been subjected to these processes. Moreover, I have no material before me to suggest that consultation on the January 2019 version of the Plan was carried out on the same basis as it was for the unamended Regulation 19 document. It would be helpful if the Council could clarify these matters.

10. Although I appreciate that the Council’s position may have evolved on some of the matters on which modifications are proposed, on the basis of the submitted material, if these prove necessary for soundness and/or legal compliance, they will form the basis of main modifications to be consulted on at the appropriate stage in the examination, alongside any other main modifications that may be necessary. Additional modifications are of course, a matter for the Council prior to the adoption of the plan and are not subject to the examination process.

11. These matters, taken together, lead me to the view that the Regulation 19 version of the Local Plan published in September 2018, and related proposals maps and insets, should form the basis of the examination.

Duty to co-operate and the Northampton Related Development Area (NRDA)

12. The NRDA Topic Paper\(^2\) (December 2018) refers to a Duty to Co-operate Memorandum of Understanding. Does this refer to the Duty to Co-operate Statement\(^3\) (December 2018), or another document? I also note references to a Duty to Co-operate Statement of Common Ground focusing specifically on the NRDA— is this a different document from the ones I have been supplied with; and if so when is this likely to be available? Please could you provide the latest assessment of land supply within the NRDA and your latest Annual Monitoring Report and make these available on the examination website.

\(^1\) LP2SD02-3: Local Plan Part 2 Full Council Report for Submission (modifications)
\(^2\) LP2EVHOU-1
\(^3\) LP2SD06
Conformity with the West Northamptonshire Joint Core Strategy (JCS)

13. Reference is made in several submitted documents to a review of the JCS. As the progress on the JCS review is not clear from the submitted Local Development Scheme, I would appreciate a brief update on this.

Conclusion

14. Whilst I have aimed to be comprehensive in relation to the matters set out above, if you require any further clarification or further explanation of these requests, please contact me via the PO.

Yours sincerely

G J Fort
INSPECTOR
5 March 2019