



## CABINET REPORT

<b>Report Title</b>	<b>Central Area Action Plan – Emerging Plan Consultation</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	15 <sup>th</sup> July 2009
<b>Key Decision:</b>	Yes
<b>Listed on Forward Plan:</b>	Yes
<b>Within Policy:</b>	No
<b>Policy Document:</b>	Yes
<b>Directorate:</b>	Planning and Regeneration
<b>Accountable Cabinet Member:</b>	Councillor Richard Church
<b>Ward(s)</b>	Castle, Delapre, St. Crispin

### 1. Purpose

- 1.1 The report and appendices sets out details for and seeks Cabinet approval of the emerging strategy for the Central Area Action Plan. It also outlines the consultation process anticipated on the emergent strategy. This is part of the process of moving towards a submission draft of the Plan to be issued in November 09.

### 2. Recommendations

- 2.1 Consider the report and approve consultation on the emerging strategy document contained within Appendix 1.
- 2.2 Delegate to the Director of Planning in consultation with the Portfolio Holder for Regeneration amendments to the document in Appendix 1, if required, prior to starting the consultation process.

### **3. Issues and Choices**

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#### **3.1 Report Background**

- 3.1.1 In its role as a statutory plan making authority, the Council is obliged to meet its commitment as set out in the Local Development Scheme to prepare a Central Area Action Plan for Northampton. The anticipated adoption date is May 2011. The Action Plan sets out a more detailed policy framework for the development of the centre. It has to be consistent with the broad vision for West Northamptonshire which will be set out in the Core Strategy and also that contained within the East Midlands Regional Plan (RSS8).
- 3.1.2 The Council previously carried out an Issues and Options consultation in September and October 2007. It was anticipated at that time that a further round of consultation, then known as Preferred Options, would be carried out. The planned consultation was in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004(b) and associated good practice guidance. In 2008 however, there was an amendment to regulations and associated guidance, which effectively removed the recommendation of undertaking the Preferred Options stage. Nevertheless, officers consider that it would still be prudent to undertake some wider targeted consultation on the emerging strategy for the plan. This is because of the advances that have been made on the Plan since the Issues and Options consultation in September and October 2007.
- 3.1.3 It is considered that this consultation would tease out the extent to which there is support, or major objection, prior to the next statutory stage in the process; Publication of Pre-Submission Draft. At that stage, government guidance advises that the Plan should really only be subject to very minor amendment prior to the Submission stage, when the Plan is considered by an independent planning inspector. Government and the Planning Inspectorate have become more pragmatic in accepting changes at the Submission stage, but with the continued emphasis on 'front loading' of the plan process, it is unlikely that this pragmatism is a scenario that can be relied upon to continue.

#### **3.2 Issues**

- 3.2.1 The consultation will outline the Council's emerging thoughts on a number of policy areas, with a view to revising its approach if considered necessary before preparing the Publication of the Submission Draft. Officers have been working closely with partners, in particular the West Northamptonshire Joint Planning Unit, West Northamptonshire Development Corporation and Northamptonshire County Council in taking forward work on the Plan. In line with the emphasis on implementation and delivery within the new plan, there has been an attempt to provide some rigour to a delivery plan, particularly within the first five years, to ensure that the Plan is not based on aspiration.
- 3.2.2 The emerging plan has been based on a wide-ranging evidence base, examples of which include the CACI Retail Strategy for Northampton and the emerging Roger Tym and Partners Town Centre Health Check. Nevertheless, there are still some key pieces of work that, whilst well advanced, need to be finalised. These include the Strategic Flood Risk Assessment Level 2, Strategic Housing Land Availability Assessment, Strategic Employment Land Assessment (now out to consultation) and the Transport Model for

Northampton Town Centre. This research, or its substantive findings, are planned to be available before Publication of Submission Draft in November.

- 3.2.3 The emergent strategy has been shaped by the results of the Issues and Options consultation and on-going dialogue with partners and stakeholders. Council members have had the opportunity to have an input into the process through one to one sessions throughout May and a workshop on 11<sup>th</sup> June 09. Key changes to the document as a result of the members' event have been an amendment to the vision and the boundary of the Central Area. Further changes will relate to the detail on individual development sites and testing of transport options, in particular those that seek to reduce the severance effect of the inner ring road, allowing the centre to expand and connect better to surrounding communities.
- 3.2.4 In terms of consultation, it is proposed that the emergent strategy (as set out in Appendix 1) will be placed on Limehouse a web-based consultation platform. A shorter summary leaflet in plain English of up to 12 A4 sides will be produced, together with a short questionnaire, or the ability to make comments. Every person or organisation that had given an indication of wishing to be kept informed of further stages of the Plan will be contacted to be made aware of the consultation and those contained within the Statement of Community Involvement. In addition it is anticipated that there will be a number of public consultation events, this may include a display in the Grosvenor Centre with officers on hand to answer queries for short periods, presentations to forums, e.g. Older Persons' and Disabled Persons' and partnership groups such as the Local Strategic Partnership and the Town Centre Partnership.
- 3.2.5 Appendix 1 gives an outline of the text of the emergent strategy that will be issued for consultation. There may be a need to consider revisions of its content if new information comes to light before the planned consultation period starts, simplify its language in parts so that it is more accessible to a wider range of people and alter the questions asked so that are more focussed on elements where consultation input can make a real difference to the emerging strategy. If this is the case, it is requested that Cabinet allow amendments to be made to the document in consultation with the Portfolio Holder for Regeneration prior to it being released to the public.

### **3.3 Choices (Options)**

- 3.3.1 There are a number of choices available to Cabinet. It could either decide that the consultation should:
- not be undertaken;
  - be delayed
  - be undertaken as set out in this report, with any additions Cabinet may consider appropriate, which can clearly be evidenced as appropriate in planning terms
- 3.3.2 Given that the preparation of a Local Development Framework is a statutory requirement and the Council has signed up to the Local Development Scheme, the first bullet point is not appropriate. It could lead to significant issues being raised at the consultation stage of Publication of Submission Draft. Substantial changes in the document in between this stage and prior to

Submission are considered inappropriate in guidance, so it is possible that the Council would have to undertake another round of consultation redoing Publication of Submission Draft. Delaying consultation on the emerging strategy severely limits the opportunity to effectively take into consideration representations that would be received when consultation did occur if the milestone of consultation on the Submission Draft stage in November is to be met.

3.3.3 The third bullet point is the recommended preferred approach.

#### **4. Implications (including financial implications)**

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##### **4.1 Policy**

- 4.1.1 The Central Area Action Plan will when it is adopted will replace parts of the saved Northampton Local Plan 1997, and along with the East Midlands Regional Plan and the West Northamptonshire Joint Core Strategy become part of the statutory development plan for the central area.
- 4.1.2 An up to date CAAP will provide a clear policy framework as the principle basis for the determination of planning applications to guide discussions and to underwrite bids for third party funding.

##### **4.2 Resources and Risk**

- 4.2.1 The production of the Plan is a very resource intensive process. Changes to the production timetable of the document as set out in the Local Development Scheme and uncertainty over commissioning planned pieces of research with partners associated with creating an effective evidence base resulted in an underspend in 08/09. Nevertheless the need for this work to occur to ensure that the Plan is sound has not gone away. Consequently there is a need for this underspend to be carried forward to 09/10 to provide an adequate resource base to keep the plan sound and to programme. Appropriate levels of budget for future stages of the Plan have been sought and attained through the Council's Medium Term Plan budgetary process.
- 4.2.2 The Local Development Framework process is complicated. There have been several cases, particularly within the early years of the move towards Local Development Frameworks, of plans being found to be 'unsound' and therefore not being able to be adopted. Precautions have been taken in terms of risk analysis and support has been given by instruction of counsel and a critical friend from the Planning Officers' Society. These have been able to advise on plan content and procedures to minimise risk of the plan not being found sound. In addition the Planning Inspectorate now gives advice prior to examination on any submitted Plan identifying any potential 'show stoppers' which would mean that they would be unlikely to support the plan. Therefore in reality the Plan is unlikely to get to submission and be found unsound. However, there is still a small risk of the potential need to redo some stages prior to submission should any deficiencies in the content or approach be identified.

##### **4.3 Legal**

- 4.3.1 See section 4.1 and 4.2 above. The weight attached to the emerging Plan is still limited, although it will be a material consideration in the determination of planning applications. The Plan becomes the principle consideration when

found sound by the Inspector, and the weight to be attached to its policies increases as the various stages are achieved.

#### **4.4 Equality**

- 4.4.1 A screening of the Issues and Options document indicated the need for a full Equality Impact Assessment of the Plan. Issues were identified that could potentially have an adverse effect on the following equalities strands: race, disability, gender and age. These issues include accessibility in terms of transportation and movement and accessibility to facilities; the fear of crime and personal safety; and restrictions on opportunities for some land uses. Officers are aware of these issues and will seek to ensure that adverse impact is limited, or turned into a positive.
- 4.4.2 Analysis of the demographic of the previous consultation responses indicated a balanced representation from most of the equalities strands the only exception being an under-representation of younger people. Steps are being taken to ensure that this is addressed through more active and targeted youth engagement. A full Equality Impact Assessment will be undertaken in firming up the Plan at Pre-Submission Draft and Submission stages.

#### **4.5 Consultees (Internal and External)**

- 4.5.1 In the production of the Plan there has been continued consultation with internal departments, including legal, finance, housing, procurement, regeneration, public protection, neighbourhood environmental services, policy and community engagement, communications and the director of Northampton Local Strategic Partnership. A presentation has also occurred at one of the Chief Executive led Managers Sessions. Member engagement initially was through the Local Development Framework Steering Group and more recently, drop in sessions and a Members' Workshop.
- 4.5.2 In addition external consultation has occurred with the Northampton Local Strategic Partnership, Northamptonshire County Council, West Northamptonshire Development Corporation, West Northamptonshire Joint Planning Unit and in association with the Unit the Environment Agency, River Nene Regional Park, major infrastructure providers such as the utilities and the emergency services.

#### **4.6 How the Proposals deliver Priority Outcomes**

The Plan is essential to the future prosperity and planning of the centre of Northampton as part of the wider growth agenda, cementing its role at the sub-regional level. It provides civic leadership in drawing together all public sector agencies into agreed and focussed priorities. It is a key document in addressing all the Council's five corporate priorities.

#### **4.7 Other Implications**

None

### **5. Background Papers**

- 5.1 Northampton Central Area Action Plan: Issues and Options Discussion Paper September 2007.

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