Northamptonshire County Council
Minerals and Waste Local Plan Update- Final Draft Plan
Soundness and NPPF compliance self-assessment checklist

This self-assessment checklist has been prepared by Northamptonshire County Council’s Planning Service in respect of demonstrating soundness and compliance with the National Planning Policy Framework (NPPF) and other government guidance for the Final Draft Plan – Minerals and Waste Local Plan Update. The checklist has been derived from the Planning Advisory Service (PAS) March 2014 Soundness toolkit.

In summary – the key requirements of plan preparation are:

- Has the plan been positively prepared i.e. based on a strategy which seeks to meet objectively assessed requirements?
- Is the plan justified?
- Is it based on robust and credible evidence?
- Is it the most appropriate strategy when considering against the alternatives?
- Is the document effective?
- Is it deliverable?
- Is it flexible?
- Will it be able to be monitored?
- Is it consistent with national policy?

The following table sets out the requirements associated with these four tests of soundness and the evidence supporting these. Only those parts of the National Planning Policy Framework (NPPF) that are of relevance to minerals and waste planning have been addressed.

The Minerals and Waste Local was only recently fully adopted in October 2014. Government Guidance says that planning authorities should have and maintain an up-to-date plan. Although the MWLP is currently up-to-date and fully compliant with the NPPF, it needs to remain so. Bearing in mind revisions normally take around two to three years depending on complexity, the gap between revisions should be relatively short.

The update concentrates on: the minerals and waste allocations and designations and the approach taken to these, particularly regarding waste sites; and the plans coverage of fire safety for waste development. It is not proposed to review any other components of the adopted MWLP.

Although much of the plan has simply been rolled forward into the Local Plan Update, for the purpose of providing clarity and demonstrating how the plan (as a whole) is compliant with government guidance and the tests of soundness, this self-assessment checklist addresses all elements of the plan. It should be noted that those parts of the plan taken forward unchanged from the MWLP Review (i.e. “out of scope”) have already been subject to examination and found to be sound.

Separate checklists and briefs have been prepared for legal compliance and the Duty to Cooperate. Requirements of the Waste Framework Directive (Article 28) are addressed through the Local Assessments of Waste Needs (Appendix 1).

The Tests of Soundness
The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. Those seeking changes should demonstrate why the plan is unsound by reference to one or more of the soundness criteria.
The tests of soundness are set out in the NPPF (paragraph 182): “The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Co-Operate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound”, namely that it is:
- Positively Prepared: based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.
- Justified: the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence.
- Effective: deliverable over its period based on effective joint working on cross-boundary strategic priorities.
- Consistent with national policy: enabling the delivery of sustainable development.

Conclusion drawn from the self-assessment
The Council considers that the partial review process and the Final Draft Minerals and Waste Local Plan are compliant with the NPPF, National Planning Policy for Waste and tests of soundness.
<table>
<thead>
<tr>
<th>Positively Prepared: the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Soundness Test and Key Requirements</strong></td>
</tr>
</tbody>
</table>
| **Vision and Objectives** | • The plan period is from 1st Jan 2011 to 1st Jan 2031.  
• The plans vision and objectives are set out in Section 3  
• The plans policies seek to deliver the objectives, the links between the objectives and policies are set out in the monitoring framework (Table 8, first column).  
• The spatial strategy for minerals development and waste related development are set out through Policies 2 and 11. These are illustrated in Plan 3 and 5, as well as the Key Diagram in Section 7.  
• The provision to be met for aggregates is set out in Policy 1; sites have been allocated in order to facilitate delivery (Policies 4, 5 and 7).  
• The indicative capacity requirements for waste management and disposal are set out through Policies 10 and 14, sites and industrial locations have been allocated in order to facilitate delivery (Policy 13). Sites are not allocated for non-inert landfill however the strategy for disposal is set out in Policy 14. A detailed breakdown of the waste arisings, indicative capacity requirements and indicative capacity gap throughout the plan period is set out in Tables 3, 4, 6 and 7. In addition a rough guide to the number of facilities required is set out in paragraph 5.34.  
• The MWLP recently underwent examination and was found to be sound (adopted October 2014). The vision, objectives, spatial strategies, provision rates and indicative capacity requirements were not included in the scope of the MWLP Update. During the planning process government agencies have been invited to comment on the vision and objectives. Any comments raised have been considered. (Responses for each stage of the plan-making process are available from the councils website)  
• The Minerals and Waste Development Scheme (MWDS) sets out the scope of the Update and timeframe for the plan making process. |

**The presumption in favour of sustainable development (NPPF paragraphs 6-17)** | • The presumption in favour of sustainable development is identified in para 1.10 to 1.12.  
• The specific development needs for the plan area are set out through the provision to be met and indicative capacity requirements. The plan takes a flexible approach to delivery through the identification of allocations and development criteria (that allows unallocated sites to come forward through the planning application process).  
• The plan making process is summarised at the start of the publication document in the “About the Northamptonshire Minerals and Waste Local Plan”. |
<table>
<thead>
<tr>
<th>Soundness Test and Key Requirements</th>
<th>Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.</td>
<td>• The presumption in favour of sustainable development is identified in paragraphs 1.10 to 1.12. This has not been reproduced within a specific policy as there is no need to reiterate the NPPF.</td>
</tr>
<tr>
<td><strong>Objectively assessed needs</strong>&lt;br&gt;The economic, social and environmental needs of the authority area addressed and clearly presented in a fashion which makes effective use of land and specifically promotes mixed use development, and take account of cross-boundary and strategic issues.</td>
<td>• The provisions for minerals and waste to be met were objectively assessed and determined through the Local Aggregate Assessment (LAA) and the Local Assessment of Waste Management Needs which forms part of the evidence base. These assessments also take account of cross-boundary and strategic issues.&lt;br&gt;• The Sustainability Appraisal (SA) also assessed the economic, social and environmental needs of the authority area against the plans visions, objectives, spatial strategy and policies.</td>
</tr>
<tr>
<td><strong>NPPF Principles: Delivering sustainable development</strong></td>
<td></td>
</tr>
<tr>
<td><strong>1. Building a strong, competitive economy (paragraphs 18-22)</strong></td>
<td>• The vision and objectives set out in Section 3 provide for a clear guidance on industry investment and consideration of economic factors regarding minerals and waste related development within the county.&lt;br&gt;• Economic factors and issues were also taken into account through the SA process which acted to inform the plan-making process.&lt;br&gt;• Site assessments (including economic factors and deliverability) were undertaken through the Local Plan plan-making process.&lt;br&gt;• Development criterion, which aims to facilitate delivery of the plan, provide flexibility and provide a positive planning mechanism to encourage investment in minerals and waste development are set out in policies 3, 6, 8, 9, 12, 15, 16 and 17.</td>
</tr>
<tr>
<td><strong>2. Ensuring the vitality of town centres (paragraphs 23-37)</strong></td>
<td>• The vision, objectives and spatial strategy gives consideration to how the plan can contribute to the vitality of town centres.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Soundness Test and Key Requirements</th>
<th>Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Supporting a prosperous rural economy (para 28)</td>
<td>• The vision, objectives and spatial strategy gives consideration to how the plan can contribute to ensuring a prosperous rural economy in addition sites are allocated in rural areas for minerals and waste development. In this manner the plan takes a positive approach to new development in rural areas.</td>
</tr>
</tbody>
</table>
| 4. Promoting sustainable transport (paragraphs 29-41)                        | • Policy 19 encourages development which facilitates the use of sustainable and alternative mode of transport. This policy promotes sustainable transport movements.  
• The spatial strategies also seek to relate minerals and waste development with urban areas/settlements, related infrastructure and transport networks. |
| 5. Supporting high quality communications infrastructure (paragraphs 42-46)  | • Not applicable                                                                                                                                                                                          |
| 6. Delivering a wide choice of high quality housing (paragraphs 47-55)      | • The plan supports the delivery of housing and sustainable communities through the provision of aggregates and development of a sustainable waste management network.  
• Housing trajectories and population growth were taken into account through the LAA and waste needs assessment.  
• The allocation of strategic sites (for housing) within the District / Borough Plans were taken into consideration through the plan-making process (MWLP site assessment process). |
| 7. Requiring good design (paragraphs 56-68)                                 | • Policy 18 and 23 seeks to increase the design quality of minerals and waste related development, whilst Policies 26 and 27 seek to increase the quality of design for other forms of development. |
• Policy 24 promotes the restoration of sites to maximise beneficial outcomes that may also contribute towards healthy communities and recreational opportunities.  
• Policy 20 seeks to protect and enhance green infrastructure and biodiversity networks.  
• Policy 30 seeks to reduce land-use conflict resulting from incompatible development encroaching on minerals and waste related development (and in turn reduce environmental nuisance effects on communities).  
• Paragraph 6.55 supports the improvement and maintenance of public rights of way.  
• Policy 25 provides for the establishment of Local Liaison Groups.  
• Social factors and issues (including healthy communities, access to service / facilities and recreational opportunities) were also taken into account through the SA process which acted to inform the plan-making process. |
<p>| 9. Protecting Green Belt land (paragraphs 79-92)                            | • Not applicable                                                                                                                                                                                          |</p>
<table>
<thead>
<tr>
<th>Soundness Test and Key Requirements</th>
<th>Evidence</th>
</tr>
</thead>
</table>
| 10. Meeting the challenge of climate change, flooding and coastal change (paragraphs 93-108)         | • A strategic flood risk assessment was undertaken for the Local Plan process; in addition all allocations were subject to flood risk assessment (sequential test).  
• The plan proactively addresses climate change, taking full account of flood risk and water supply / demand considerations through Policies 18, 24 and 26.  
• The plan also supports the Governments low carbon targets through paragraph 6.73.  
• The diversion of waste from landfill towards more sustainable management options will help to address climate change (through a reduction in greenhouse gases). In addition the plan encourages the use of secondary and recycled materials. |
| 11. Conserving and enhancing the natural environment (paragraphs 109-125)                           | • Policy 18 and 20 supports the conservation and enhancement of the natural environment, in addition policy 24 promotes the restoration of sites to maximise beneficial outcomes which may also contribute towards natural environment outcomes (including re-creation of priority habitats, ecological networks and the recovery of priority species. Detailed practical guidance is also set out in the Development and Implementation Principles Supplementary Planning Document (SPD).  
• Natural environment factors and issues were taken into account through the SA process which acted to inform the plan-making process.  
• National and international designations, local ecological networks and geological conservation interests are identified on the online Proposals Map. |
| 12. Conserving and enhancing the historic environment (paragraphs 126-141)                          | • Policies 18 and 22 set out a positive strategy for the conservation and enhancement of historic environment. In adding Policy 24 promotes the restoration of sites to maximise beneficial outcomes which may also contribute towards historic environment outcomes.  
• The plan promotes development of sites for building and roofing stone in order to support local identity and distinctiveness.  
• Historic assets are identified on the online Proposals Map. |
| 13. Facilitating the sustainable use of minerals (paragraphs 142-149)                               | • The plan positively plans for the provision of a sufficient supply of material to provide the infrastructure, buildings, energy and good that the country needs through the vision, objectives, spatial strategy for mineral development, allocation of sites and related policies.  
• Policy 16 provides for the progressive restoration of sites to an acceptable condition and stable landform. It also seeks to ensure that after-use gives consideration to the local land-use context and maximise beneficial outcomes.  
• Identifies and include policies for the extraction of mineral resources of local and national importance for the county, including relevant development criteria, through policies 1 to 7. Other local planning considerations regarding potentially adverse effects, sustainable transport, natural assets and resources, landscape character, historic environment, layout and design quality and restoration and after-use is set out through policies 18 to 24. Guidance on environmental effects such as noise and dust are detailed in the SPD. |
<table>
<thead>
<tr>
<th>Soundness Test and Key Requirements</th>
<th>Evidence</th>
</tr>
</thead>
</table>
| • Encourages the use of secondary and recycled materials (including identification of allocations for such development) through Policy 8 and 9.  
• Mineral Safeguarding Areas are identified through policy 28. The policy also supports prior extraction where appropriate. In addition minerals related development is safeguarded from alternative use through policy 29. | |

**Justified:** *The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.*

To be ‘justified’ a DPD needs to be:

- Founded on a robust and credible evidence base involving: research / fact finding demonstrating how the choices made in the plan are backed up by facts; and evidence of participation of the local community and others having a stake in the area.
- The most appropriate strategy when considered against reasonable alternatives.

**Participation**

- Refer to statement of consultation and engagement. Consultation has been undertaken in line with the SCI and regulatory requirements, including the Duty to Co-operate.
- The most up to date information available was used: data sources and assumptions are detailed in the study reports.
- Further information on the evidence is available on the council website.

**Research / fact finding**

- The Local Plan is supported by a sound and credible evidence base including the LAA and waste needs assessment as well as the SA and HRA.
- The most up to date information available was used: data sources and assumptions are detailed in the study reports.
- Further information on the evidence is available on the council website.

**Alternatives**

- Alternatives were discussed and consulted on throughout the plan-making and SA stages.
- The assessment of alternatives, including the reasons for selecting the preferred strategy and rejecting alternatives, is also detailed in the LAA, waste needs and SA.
- Consultation responses and how there were taken into consideration have been published at all stages of the plan process.

**Effective:** *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.*

To be ‘effective’ a DPD needs to:

- Be deliverable
- Demonstrate sound infrastructure delivery planning
- Have no regulatory or national planning barriers to its delivery
- Have delivery partners who are signed up to it
### Soundness Test and Key Requirements

<table>
<thead>
<tr>
<th><strong>Deliverable and Coherent</strong></th>
<th><strong>Evidence</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Be coherent with the strategies of neighbouring authorities</td>
<td>- The plans vision and objectives are set out in Section 3. The plans policies seek to deliver the objectives, the links between the objectives and policies are set out in the monitoring framework. The plans objectives and policies are internally consistent.</td>
</tr>
<tr>
<td>- Demonstrate how the Duty to Co-operate has been fulfilled</td>
<td>- The provision to be met for aggregates is set out through policy 1, sites have been allocated in order to facilitate delivery (policies 4, 5 and 7).</td>
</tr>
<tr>
<td>- Be flexible</td>
<td>- The indicative capacity requirements for waste management and disposal are set out through Policies 10 and 14; sites and industrial area locations have been allocated in order to facilitate delivery (Policy 13). Sites are not allocated for non-inert landfill however the strategy for disposal is set out in Policy 14. A detailed breakdown of the waste arisings, indicative capacity requirements and indicative capacity gap throughout the plan period is set out in Tables 3, 4, 6 and 7. In addition, a rough guide to the number of facilities required is set out in paragraph 5.34.</td>
</tr>
<tr>
<td>- Be able to be monitored</td>
<td>- The MWLP recently underwent examination and was found to be sound (adopted October 2014). The vision, objectives, spatial strategies, provision rates and indicative capacity requirements were not included in the scope of the MWLP Update. During the planning process government agencies have been invited to comment on the vision and objectives. Any comments raised have been considered. (Responses for each stage of the plan-making process are available from the councils website)</td>
</tr>
<tr>
<td>- The vision and objectives have been included for comments throughout the plan making process. All relevant agencies have been invited to comment on the plan.</td>
<td></td>
</tr>
</tbody>
</table>

### Infrastructure Delivery

- The provision to be met for aggregates is set out through policy 1, with sites allocated in order to facilitate delivery (policies 4, 5 and 7).
- The indicative capacity requirements for waste management and disposal are set out through Policies 10 and 14; sites and industrial area locations have been allocated in order to facilitate delivery (Policy 13). Sites are not allocated for non-inert landfill however the strategy for disposal is set out in Policy 14. A detailed breakdown of the waste arisings, indicative capacity requirements and indicative capacity gap throughout the plan period is set out in Tables 3, 4, 6 and 7. In addition, a rough guide to the number of facilities required is set out in paragraph 5.34.
- Developer requirements/infrastructure needs for specific sites is detailed in Appendix 1.

### Co-ordinated Planning

- The spatial strategy for minerals and waste related development is set out in policy 2 and 11. These are illustrated in Plan 3 and 5 as well as the Key Diagram in Section 7.
<table>
<thead>
<tr>
<th>Soundness Test and Key Requirements</th>
<th>Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>- The planning context including other plans and strategies are taken into account and discussed in Section 2.</td>
<td></td>
</tr>
<tr>
<td><strong>Flexibility</strong></td>
<td>- The plan provides flexibility through the identification of an annual aggregate provision figure which acts as an average (not a ceiling) and indicative waste management / disposal capacity requirements which are complemented by spatial strategies, site allocations (including industrial locations for waste management) and development criteria allowing for unallocated sites to come forward through the planning application process during the plan period. - The monitoring framework is detailed in table 8 and includes indicators, targets and trigger points for correction and/or mitigation measures. - The LAA will be updated annually.</td>
</tr>
<tr>
<td><strong>Co-operation</strong></td>
<td>- The monitoring framework is detailed in table 8 and includes identification of implementation partners for all policies. - Additional guidance is provided in the SPD regarding policy areas (such as waste minimisation / integration with new development) where the District / Borough Councils are key implementation partners. In developing the SPD the County Council undertakes workshops and provides toolkits to the District and Borough Councils to aid implementation. - DtC statement published at the start of the plan making process.</td>
</tr>
<tr>
<td><strong>Monitoring</strong></td>
<td>- The monitoring framework is detailed in table 8 and includes indicators, targets, implementation partners and trigger points for correction and/or mitigation measures as relevant to each policy. - The SA monitoring framework is linked to the plans and is detailed in the SA report.</td>
</tr>
<tr>
<td><strong>Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.</strong></td>
<td>The plan and its proposals are in general compliance with national policy. - Consultation on the plan has been undertaken as per the SCI and relevant requirements. Consultation responses were given due consideration at each stage of the plan-making process. - Refer to the statement of consultation and engagement. - The monitoring framework includes indicators, targets, implementation partners and trigger points for correction and/or mitigation measures relevant to each policy. - The plan has been subject to SA and HRA.</td>
</tr>
</tbody>
</table>

- Does the DPD contain any policies or proposals which are not consistent with national policy and, if so, is there local justification? - Does the DPD contain policies that do not add anything to existing national guidance? If so, why have these been included?