Local Plan Part 2 Draft Submission Regulation 19 Consultation

Policy AL2 – Land at Woolgrowers Field, Towcester

South Northamptonshire Council (SNC) is undertaking consultation on the Local Plan Part 2 Draft Submission Regulation 19 Consultation until 16 November 2018. These representations are prepared in response to the current consultation exercise and relate to land in our clients ownership known as ‘Woolgrowers Field’, Towcester, which is referred to as Policy AL2 in the draft document.

Background

The West Northamptonshire Joint Core Strategy (WNJCS) ‘Local Plan Part 1’ was adopted by SNC in December 2014. The WNJCS identified a requirement for non-strategic employment sites (of less than 40ha) to assist and support the growth of Towcester as a Rural Service Centre up to 2029 and beyond.

The Part 2 Settlements and Countryside Local Plan for South Northamptonshire (Part 2 Plan) builds on the policies of the adopted West Northamptonshire Joint Core Strategy (“WNJCS”) (2014) and will cover the whole of the administrative area of South Northamptonshire, including areas identified within the WNJCS as being required to meet Northampton’s needs.

Our client owns 4.5ha of land situated to the north of the built up area of the settlement of Towcester (site location plan enclosed). The site is bound by the A5 to the east and Towcester Road and the A43 to the south which connects the site to the M1 motorway. The site is bound by Open Countryside to the north.

The surrounding area is predominantly commercial in nature and includes a car showroom; a garden centre / nursery / farm shop, Petrol Station and a building supplier. The site also falls within the Northern Gateway (site TI) ‘Tove Valley Business Park’.

Our client previously submitted representations in relation to the ‘Woolgrowers Field’ to the South Northamptonshire Local Plan Issues Paper (October 2013), the Options Consultation (May 2016) and the Local Plan Part 2 Pre-Submission Draft in November 2017, promoting the land for employment development.

The site has been identified in previous documents as a suitable location for new employment development at the edge of the settlement of Towcester. This assessment is based on the nature of the surrounding uses, good links to the strategic highway network and being well screened by existing commercial development to the east, south and west, ensuring that there would not be unrestricted urban sprawl into the open countryside.
Pre- Submission Draft Policy
Policy Towcester Employment 3: Land at Woolgrowers Field, Towcester

The Pre-Submission Draft policy looked to allocate Woolgrowers Field, Towcester for B1 (office), B2 (general industrial) and B8 (storage and distribution) employment uses. We strongly supported the Council’s intention to allocate the site for new employment development.

We noted the Council’s intention to deliver an equal proportion of B1 (Use Class) office, B2 (Use Class) general industrial and B8 (Use Class) storage and distribution at the site. We suggested that there should be sufficient flexibility within the policy to react to market demand and allow for an approximate mix of B (Use Class) employment uses.

We also suggested that a flexible approach to other commercial uses should be applied to include other employment generating uses such as car showrooms (Use Class sui generis), drive thru restaurants (Use Class A5) and trade counters (Use Class A1/B8). Overall, positively worded policies should be sufficiently flexible to include quasi-employment uses, ultimately contributing towards a diverse economy.

We also noted the specific design and place shaping principles set out in Policy Towcester Employment 3. We suggested that in light of these clear guiding principles, it was not necessary for a masterplan to be prepared and agreed with SNC before a planning application is submitted.

As part of the preparation of any future planning application, pre-application will be undertaken with SNC to agree design and layout principles. Any future planning application would also be supported by the required technical reports and assessments, for example ecology and archaeology.

Draft Submission – Regulation 19 Consultation
Policy AL2: Land at Woolgrowers Field, Towcester

The current consultation document again includes the site as an employment allocation, which is supported and consistent with previous draft documents. There have been some minor amendments to the wording of the policy since the pre-submission draft document was published.

Land Use
Some of these changes are supported, such as the acknowledgement of the ancillary uses to the wider B uses in the employment area. This will provide flexibility to respond to market conditions and meet changing employment needs, as the scale of employment increases in this location the greater the need for ancillary elements to support local business.

We would still suggest that in section 3a of the policy that the wording is amended to “ancillary uses of an appropriate scale that are complementary to the surrounding employment area”, in acknowledgement of the requirement for supporting uses for the wider employment area rather than just this specific site.

Archaeology / Heritage
There are however additions to the current draft policy that been inserted and are more onerous, which we object to as part of this consultation process.

There is a criteria to provide detailed heritage and archaeological impact assessment and seek agreement with Historic England prior to bring forward any proposals. There has been no previous requirement for anything as onerous and there is no explanation on why at this stage any proposals would need to secure set building heights with Historic England. There is reference in para 13.2.9 that the two other employment allocations further east (Bell Plantation and Tiffield Lane) have been identified as having a potential impact.
on Easton Neston Grade II* Registered Park and Garden. This is not relevant to this site and in the absence of any specific heritage asset reference we suggest that these criteria are removed and the generic approach be reinstated from the Pre-submission Draft version. These stated that any proposals should provide;

- **Detailed consideration of any archaeological impacts including the need to record and preserve findings ahead of any development, together with a programme of archaeological mitigation;**

- **Detailed consideration of any impacts on designated and non designated heritage assets including a programme of mitigation;**

**Sports pitches**

There is also a requirement to contribute towards new sports pitch provision on land outside of the employment allocation. The specific wording is set out below

*a financial contribution towards the implementation of the Towcester Town Football Club based on the land value for employment use of 17% of the total undeveloped allocated site (index linked from the date of date of the first planning permission on the site). 40% of the contribution would be payable on the completion of 20% of the net site area and the remaining 60% on the completion of 80% of the of the net site area;*

The landowners object strongly to the imposition of this criteria in the AL2 policy. There is inference from the supporting text that this is a requirement based on the impacts of any proposal on this site. This is unreasonable as development on this site for employment uses in line with the proposed policy would not give rise to increased demand for need or use of such facilities.

The landowner has not been approached to provide land or financial support for playing pitches on their site. It is our understanding that the pitches were proposed by the adjoining landowners as part of their employment uses and as such the viability and level of pitch provision should be set accordingly to ensure a viable allocation.

**Local Authority justification for changes**

The supporting text to Policy AL2 states that

*"to assist in the delivery of new football facilities on the Bell Plantation site. it is considered equitable and reasonable that the neighbouring employment allocations in the Towcester area contribute towards the establishment of this important recreational and community facility. The Woolgrowers site extends to 4.5ha. of proposed new development and the Tiffield Lane site a further 21ha. The land that is being made available by the Bell Plantation site represents 17% of the total undeveloped allocation"*

**Landowner response**

As set out above there is no requirement on the part of developing this site for the proposed employment and ancillary uses that would mean that it should contribute towards sports pitch provision in Towcester. This site is accessed and can be developed independently of the Bell Plantation.

There is no disputing the need for Towcester Town FC to find a base and enhanced facilities but it would be more relevant for the Local Authority to look to the major residential development proposals locally to fund facilities which they will undoubtedly increase the need for.
If SNC have not been able to fulfil this requirement it is not considered appropriate to impose this on the employment allocations as currently proposed. It also appears that there is a lack of clarity and detail around the financial requirements for such a facility and suggests that this is somewhat premature until further work has been undertaken to fully understand the costs associated with such a proposal.

In addition to the funding it is also questioned whether this is the most appropriate location for a new facility for Towcester Town FC. Given the significant growth of the town is to the South it does not seem a logical strategy to locate new facilities to the north of the A43, which separates the town from the proposal. There is additional land to the south of Towcester, around the racecourse which may be a more appropriate and accessible location.

There is no evidence that there has been detailed work on the options or the viability of delivery of such a facility.

National Policy and Guidance

National Planning Practice Guidance is clear that planning policies need to be justified and the evidence should be available to underpin those policies.

The National Planning Policy Framework says that plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan. Policy requirements for developer contributions should be informed by proportionate evidence of infrastructure and affordable housing need and be assessed for viability at the plan-making stage in accordance with guidance.

At an early stage in the plan-making process strategic policy-making authorities will need to work alongside infrastructure providers, service delivery organisations, other strategic bodies such as Local Enterprise Partnerships, developers, landowners and site promoters. A collaborative approach is expected to be taken to identifying infrastructure deficits and requirements, and opportunities for addressing them.

In all cases, including where tariff style charges are sought, the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind.

Planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms.

Planning obligations must be fully justified and evidenced. The securing of planning obligations through s106, will need to meet the three CIL tests and NPPF tests as set out in Paragraph 56.

These are where the contribution is:

- Necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonably related in scale and kind to the development

It is clear, as set out in these representations that the policy as currently worded would not meet these tests.
Conclusions

Overall, we strongly support the allocation of the Woolgrowers Field for employment uses. Our clients land could deliver new non-strategic employment development (of less than 40ha) to meet the WNJCS target of 28,500 net additional jobs over the plan period and the Vision of the emerging Local Plan Part 2.

A range of employment uses could come forward at the site including quasi-employment uses to further support the principles of ‘Tove Valley Business Park’ and more generally the Towcester Masterplan – Volume 2. The redevelopment of the site for employment uses would also help to reduce the high level of out commute the District currently experiences by providing jobs in accessible locations close to Towcester and the surrounding villages.

We suggest that the policy wording should be flexible enough to accommodate a range of uses based on market demand and quasi-employment uses which reflect the existing uses at the Tove Valley Business Park and the aims of the wider area.

However, the landowner objects to some of the detailed criteria set out in the policy, that have been introduced since the previous draft, without any dialogue or detailed justification. There are concerns that the policy as currently drafted, requiring the funding of football pitches which fails the tests for planning obligations and is not related to the development of this site. As such criteria 5 d should be deleted from the policy.

The heritage and archaeological requirements are considered onerous. They seem to replicate those set out in the two employment allocations to the east and there is no specific reference to justify why such requirements are necessary on this site.

As such the policy should be amended and criterion 5 a and b amended as set out in these representations.

Yours faithfully

Richard Walters
Director