South Northamptonshire Local Plan Part 2 – Draft Submission
(November 2018)
Representations on behalf of Ashfield Land and Vulpes Ltd

November 2018
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## Contact

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15 November 2018
1. Introduction

1.1 These representations are made on behalf of Ashfield Land and Vulpes Ltd (our clients) in response to South Northamptonshire Council’s consultation on the Draft Submission version of the South Northamptonshire Local Plan Part 2. Our clients have significant land interests to the west of Brackley, comprising 52.31 hectares, as shown on the Site Location Plan included at Appendix 1 (Drawing no. 1002 Rev B).

1.2 Our clients have previously submitted representations to the Local Plan Part 2 in response to the following stages of consultation:

- Call for Sites;
- Preferred Options in May 2016; and
- Pre-Submission draft in November 2017.

1.3 The previous representations were supported by a detailed drawing pack including:

- Site Location Plan (Drawing no. 1002 Rev B) (provided at Appendix 1 of this representation);
- Parameters Plan (Drawing no. 3502 Rev B);
- Constraints and Opportunities Plan (Drawing no. 2001 Rev B); (provided at Appendix 2 of this representation);
- Facilities Plan (Drawing no. 1301 Rev B); and
- Phasing Plan (Drawing no. 3401 Rev B).

1.4 This statement is structured as follows:

- **Section 2**: Sustainable residential development opportunity at Brackley
- **Section 3**: Written Representations
- **Section 4**: Conclusions

1.5 For the avoidance of doubt, and notwithstanding references within the draft plan to the Revised National Planning Policy Framework (NPPF) (2018), the transitional arrangements provided within Annex 1 of the NPPF (2018) allow for plans to be examined in accordance with the previous NPPF (2012) where they have been submitted for examination on or before 24 January 2019. It is our understanding that South Northamptonshire Council intend to submit the emerging Local Plan for examination prior to this date and accordingly, these representations have been prepared in the context of the NPPF (2012). We do however reserve the right to review our representations should the Examination be held under the NPPF 2018.
2. Sustainable residential development opportunity at Brackley

The site and surroundings

2.1 The site is located approximately 1.4km west of Brackley and comprises predominantly agricultural land, which is separated by established hedgerows. There is a road within the northern section of the site which traverses the site from east to west, and serves a group of farm buildings situated outside of the site boundary.

The site lies immediately adjacent to the existing residential area of Brackley, and is bound by residential properties to the east. The site is bound by the A422 (Brackley Road) to the south, beyond which lies agricultural land. To the west the site is bound by established hedgerows, beyond which lies agricultural land and to the north the site is bound by Halse Road, beyond which lies agricultural land. Brackley Rugby Club is immediately adjacent to the north-east corner of the site, and is identified on the Constraints and Opportunities Plan, included at Appendix 2 (Drawing no. 2001B).

The opportunity

2.2 Our clients' site has potential to deliver a residential led mixed use development with scope to deliver up to 650 dwellings, community facilities and youth facilities and / or a primary school and green infrastructure. The site also has the potential to deliver a spine road between Halse Road the A422 which would alleviate traffic on Halse Road between the Brackley North SUE and the town centre. Technical work has been undertaken which has demonstrated that the provision of a spine road between the A422 and Halse Road would greatly improve the existing traffic situation on Halse Road and in the town centre.

2.3 Our clients’ site at Brackley would help the Council meet its identified housing needs in a sustainable location. Furthermore, it could include the delivery of a Sports Hub which the draft Plan confirms is an aspiration of the Council and local residents. The site is located immediately adjacent to the existing settlement and can utilise the existing sustainable transport links and access to the site. In addition the site is suitable given that:

- BWB has prepared a Flood Risk and Drainage Constraints and Opportunities Report. The report confirms that the whole of the site is within Flood Zone 1 – land assessed as having a 1 in 1,000 annual probability of flooding.
- A review of Historic England’s online mapping facility confirms that there are no Listed Buildings within the site boundary or within close proximity to the proposed site.
- The site is not subject to any environmental designations such as: Site of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Area (SPA) or Ramsar site. The site is also located outside of any Area of Outstanding Natural Beauty (AONB).
The SNDC Review of Special Landscape Areas in South Northamptonshire does not recommend that the site be designated as a Special Landscape Area, as the below extract confirms:

Source: SNDC Review of Special Landscape Areas

Special Landscape Areas:
1. Castle Ashby & Yardley Chase
2. The Tove Valley
3. Whittlewood Forest and Hazelborough Forest
4. Hemplow Hills, Colfoscooke & Linnepington
5. Catsle, Fawsley, Maidford & Litchborough
6. Aynho, Cherwell Valley & Eydon
7. Sulgrave and Grand Central Railway
3. Representations

3.1 These representations are structured to reflect the order of the Draft Submission Local Plan Part 2, focussing on the following policies:

- Policy SS1: The Settlement Hierarchy
- Policy LH1: Development within Town and Village Confines
- Policy LH8: Affordable Housing
- Policy LH10: Housing Mix and Type

Policy SS1: The Settlement Hierarchy

3.2 Policy SS1 ‘The Settlement Hierarchy’ confirms that proposals for new development will be directed towards the most sustainable locations in accordance with the District’s settlement hierarchy. The Policy identifies a four tier settlement hierarchy with Brackley and Towcester identified as the Rural Service Centres and the top tier of the settlement hierarchy.

3.3 Our clients support the Council’s confirmation that Brackley is one of two of the most sustainable locations within the District and that new development should be focussed here.

3.4 Paragraph 17 of the NPPF advises that planning should:

‘actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus on significant development in locations which are or can be made sustainable’.

3.5 Our clients’ land to the west of Brackley is within 1.5km of Brackley town centre (as shown on the constraints and opportunities plan at Appendix 2). The Brackley Masterplan (2011) confirms that Brackley:

‘has experienced significant growth over the last 20 years, from a high demand for housing, as a result of the town’s high quality environment and excellent transport connections’ with the settlement being a ‘Short distance from train stations in Bicester, Banbury, Milton Keynes and Northampton’.

3.6 In addition to the Council’s recognition that Brackley is a sustainable location with good existing transport connections, the West Northamptonshire Joint Core Strategy Investment Delivery Plan Update (2016), establishes a programme of investment in infrastructure including:

- improvements to public transport and bus routes in Towcester and Brackley;
- walking and cycling improvements in Towcester and Brackley;
- A43 junction improvements at Brackley;
• New GP surgeries / health centres at Brackley and Towcester;
• New primary schools in Towcester and Brackley and extension to an existing secondary school in Towcester; and
• New replacement swimming pool in Brackley.

Development in this location would therefore be focused in a location which is accepted as being sustainable and will allow for new residents to make full use of the existing transport infrastructure. This would be in accordance with government guidance set out in the NPPF.

3.8 Paragraph 37 of the NPPF advises that:

“Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.”

3.9 As demonstrated on the illustrative masterplan provided at Appendix 3, land to the west of Brackley could deliver a sports hub or community facility. It is acknowledged within the consultation document and through our clients’ conversation with officers at the County, and members of the local sports clubs, that the provision of such a facility would be supported. Development in this location would therefore deliver a balance of land uses and address guidance contained in the NPPF, whilst at the same time providing facilities for the community.

3.10 Section 2 of the NPPF ‘Ensuring the vitality of town centres’ and specifically paragraph 23 states that:

‘Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should:

• … recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites…’

3.11 The Councils Sustainability Appraisal (2017) and Retail Study (2018) recognise that the District’s main town centres of Brackley and Towcester will require support to enable them to:

‘face a number of challenges, particularly from increasing competition from the internet, multichannel retailing, polarisation of retailing, and out of centre retail developments. These challenges will impact on the future strategy for the town centres.

It is important for Brackley and Towcester town centres to be able to respond to continued changes in the retail sector and to provide (or continue to provide) an offer/destination which distinguishes them from competing centres and out of centre retail destinations.’ (Retail Study, 2018)
3.12 Our clients consider that development of land to the west of Brackley would help ensure the vitality of Brackley Town Centre through an increase in the number of residents who will both be able to work locally and spend leisure time in the centre, as well as use the local services and facilities. This would align with a key requirement of the NPPF to ensure the vitality of existing town centres.

3.13 The Council’s evidence base and Settlement Hierarchy confirm that Brackley is one of the most sustainable settlements within South Northamptonshire and has a wide range of existing services and facilities that are able to support further growth.

**Policy LH1: Development within Town and Village Confines**

3.14 Policy LH1 ‘Development within Town and Village Confines’ establishes criteria through which development proposals for new housing outside of the defined town and village boundaries may be permitted.

3.15 Our clients consider that as currently drafted the policy is too restrictive and could prevent sustainable development from being delivered.

3.16 The policy should be amended to reflect paragraph 14 of the NPPF which establishes that:

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

*For plan-making this means that:*

- local planning authorities should positively seek opportunities to meet the development needs of their area;

- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change…”

3.17 Furthermore, the policy currently considers all land outside of identified settlement boundaries to be ‘in the open countryside’. This wording implies that all land outside of the existing built-up areas has the characteristics of open countryside, when in fact some land outside the currently defined development boundary is more representative of urban fringe. As is demonstrated by the facilities plan enclosed at Appendix 3, our clients’ land to the west of Brackley is within 1.5km of the high street in Brackley which provides a wide range of services and facilities. Additionally land to the west of Brackley is bound by urbanising features, with existing residential development to the east and roads to the north and south. These existing features and close proximity to services and facilities contained within Brackley result in a setting which cannot be described as ‘open countryside’.
3.18 Our clients recommend that the policy is rewritten as:

**Policy LH1: Development within Town and Village Confines**

1. Residential development within town and village confines as defined on the Proposals Map, will be acceptable in principle where it:

   (a) provides for an appropriate mix of dwelling types and sizes; and

   (b) would not result in harm to the character of the area or the loss of public or private open spaces that contribute positively to the local character of the area (including residential gardens); and

   (c) does not need substantial new infrastructure or other facilities to support it; and

   (d) would not displace an existing viable use such as employment, leisure or community facility.

2. Sites of 10 or more dwellings will be expected to provide affordable housing in accordance with policy LH8.

3. Development outside of the defined settlement boundaries 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; or

   (g) is a residential/nursing care proposal in accordance with POLICY LH9; or

   (h) can be demonstrated to be a sustainable location for development.

3.19 In summary, our clients recommend that Policy LH1 is reworded to allow the Council to positively consider sites outside of the defined town and village boundaries if they are shown to be sustainable. As a minimum the wording of the policy should be amended (as above) to reflect land outside of the settlement boundary as ‘land outside of the built-up area’ instead of ‘open countryside’.
Policy LH8: Affordable Housing

3.20 Policy LH8 ‘Affordable Housing’ establishes the Council’s requirement for 40% affordable dwellings within Brackley mirroring the affordable housing requirements established within Policy H2 of the WNJCS.

3.21 A review of the West Northamptonshire Joint Planning Unit Housing Market Evidence 2017 Executive Summary for South Northamptonshire District September 2017 establishes within Figure 1 ‘Assessing total need for market and affordable housing for South Northamptonshire District’ that the proportion of overall need for market and affordable housing is 24%. This is considerably lower than the figures included within Policy Housing 4 (40% provision in Towcester and Brackley, 50% in the Rural Areas, and 35% in the Northampton Related Development Area).

3.22 Our clients support the provision of affordable housing with the District, however as currently worded the Policy is too restrictive. Whilst the policy states that:

“In exceptional circumstances, off site provision and/or commuted payments in lieu of on-site provision may be supported”,

3.23 it does not provide sufficient flexibility which would allow the Council or the applicant to take account of any necessary viability considerations.

3.24 Our clients request that the policy be amended to allow for greater levels of flexibility, to ensure that it does not have a negative impact on development viability and therefore risk delay to the delivery of housing that the area needs. Paragraph 173 of the NPPF states that:

“pursuing sustainable development requires careful attention to viability’ and that sites ‘should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened”.

3.25 This includes the provision of affordable housing. As such, the policy should make reference to the need for appropriate flexibility to ensure development is not unduly burdened.

3.26 Our clients recommend that the policy be rewritten as:

Policy LH8: Affordable Housing

1. Proposals for 10 or more dwellings, or on sites of 0.5ha or more should achieve:

(a) 40% affordable dwellings in the market towns of Towcester and Brackley;
(b) 50% in the rural areas;
(c) 35% in the Northampton Related Development Area as defined in policy S4 of the WNJCS.

The quantum of affordable housing, the form of provision, and the means of delivery of the affordable element of the proposal will be subject to negotiation at
the time of a planning application. The viability of the development will be a consideration in such negotiations.

Affordable housing should be provided on the application site as an integral part of the development and units should be dispersed throughout the site and integrated with the market housing to promote community cohesion and tenure blindness.

2. The Council will, in exceptional circumstances, accept contributions of equivalent value in lieu of on-site delivery. This should include financial contributions, land or off-site provision of affordable homes. In such cases, the developer will be required to demonstrate why on-site delivery is not practical.

2. In exceptional circumstances, off site provision and/or commuted payments in lieu of on-site provision may be supported. Any such provision must provide an equivalent or enhanced level of affordable housing. Northampton Related Development Area needs for affordable housing will be secured through nomination agreements on sites within the Northampton Related Development Area.

3. The council will seek to provide for the following tenure split:

(a) 75% social/affordable rented provision
(b) 25% other affordable routes to home ownership of which 10% of the homes to be available for discounted market sales housing.

4. Proposals for redevelopment that result in the net loss of social/affordable rented housing will not be supported.

Policy LH10: Providing a Mix of Housing

3.27 Our clients support the intent of the Policy i.e. that a mixture of different types, tenures, size and costs of home should be provided to meet the needs of existing and future residents. However, there should be appropriate acknowledgement within the wording of policy that the housing market is dynamic. As currently worded Policy Housing LH10 is too restrictive and should therefore be amended to include additional flexibility to ensure that it does not have a negative impact on development viability and delay sites from being brought forward.

3.28 Our clients raise four key points in response to the current drafting of the policy. These relate to:

- the role of the market;
- that sites should be considered on a case by case basis;
- that the proposed mix is not reflective of the evidence base; and
- that Building Regulations should not be included within planning policy.
The role of the Market

3.29 Through collaborative working with the development industry (i.e. strategic land promoters and house builders) it is considered that the Council will be able to decide upon the most appropriate profile of homes to be delivered. Housing mix is a critical factor for developers and housebuilders and a housebuilder’s ability to deliver the right types of dwellings, in a given location, at a specific time to meet market demand is integral to the delivery of viable development.

Sites should be considered on a case by case basis

3.30 Our clients support the part the policy which states that:

‘new residential development should ensure that a mixture of different types, tenure, size and costs of homes are provided to meet the varied needs of existing and future residents to help support the creation mixed, balanced and inclusive communities’ and particularly that ‘the housing mix for development schemes shall be negotiated on a case by case basis taking into account any necessary viability considerations’.

3.31 This approach is consistent with paragraph 50 of the NPPF which states that:

‘planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community’.

3.32 The paragraph continues, and states that local planning authorities should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand. This should be reflected within Policy Housing 3 to ensure the Local Plan Part 2 supports the delivery of sites which respond to local needs.

The mix is not reflective of the evidence base

3.33 The section on ‘Housing Mix: Size and Tenure’ within the West Northamptonshire Joint Planning Unit Housing Markey Evidence 2017 Executive Summary for South Northamptonshire District September 2017 identifies a need for 5,200 market and 1,500 affordable dwellings over the 13 year plan period (2011 – 2029). The following need has been identified in terms of the different types (in terms of flats and houses) and sizes (in terms of number of bedrooms), at Figure 2 ‘Housing mix of OAN for market and affordable housing 2016-29’:

<table>
<thead>
<tr>
<th>SOUTH NORTHAMPTONSHIRE</th>
<th>Market Housing</th>
<th>Affordable Housing</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 bedroom</td>
<td>100</td>
<td>140</td>
<td>200</td>
</tr>
<tr>
<td>2+ bedrooms</td>
<td>100</td>
<td>170</td>
<td>300</td>
</tr>
<tr>
<td>House</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 bedrooms</td>
<td>830</td>
<td>760</td>
<td>1,600</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>2,720</td>
<td>350</td>
<td>3,100</td>
</tr>
<tr>
<td>4 bedrooms</td>
<td>1,200</td>
<td>90</td>
<td>1,200</td>
</tr>
<tr>
<td>3+ bedrooms</td>
<td>270</td>
<td>20</td>
<td>300</td>
</tr>
<tr>
<td>TOTAL</td>
<td>5,200</td>
<td>1,550</td>
<td>6,800</td>
</tr>
</tbody>
</table>

3.34 The Table identifies the market housing as being predominantly for houses (5,000 dwellings over the 13 year period) and also a need for 200 market flats. However, there is no need identified for bungalows, which is of significant concern because Policy Housing 3 requires the inclusion of 5% bungalows, which does not appear to be
supported by the evidence base. The requirement for bungalows should therefore be removed from the policy because it is not justified.

**Building Regulations should not be included within planning policy**

3.35 Policy Housing 3 includes details of Building Regulations requirements, including 50% of new housing should meet M4(2), with 5% of market dwellings and 11% of affordable dwellings be constructed to Part M4(3). Our clients have significant concerns that Building Regulations have been included within planning policy.

3.36 Following the Deregulation Bill 2015 being given Royal Assent on 30 September 2015, the Government’s policy has been that planning permission should not be granted requiring, or subject to conditions requiring, compliance with any technical housing standards other than for those areas where authorities have existing policies on access, internal space, or water efficiency. This is reflected with reference to planning policies, with the Government stating that policies relating to technical standards for new homes are unnecessary due to all new homes being subject to the new mandatory Buildings Regulations. Our clients’ view is therefore that this part of the policy should be deleted.
4. Conclusion

4.1 Our clients support the Councils acknowledgement, through the Councils evidence base and expressed through Policy SS1 ‘The Settlement Hierarchy’ that Brackley is one of the most sustainable locations within the District.

4.2 The core planning principles outlined at paragraph 17 of the NPPF establish that planning should:

‘not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives’.

4.3 Our clients site has potential to deliver a residential led mixed use development with scope to deliver up to 650 dwellings, community facilities and youth facilities and / or a primary school and green infrastructure. The site also has the potential to deliver a spine road between Halse Road the A422 which would alleviate traffic on Halse Road between the Brackley North SUE and the town centre. Technical work has been undertaken which has demonstrated that that the provision of a spine road between the A422 and Halse Road would greatly improve the existing traffic situation on Halse Road and in the town centre.

4.4 Our clients’ site will enhance Brackley and help to grow the town in a sustainable direction. As our clients’ site is in a sustainable location, within close proximity to the existing services and facilities within the town. It has been demonstrated that the site is achievable, suitable and deliverable and that there are no constraints which are not capable of being mitigated. Further to this the benefits which would be achieved through the development of the site could significantly improve the town, through the provision up to 650 dwellings, community facilities and youth facilities and / or primary school, a spine road and green infrastructure.

4.5 The site’s location is inherently sustainable and will enable a range of positive benefits to be realised. The economic, social and environmental benefits of development of land to the west of Brackley should be supported in the Local Plan Part 2.
Appendix 1: Site Location Plan (Drawing no. 1002 Rev B)
Site Location Plan

- Site boundary: 34.2ha
- Potential Radstone Fields Extension
- Potential community facilities
- HS2 route and area for landscape works
- Additional land in applicant's control
- Allocated future development

Client: Ashfield Land Developments / Vulpes Ltd
Date: Nov 2017
Status: Preliminary

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Appendix 2: Constraints and Opportunities
Plan, (Drawing no. 2001B)
Constraints & Opportunities

Site boundary - 34.2ha
Additional land in applicant’s control
Potential community facilities
Existing pedestrian / cycle routes
Existing bus route
Potential new link road
Potential extension to bus loop
Potential access - all modes
Potential access - pedestrian/cycle
Potential new pedestrian links
Potential development area
Potential community facilities
Potential landscape buffer and sew trees.
Existing trees and hedgerows
Existing school
 Existing POS / sports club
Allocated future development
Flood risk area
HS2 route and area for landscape works
Potential noise from HS2
Radstone Fields Extension boundary
Radstone Fields Extension access
Radstone Fields Extension internal loop road
Radstone Fields Extension development
Radstone Fields Extension sports hub area
Radstone Fields Extension exposed development edge

Access
- 2 points of access allowing for phased development from the north and south
- Existing footpaths cross the site, with opportunities to connect to existing
- Schools within easy walk along safe
- Option to extend existing / new town bus loop through the site
- Potential circular walks

Landscape
- Existing hedge provides strong defensible
- Opportunity for landscape edge to amenity area

Community
- Homes within close walking distance to
- Community facility within 10 minutes

Client: Ashfield Land Developments / Vulpes Ltd
Job number: ASH105
Drawing number: 2001B
Project: Land West of Brackley
Scale: 1:8000@A3
Date: Nov 2017
Status: Preliminary

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Appendix 3: Facilities Plan (Drawing no. 1301 Rev B)