TOWN AND COUNTRY PLANNING ACT 1990

Written Representations on the South Northamptonshire Council Draft Submission Local Plan Part 2 (Regulation 19 Consultation)

Kingfisher Country Club

November 2018

Statement on behalf of Kingfisher Country Club

Prepared by Nigel C Ozier BA (Hons) MRTPI

The Granary
Spring Hill Office Park
Harborough Road
Pitsford
Northampton
NN6 9AA

Telephone: 01604 880163
Email: nigelozier@aitchisonraffety.co.uk
## CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introduction</td>
<td>3</td>
</tr>
<tr>
<td>2. Site and its surroundings</td>
<td>3</td>
</tr>
<tr>
<td>3. Legal compliance of the Part 2 Local Plan</td>
<td>3</td>
</tr>
<tr>
<td>4. Appraisal of the development opportunity against the Council’s draft planning policies and changes suggested to the Part 2 Local Plan</td>
<td>4</td>
</tr>
<tr>
<td>5. Conclusions</td>
<td>7</td>
</tr>
</tbody>
</table>
1. **INTRODUCTION**

1.1 We act on behalf of Kingfisher Country Club and seek to make representations on the South Northamptonshire Local Plan Part 2 (submission draft) in respect of their land interests.

1.2 Kingfisher’s interest is in respect of the importance of existing facilities and location which provides an important leisure and tourism focus. The improvement of facilities will provide for employment, leisure and recreational provision to the local community and to the District as a whole. It is important that the Local Plan provides the best framework for the consideration of proposals in the future.

1.3 We generally support the Part 2 Local Plan in order to secure the future development of settlements, including Deanshanger, in a well-planned and comprehensive manner whilst also encouraging leisure and recreational opportunities.

2. **SITE AND ITS SURROUNDINGS**

2.1 Kingfisher Country Club is located close to the settlement of Deanshanger which is defined as a Primary Service Village, the second category of the Council’s most sustainable locations for accommodating development proposals. The site is located close to Milton Keynes which lies approximately 1 mile to the south and east. Access to the site is off the A422 which connects to the A5 serving Milton Keynes. The site also lies midway between Oxford and Cambridge, the oldest University cities in the UK.

2.2 Kingfisher Country Club covers circa 86.6 acres/35 hectares of land. A small section of land to the north-east of the site, forming part of the golf course, lies within flood zone 3. There are no listed heritage assets within the immediate vicinity of the site, with the nearest assets situated as far away as Deanshanger and Passenham. The site lies outside of a mineral extraction zone, although the mineral extraction zone surrounds the site. There is a bridleway which runs parallel to, and outside of, the south-westerly boundary (PROW: RH1 and RH3). There are no other planning constraints. The site is visually screened by landscaping running along the A422, and the site boundaries all have established hedgerow and tree planting providing visual containment.

3. **LEGAL COMPLIANCE OF THE PART 2 LOCAL PLAN**

3.1 Overall, we consider the Local Plan to have been prepared in accordance with the Local Development Scheme, and recognise it is accompanied by a Statement of Community Involvement. We consider it consistent with the regulatory requirements for consultation and supported by a Sustainability Appraisal.

3.2 We have a number of concerns with the Council’s Sustainability Appraisal with regard to the assessment and scoring of ‘S07: Health and Well Being’; which appears to be focused solely upon the provision of health facilities in proximity to local communities. No assessment of the contribution that leisure and recreational facilities provide in the promotion of living active and healthy lifestyles appears to have been considered by the Council. Promoting the benefits of living active healthy lifestyles is expected to form a significant means to overcoming issues of obesity and other health issues. The existing golf course is ancillary to the core business of the Kingfisher Country Club site, and it is our view that the Council’s Sustainability Appraisal is deficient. Development at the site will promote recreational and leisure opportunities helping to reduce reliance on local health facilities.
3.3 We are aware that the March 2016 Local Plan Part 2 Sustainability Appraisal Options stated, in regard to community and leisure provision, that “The options presented are broad policy approaches that could be developed and are not currently drafted as alternative approaches. It is not felt that SA at this stage would provide information that would benefit the decision making process at this time. The policy approach taken (and any reasonable alternatives identified) will be assessed at the draft plan stage”.

3.4 The Council is now at an advanced, submission draft stage and there is a clear deficit in assessing leisure and recreational provision within the SA. We encourage the Council to address our concerns over the SA with due consideration given to our client’s proposals.

3.5 There are a number of comments which we wish to raise to the Council with regard to the Local Plan’s degree of consistency with national planning policies. These concerns are set out in the section below; addressing these concerns will help ensure delivery of a sound and justified Local Plan.

4. APPRAISAL OF THE DEVELOPMENT OPPORTUNITY AGAINST THE COUNCIL’S DRAFT PLANNING POLICIES AND CHANGES SUGGESTED TO THE PART 2 LOCAL PLAN

4.1 We have set out below a summary of where we feel that any development opportunity is supported by the Council’s draft policies and changes which we consider necessary to make the South Northamptonshire (Part 2) Local Plan Draft Submission document legally compliant and/or sound including revised wording of any policy text, and reasons why the proposed change would make it legally compliant and/or sound.

Policy SS2: General Development Principles

4.2 Policy SS2 covers a series of development principles which will apply to submitted proposals. The policy wording under criteria ‘n’ states that development should “meet the optional higher water efficiency standard of 110 litres per person per day” (as set out within Part G2 of the Building Regulations).

4.3 We recognise that the careful use of water is important, however, Part G2 of the Building Regulations states in paragraph 2.8 that “The optional requirement only applies where a condition that the dwelling should meet the optional requirement is imposed as part of the process of granting planning permission”. As such, we recognise the optional requirement is controllable by planning conditions. The NPPF states in paragraph 16 that Local Plans should avoid unnecessary duplication of policies that apply to an area (including policies in the NPPF). The optional higher water efficiency standard can be controlled by way of planning condition and should not therefore be imposed within the Development Plan. Paragraph 54 of the Framework encourages Local Planning Authorities to consider whether otherwise unacceptable development could be made acceptable through the use of planning conditions. We therefore advise criteria ‘n’ of Policy SS2 be simply omitted.

4.4 We recognise that criterion ‘p’ of Policy SS2 relates to safeguarding mineral resources which are located within proximity to development sites, although it should be acknowledged that the site is an existing recreational, leisure and hotel complex in operational use. As such, the Country Club has evolved appropriately in respect of these mineral resources. Any future application could be accompanied with a mineral safeguarding report; the need for which we expect would be picked up in the Council’s validation process.
Policy LH1: Development within Town and Village Confines

4.5 Policy LH1 relates to development within town and village confines. Our site is within open countryside. The policy (set out under criterion 3) provides exceptions to housing development outside the village confines. This would not appear to cover uses primarily centred upon leisure, recreational and tourism. Policy EMP4 covers tourism and leisure needs, located outside of the town and village confines, separately.

4.6 We consider that the potential to include a small element of housing within appropriate leisure sites as part of a comprehensive proposal could be delivered in agreement with the Council via a detailed masterplan. The masterplan would form an adoptable Supplementary Planning Document, providing the Council with sufficient levels of control limiting housing numbers as well as influence over design as promoted within paragraphs 16 and 126 of the NPPF. Inclusion of appropriate housing would help the Council ensure they are meeting specific housing requirements in accordance with paragraph 59 of the NPPF, as well as attracting inward investment to the area (paragraphs 80 and 83 of the NPPF).

Policy EMP4: The Visitor Economy

4.7 Policy EMP4 relates to the visitor economy, forming a core policy on which development at this site would be considered against. We consider the site to perform well against the policy with regard to tourist accommodation, recreational and leisure uses. Whilst the site is outside of the village confines, the business is already functioning. The golf course and its attractive established setting is paramount to developing the business of the hotel. Any redevelopment and improvement of the existing facilities would be a major benefit to the District as a whole, attracting people into the area for leisure and recreation, as well as providing associated facilities to encourage wider business growth. This is considered to accord with policies set out within the NPPF which include paragraphs 80, 83, 91, 92, and 96.

4.8 We have a number of concerns over the nature of the policy criterion 5 which states “further development will not be permitted where utilisation of the existing sites is low”. There is nothing within the NPPF or PPG to demonstrate need for the development itself, and by the same token, competition between venues should be encouraged, not precluded.

4.9 The planning system does not exist to protect the private interests of one person against the activities of another. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest. Given this clear conflict with the Planning Act, we suggest the Council omit the fifth point of criteria listed under Policy EMP4. The Council should focus its attention on policies which help create the conditions in which businesses can invest, expand and adapt in accordance with the NPPF.

EMP5: Leisure and Tourism at Whittlebury Hall

4.10 We have no specific comment on the wording of Policy EMP5 relating to leisure and tourism to be provided at Whittlebury Hall, though support the Council in seeking to promote leisure and tourism within the District.
4.11 Kingfisher would encourage the Council to similarly support development of this site by way of a masterplan, to demonstrate that all proposals are of a nature and scale suitable for its location. We seek a similar recognition of the existing and potential contribution made at Kingfisher.

**Policy SDP1: Design Principles**

4.12 Policy SDP1 sets out a series of design principles that new development will be required to comply with. We support the policy and consider it appropriate in respect of Kingfisher's land interests as set out within this statement. In particular, it is encouraging that the Council recognise the use of design codes, masterplans or planning briefs appropriate to support the delivery of multi-phased developments to ensure consistency of design approach. Any development at this site will be to the highest standards, ensuring the venue is regionally recognised as a place for recreation, leisure and tourism supporting the needs of local businesses with purpose built facilities.

**Policy SDP3: Health Facilities and Wellbeing**

4.13 Policy SDP3 supports the provision and extension of health facilities within or adjoining settlement confines in Rural Service Centres and Primary Service Villages. The site is located close to the town of Milton Keynes, and lies just outside of Deanshanger which is a Primary Service Village. The redevelopment and improvement of the Kingfisher Country Club would have significant health and recreational benefits to both the residents of South Northamptonshire and to Milton Keynes. Redevelopment and improvement of the Country Club site could accommodate a wide range of health related facilities and other supporting uses building on those it already has. The site would form a comprehensive development approach with involvement and input of relevant stakeholders to ensure that the facilities contribute and help meet identified health needs within the neighbouring authorities. The Council are encouraged to recognise the cross-administrative benefits of this development opportunity and work with its neighbouring authority in accordance with paragraphs 24 to 27 of the NPPF.

4.14 The site is within a sustainable location with good connections to local infrastructure. The Country Club and golf course is in operation and enjoys an established and mature landscape setting. Connections to the wider Public Rights of Way network exist and there is opportunity to promote active travel, permeability and access to the wider countryside. The existing facility and any development opportunity would thereby promote active and healthy lifestyles promoted within Section 8 of the NPPF.

4.15 For the reasons set out above, Policy SDP3 is fully supported.

**Policy HE2: Scheduled Ancient Monuments and Archaeology**

4.16 The site is not located within an area of identified archaeological assets. The County Council would be consulted on any application as a statutory consultee. Given the site has evolved over a course of time, there are not anticipated to be any archaeological issues which would preclude development.
Policy HE3: Historic Parks and Gardens

4.17 The land put forward for consideration under the draft Local Plan does not contain any designated landscape designations. The site forms a golf course which, by nature, does not form a natural element within the landscape, although the site’s trees and hedgerows have established over the natural course of time providing an attractive backdrop to the wider landscape context.

Policy NE2: Special Landscape Areas

4.18 The site is located outside of any existing or proposed Special Landscape Area. We have other no comments to make on Policy NE2.

Policy NE3: Green Infrastructure Corridors

4.19 The site is not located within a Green Infrastructure Corridor.

Policies NE4: Trees, Woodlands and Hedgerows and NE5: Biodiversity and Geodiversity

4.20 Policy NE4 encourages integration of existing trees, woodland and hedgerows; whilst Policy NE5 relates to biodiversity. The mature landscape setting of the Country Club site provides the context in which recreation and leisure uses would be developed around. Any future proposal would be based upon a detailed arboricultural assessment to ensure that trees and hedges of value are protected as far as possible, whilst a planting strategy could be agreed with the Council by way of an appropriate planning condition. The nature of delivering development would inevitably require the input from a number of stakeholders throughout the statutory consultation process, ensuring the site’s attractive setting is maintained or even enhanced. With the involvement of key stakeholders the development would invariably provide environmental and biodiversity benefits; with improved leisure, tourism and recreational opportunities.

5. CONCLUSIONS

5.1 We have assessed the importance and the potential for development of the Kingfisher site against the Council’s draft policies and overall consider the Draft Plan to largely support appropriate uses.

5.2 This statement has outlined policy areas which we consider would help the Council achieve a sound Plan for adoption, which includes reconsidering the approach taken on the Sustainability Appraisal regarding Health and Well-being. The Sustainability Appraisal is considered deficient in its approach. More weight should be given to encouraging leisure and recreational opportunities within the Local Plan which would help reduce the associated health issues such as obesity or heart disease and the apparent policy dependency of providing health facilities close to local settlements.

5.3 An appraisal of the Council’s proposed policies is set out within Section 4 of this report, and the site is shown to score well overall. There are a number of areas where we have identified concerns which should be read in conjunction with, particularly, the National Planning Policy Framework and Planning Practice Guidance. Essentially as with Whittlebury, more acknowledgement of the Kingfisher site should be reflected in the Plan and its policy framework.