

WEST NORTHAMPTONSHIRE COUNCIL PLANNING POLICY COMMITTEE

25th October 2022

Cllr Rebecca Breese, Portfolio Holder for Planning, Built Environment and Rural Affairs

Report Title	South Northamptonshire Local Plan Part 2 – Employment Allocations Supplementary Planning Document
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Contributors/Checkers/Approvers

West 151	Martin Henry	Approval obtained 11.10.2022
Director	Stuart Timmiss	Approval obtained 14.10.2022
Communications Lead/Head of Communications	Becky Hutson	Approval obtained 12.10.2022
Legal	Neil Weeks	Email sent 11.10.2022

List of Appendices

Appendix A – South Northamptonshire Local Plan Part 2 – Employment Allocations Supplementary Planning Document consultation (07 July – 18 August 2022): Summary of responses received and Council response and action.

Appendix B – Draft South Northamptonshire Local Plan Part 2 – Employment Allocations Supplementary Planning Document (October 2022).

1. Purpose of Report

For members to consider the responses to the consultation on the draft Employment Allocations Supplementary Planning Document (Appendix A) and, subject to the amendments set out being agreed, endorse the adoption of the SPD as drafted at Appendix B.

2. Executive Summary

- 2.1 The South Northamptonshire Local Plan (Part 2) 2011-2029 was adopted in July 2020 and adds local context to the policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (WNJCS) which was adopted in December 2014 setting out the strategic policy position for the south Northamptonshire area.
- 2.2 Delivering appropriate new employment opportunities in both urban and rural areas is a key objective of the Part 2 Plan as is facilitating economic growth and encouraging investment and job creation. The Plan makes a number of employment allocations to support these objectives, these are detailed under Policies AL1 to AL5 of the Plan <https://www.southnorthants.gov.uk/downloads/download/698/local-plan-part-2-adoption-documents>
- 2.3 A Supplementary Planning Document (SPD) has now been prepared to ensure a positive approach to the development of the employment allocations, providing clarity and certainty to the public and developers whilst ensuring the wider sustainability objectives of the plan are also delivered.
- 2.4 This report summarises the process which has been followed to produce the SPD and presents the responses to the public consultation on the document along with suggested amendments to it.

3. Recommendations

- 3.1 It is recommended that the Planning Policy Committee:
 - a) Note the response to the public consultation on the Employment Allocations SPD,
 - b) Accepts the recommended modifications (Appendix A) in respect of the Employment Allocations SPD,
 - c) Approves the adoption of the document (Appendix B), as modified in accordance with recommendation (b) above, as a Supplementary Planning Document (SPD),
 - d) Agrees that delegated authority be given to the Interim Head of Planning and Climate Change Policy to make further minor editorial changes to the SPD to address any factual and typographical errors and to reflect the fact that the document will be in its intended final form.

4. Reason for Recommendations

- 4.1 The South Northamptonshire Local Plan Part 2 – Employment Allocations Supplementary Planning Document has been prepared to ensure a positive approach to the development of the employment allocations, providing clarity and certainty to the public and developers whilst ensuring the wider sustainability objectives of the local plan are also delivered. Its adoption will allow it to be a material consideration in the determination of planning applications.

5. Report Background

- 5.1 Supplementary Planning Documents (SPDs) build upon and provide more detailed advice or guidance on policies in an adopted local plan. They do not however form part of the development plan, nor can they introduce new planning policies. They are however a material consideration in decision-making and an important tool in helping deliver the policies of the development plan.
- 5.2 The South Northamptonshire Local Plan (Part 2) 2011-2029 was adopted in July 2020 and makes a number of employment allocations to support these objectives, these are detailed under Policies AL1 to AL5 of the Plan.
- 5.3 In February 2022 work commenced on the production of a draft SPD to deliver the employment allocations of the South Northamptonshire Local Plan Part 2.
- 5.4 Should it be adopted the SPD will be a material consideration in decision making and provide more detailed advice and guidance in line with the adopted policies in the development plan.
- 5.5 At its meeting of 27 January 2022 the Council’s Strategic Planning Committee considered an application for the development of Local Plan Allocation AL3 (Tiffield Lane, Towcester). The committee resolved to approve that application and grant planning permission for the development. With matters already agreed in respect of AL3 and the Notice of Decision issued on 23 June 2022 the SPD does not consider or make recommendations in respect of that Local Plan Allocation.
- 5.6 The SPD provides an analysis of the existing planning policy and socio-economic context against which the employment allocations should be considered before providing an assessment of allocated sites (AL1, AL2, AL4 and AL5) and the wider area in which they are located. It concludes by setting out a number of overarching design principles and providing a development framework for each of the four allocated sites. It is against these principles and frameworks that the future proposals for the sites should be considered.
- 5.7 In order to adopt a document as an SPD and for the document to have weight, the document must pass through a period of not less than four weeks formal consultation, in line with the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 5.8 At its meeting on 28 June 2022 West Northamptonshire Council’s Planning Policy Committee approved a draft of the Employment Allocations SPD for a six week public consultation. That consultation ran from 07 July 2022 to 18 August 2022.

- 5.9 The consultation was undertaken in accordance with the Council's adopted Statement of Community Involvement (South Northamptonshire Area – adopted July 2020) as detailed in the SPDs Consultation and Engagement Strategy considered by the June committee. This included press releases, a number of social media alerts and three public exhibitions which were held at Towcester and Old Stratford on the 13th, 14th and 20th July. A Frequently Asked Questions document was also produced and made available on the council's consultation website along with all other documents which were also held on deposit at local libraries.
- 5.10 All comments that were made during the consultation can be found at Appendix A to this report. In total 306 responses were received to the consultation. These were made by a variety of stakeholders including, residents, landowners, parish and town Councils, district councillors, the Member of Parliament for South Northamptonshire, local interest groups, neighbouring authorities, statutory consultees and the developers of the five Local Plan employment allocations.
- 5.11 Between them they made a variety of often differing observations and comments. A number of these were of a detailed nature relevant to the determination of planning applications and not the draft SPD. Others related to non planning matters beyond the scope of the SPD.

5.12 **Consultation responses**

All consultation responses and the Council's response to them can be found at Appendix A. There have been a number of comments made on multiple occasions and those, along with some 'in principle' objections to the SPD, are discussed in the following paragraphs

5.12.1 **The need for development/divergence from the local plan**

A number of responses objected to and consider that warehouse development is not justified under the Local Plan and suggest that the SPD should be amended to guide that given the level of local employment skills there is no demonstrated demand for warehousing.

In response to this the South Northamptonshire Local Plan Part 2 is clear that by allocating additional employment land and by facilitating more local employment growth it aims to attract new investment and provide more jobs to match the skills of local people, thereby balancing the ratio of in and out commuting. It is also recognised that the South Northamptonshire area is delivering high levels of housing growth and that there is a need to seek to ensure that this is complemented by additional provision of employment land and jobs. The Local Plan makes five employment allocations which are intended to:

- Meet local demand and strengthen the rural economy;
- Provide the ability to strengthen local supply chains;
- Provide local flexibility and choice of locations;
- Meet the demand for small and medium sized units; and
- Contribute to reducing the level of out commuting.

The Local Plan is also clear in respect of the uses of the allocated sites, with the

Employment Allocation policies detailing that the sites are suitable for an independently assessed, market-evidenced proportion of B1 (business), B2 (general industrial) and B8 (storage and distribution) with supporting uses that are demonstrably subservient and complementary in both scale and nature to an existing or proposed B class use. The SPD does not form part of the development plan and cannot introduce new planning policies, nor can it delete/amend existing planning policies.

5.12.2 The justification for the SPD

Responses also questioned the justification for and timing of the SPD with comments made that the approach seems more about creating policy to justify the potential future concerns about the current applications rather than a genuine attempt to create positive planning policy for the area and are a reaction to the concerns raised during the determination of the application for AL3.

Others suggest that the policies of the Development Plan are sufficient and provide a clear guide to what is expected of future development and as a consequence there is no need for the SPD and that through the granting of planning permission at Allocation AL3 it is clear that the Officers, together with Members of the planning committee, were capable of assessing that planning application without the need for the SPD.

In response to this it should be noted that the SPD cannot and does not create new policy but instead provides more detailed advice and guidance on policies in an adopted local plan. The SPD has been produced to assist the Council and other parties on the decision making on future planning applications.

5.12.3 The non-inclusion of allocation AL3 at Tiffield Lane Towcester.

A number of responses question the non-inclusion of local plan allocation AL3 in the SPD.

They recognise that the publication of the draft SPD for consultation followed the granting of planning permission for AL3 but considered that the approved scheme sets a context for the development of those sites in the vicinity of AL3 and the parameters and approach to what the council have already approved should be set out in the SPD and that that future reserved matters applications for AL3 should be pursuant to the hybrid application and guided by the parameters set in that permission but also the SPD. This it is felt should be the same way for all the other employment sites. It is also possible that the current planning permission is not implemented either entirely, or in part.

They further consider that the omission of AL3 is a fundamental flaw, which means the SPD does not have an effective evidence base for its assessment. It is seen that the omission of AL3 (and other cumulative developments) at Towcester negate the argument for medium and small-scale development based on the present context, when they should address the known and emerging future change to come to ensure a coordinated and unified design response.

In response to this it is considered that the non-inclusion of AL3 within the SPD does not represent a fundamental flaw. Any future applications submitted in relation to application

AL3 will need to be considered in respect of and comply with the parameters set out in that approved consent (WNC reference S/2020/1644/EIA) and the details will be subject to a further impact assessment carried out in line with the general principals set out in this SPD.

5.12.4 The introduction of 'new policy'

A number of responses consider that as drafted the SPD introduces new policy. This an observation in relation to unit sizes and building heights and the design guidance suggestions in relation to exemplar development.

In respect of building heights and sizes it is argued that it should be recognised that nowhere in any of the policies in the Development Plan is there any reference to small and medium units. It is therefore suggested that limited weight can only be attributable to sections of the SPD that are drafted based on objectives or supporting text of the adopted development plan.

They continue that there is nothing in Local Plan policy which states that larger buildings should only be allowed in "exception circumstances" – this is considered to create a new policy hurdle and test which is not justified.

Other responses suggest that is inappropriate for the SPD to make a presumption on the range of unit sizes to be provided on the allocations which is not supported by an independently assessed market report.

Conversely other responses suggest that the use of the word 'Large' and the categorisation of buildings under that classification is adding new policy in itself as the policies and supporting text of the Local Plan Part 2 do not discuss large buildings making reference only to small and medium units. They follow that by stating that large buildings may be acceptable in exceptional circumstances the SPD is introducing new policy that could allow for the development of larger sized building which it is argued the policies of the Local Plan do not support.

Comments were also made in relation to the SPDs guidance on exemplar development with respondents highlighting that there is no requirement in the Part 2 Plan for developments within the Local Plan to be "exemplar" in their approach. They consider that by using the term exemplar within the SPD, it creates an unrealistic and new policy test for these developments which is unreasonable. The developments should be high quality in design terms with sustainable inclusiveness in line with Development Plan policy. The SPD should not refer to or expect exemplar development and all references to exemplar should be replaced with "high quality"

In response to this, as detailed above, the SPD cannot and does not create new policy but instead provide more detailed advice and guidance on policies in an adopted local plan. In respect of SPD making a presumption on the range of unit sizes to be provided on the allocations which is not supported by an independently assessed market report, the SPD reiterates that the development of the allocations are to be accompanied by independent studies in respect of uses and also sets out a development framework for each site that will inform future planning decisions.

With regard to exceptional circumstances and being exemplar developments the SPD is not introducing new policy but trying to encourage the raising of standards. However, paragraph 7.1

of the SPD has been amended to avoid any confusion. The use of 'exceptional circumstances' illustrates the interpretation of the policy but is not a new or additional policy.

5.12.5 Small, Medium and Large Buildings & Building heights

A number of comments were submitted in respect to the guidance on height put forward through the site development frameworks and the scale used in determining 'Small, Medium and Large' buildings. Also from what point on the land the height of buildings was to be measured from.

Some responses considered that the evidence base used to determine the building sizes is not appropriate or robust and requires further assessment stating that it must be revisited with additional regional and national evidence, to ensure the SPD is sound.

Others felt that the categorisation does not address the 'reality' on the ground via differing sites being able to accommodate development and it ignores the approved AL3 scheme, which they consider will fundamentally change to the character to the north of the A43. It is also suggested that there is no clear relationship between the footprint of a proposed building and its height in the examples provided, and it is unclear if the supporting studies for the SPD have investigated heights.

Conversely other responses consider the use of a sites on the M1 as a comparator for rural locations such as those in the South Northants Local Plan is inappropriate. They detail that the local plan states in the policy that proposals need to be in keeping with the surroundings and identify that, with the exception of AL3, all the other sites have industrial, retail or other units either on site or very near which it is felt to act as a very good marker as to the size and scale envisaged by the council as the time of adoption of the local plan.

Other responses identify that paragraph 13.2.2 of the Part 2 Local Plan states in respect of the allocations that Towcester that 'All three sites offer suitable locations for a range of new small and medium sized business units' and that Paragraph 13.2.3 (AL1/Bell Plantation) states that allocation represents an appropriate employment location for the provision of additional small and medium sized commercial buildings' and paragraph 13.3.2 (AL4/Shacks Barn) states 'This allocation proposed to extend the business park with a range of new small and medium sized business units.'

They consider that as currently written the SPD introduces new policies, with the possibility of providing large scale building. This it is considered is not the intent of the Local Plan Policies and therefore should not be included in the SPD.

Further responses suggest alternate sizes in respect of the thresholds proposed with a number of responses suggesting that 5,000 sqm should be the threshold for 'large' units and that anything over that size should not be permitted by the SPD. A further response suggests that the SPD should have a fourth category of 'very large' which would be more than 15,000sqm with units of that size not being allocated to the SPD sites.

In response to this the SPD is clear that building heights have been informed by a combination of desk-based assessments and site visits, taking into account a wide range of key considerations and site contextual information including existing tree heights and landscaping.

The heights are indicative and further assessment and design work at the application stage will need to be undertaken to best shape a proposal for each site.

With regard to small, medium and large buildings this again has been informed by a thorough assessment of the surrounding area and the approach provides clarity and direction in respect of the future development of the sites.

5.12.6 Highways issues

A number of responses raised concerns in relation to the highways impacts of the allocations along with the approach to transport assessment and to the consideration of cumulative impacts.

In response to this the scope of the SPD is to establish general guidance and design principles for the allocated employment sites. The Local Plan Part 2 requires a transport assessment and travel plan to assess the transportation implications of the proposed development and to identify appropriate mitigation measures. The Highways Authority (and where relevant National Highways) will be consulted at a planning application stage. In line with national policy development can only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the roads would be severe.

National Highways have undertaken their own consultation currently on the A5 improvements for Towcester. The main objectives for this include improve safety, reduces the impact of air and noise pollution, boost the local economy, improve accessibility to Towcester town centre and preserve its rich history and identity.

5.13 Summary of Main Changes

A number of matters of detail and clarity were raised through the consultation, and in response to these, in some cases, amendments to the SPD are proposed. Whilst all changes are reported in Appendix A to this report and included in the SPD at Appendix B the following changes are worthy of note.

- 5.13.1 For clarity the SPD has been amended in a number of places to confirm that the heights identified in the Development Framework sections are indicative and should be measured from existing levels.
- 5.13.2 Revision has been made to para 6.10 in respect of Allocation AL1 to acknowledge the sensitivities of the whole site, not just the north and north-easter edges.
- 5.13.3 A 'Viewing Corridor' has been added to the Development Framework for AL2 to highlight the importance of the visual and historical relationship between the Greens Norton Church spire and Easton Neston House.
- 5.13.4 Amendments have been made to the Development Frameworks sections on drainage in response to the consultation response of the Environment Agency.
- 5.13.5 A design principle has been added that directly addresses the need for high quality building and landscape design across the site as well as including more appropriate imagery throughout the document that will seek to encourage/steer applicants towards more ambitious design standards.

- 5.13.6 The wording 'in part' has been removed in respect to the presentation of the requirements of paragraph 13.1.5 of the South Northamptonshire Local Plan Part 2.
 - 5.13.7 Amendment to the red line site boundary for AL5 as it was noted that there was a plotting error in the draft SPD.
 - 5.13.8 Additional wording has been added in response to the comments of Northamptonshire Police's Crime Prevention Design Advisor to reinforce the need to design out crime.
 - 5.13.9 Amendments have been made to Paragraph 7.1 to avoid confusion in respect of exemplar developments.
 - 5.13.10 A glossary has been added.
- 5.14 For clarity within the document areas where the SPD has been amended are shown in red text in the draft at Appendix B. These amendments are discussed in the table at Appendix A with the original consultation draft SPD available to view at https://westnorthants.citizenspace.com/place/sn-employment-allocations-spd_consultation/

6. Issues and Choices

- 6.1 The Council could choose not adopt the SPD. However, this could lead to uncertainty over the future development of the allocations and the design principles it is expected future development should align to.

7. Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1 The SPD has been prepared using the existing budget of the Planning Policy Team.

7.2 Legal

- 7.2.1 The process for preparing SPDs is set out in Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

7.3 Risk

- 7.3.1 No risks arise from the content of this report.

7.4 Consultation

- 7.4.1 As detailed in paragraph 5.8 - 5.10 public consultation ran from 07 July 2022 to 18 August 2022 and was undertaken in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's own Statement of Community Involvement (South Northamptonshire Area – adopted July 2020).

7.5 Consideration by Overview and Scrutiny

7.5.1 Not applicable.

7.6 **Climate Impact**

7.6.1 There are no direct consequences of this report although the policies of the Development Plan and the guidance in the SPD promote the principles of sustainable development.

7.7 **Community Impact**

The SPD will provide clarity and certainty to the public in respect of the development and delivery of the local plan allocations.

7.8 **Communications**

7.8.1 Support was provided by the Communications Team to maximise engagement with the formal consultation process. A Consultation and Engagement Strategy was produced in respect of the draft SPD. The council will continue to keep the public and all other stakeholders informed of the progress of the SPD.

8. Background Papers

8.1 Planning Policy Committee – June 2022 Item 11