

5.5 The Council also contends that the amount of housing land allocated meets the Structure Plan's requirements but I have concluded that the Local Plan provision falls short of that target by some 550 dwellings and I have made recommendations for making good that shortfall. In the broadest sense the Local Plan is out of balance, but I am doubtful whether more could be done by way of correction. What little information that is available about the scale and the nature of the development planned for Junction 18, and its effects on the housing market, is contained in the Council's response document, Appendix B, [DIRFT Technical Studies]. The conclusion drawn therein is that DIRFT would have no significant effect on residential development allocated in Structure Plans because demand could be absorbed in what is regarded to be a depressed housing market. Leicestershire County Council offers no evidence to challenge that point of view and I therefore make no recommendation for modification of the Local Plan in respect of objection No.75.

Second Issue : Deficiency in the Local Plan

5.6 The Council's suggested changes set out in Core Document No.12 would address the obvious deficiency but there appears to be an error in the TOTAL and I am of the view that paragraphs 5.6, 5.7 and the new paragraph should be combined to present an overall picture of employment land developed and available as from a more recent date than 1991.

RECOMMENDATIONS.

5.7 That the Local Plan be modified to present a comprehensive picture of employment land in the District for the period 1991 - 2006 to include land already developed and the location and area of land currently available.

5.8 **OBJECTION** by :

754 Receiver of the Malcolm Harrison Group.

SUMMARY OF OBJECTION

5.9 The absence of a policy allocating land as an extension to the lorry park adjacent to the A5 for the development and improvement of truck stop facilities in conjunction with the DIRFT proposals; the policy to read, viz :

'Proposals for the development and improvement of truck stop facilities including the ancillary services (eg. overnight accommodation etc.) will normally be granted on the site identified on the Proposals Map (Inset Map 7) subject to other policies of the Plan'.

THE ISSUE

1. Whether the Local Plan is deficient in this respect ?

ASSESSMENT

5.10 I am content with the Council's assurance that the existing uses of the site could be extended to include the facilities required. The scale and nature of the development proposed in connection with DIRFT has yet to be determined but it is likely to be comprehensive and wide ranging. The facilities outlined in the suggested policy would therefore seem to be ancillary to the main purposes of that site and fall under the aegis of Policies EM19 and EM20. I conclude that there is no need for a policy related to development which would be permitted in any event.

RECOMMENDATIONS.

5.11 That no modification be made to the Local Plan in respect of this objection.

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5.12 OBJECTIONS by :

860	Mr & Mrs C Jackson (858)	1102	Cllr Walker
1702	Mrs T Goode	1704	LB Piper
1706	Mrs Martin	1708	Mrs M Lloyd
1710	JA Jelley	1712	Ms T Eales
1714	JH Best	1716	JH May
1722	Mrs A LeGood	1725	E Braunsie
1727	C & CP Mayolin	1729	Ms J Woolley
1731	Mrs B Cowley	1733	D Thresher
1734	Mr L Bailey	1736	Ms M Tegg
1738	KJ Clark	1740	G Addis
1742	A Sunnon	1743	AK Piper

SUMMARY OF OBJECTIONS.

5.13 The absence of a policy allocating land adjacent to Station Road, Long Buckby for employment purposes, in particular, and the absence of a policy allocating land for small employment units in general.

THE ISSUE

1. Whether the Local Plan is deficient in the allocation of land generally and in Long Buckby in particular ?

ASSESSMENT

5.14 I have concluded elsewhere in this report that the District is well endowed in the quantum of employment land allocated, albeit that much is concentrated in the area of Junction 18 of the M1 Motorway. The unspecified objections of the majority of objectors must therefore be regarded as directed towards the type of development, rather than the amount. For the purposes of assessing all these objections I shall assume that the majority are content to adopt the arguments of Mr and Mrs Jackson who are the only objectors with specific proposals relating to small units at Long Buckby.

5.15 If there were a need for small units, the objectors fail to make the case. I recognise that the objection site offers some locational and other advantages in its position close to the railway station and in being set below the railway embankment. But I have also commented elsewhere in this report that the locational suitability of site is not the only criterion to be satisfied if land is to be allocated. The question of need apart, the objectors do not deny the problems associated with the inadequacies of the road system serving Long Buckby and, as attractive as the notion appears, they do not present a convincing argument that the generated heavy traffic would find the railway to be the most suitable transport mode. I therefore find no good cause in these objections to recommend a modification to the Local Plan.

RECOMMENDATIONS.

5.16 That no modification be made to the Local Plan in respect of these objections.

5.17 OBJECTION by :

978 Captain RH Hawkins

SUMMARY OF OBJECTION

5.18 The Local Plan does not acknowledge, nor does it adequately address the demise of the rural economy. It makes no proposals to reverse the trend or to encourage a regeneration.

THE ISSUE

1. Whether the Local Plan is deficient in its provisions for boosting the rural economy ?

ASSESSMENT

5.19 The Council is right to draw attention to and contrast the limitations of the Local Plan, which is essentially for allocating land and setting out the criteria for development, and the promotional initiatives which the objector seeks. Insofar that the Local Plan would now make possible the use of rural buildings for employment purposes it offers a substantial opportunity for rural employment, but it can do no more by way of promotion of the rural economy.

RECOMMENDATIONS.

5.20 That no modification be made to the Local Plan in respect of this objection.

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POLICY EMI

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR GENERAL INDUSTRIAL AND WAREHOUSING DEVELOPMENT (USE CLASSES B2 AND B8) ON 18 HECTARES OF LAND FORMING AN EXTENSION TO THE DRAYTON FIELDS INDUSTRIAL ESTATE AND IDENTIFIED ON THE PROPOSALS MAP (DAVENTRY INSET) SUBJECT TO THE PRIOR PROVISION OF APPROPRIATE BOUNDARY LANDSCAPING IN ACCORDANCE WITH A SCHEME TO BE SUBMITTED TO AND APPROVED BY THE DISTRICT COUNCIL. THE DEVELOPER WILL BE EXPECTED TO MAKE THE APPROPRIATE ARRANGEMENTS FOR THE FUTURE MAINTENANCE OF THE LAND-SCAPED AREA.

5.21 OBJECTIONS by :

44	Molyneux Lucas Planning	2145	Commission for New Towns
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SUMMARY OF OBJECTIONS

5.22 There is no reason for the proposed extension to the Business Park, which continues to be unlet and unused, at a time of oversupply of some 82.5% of employment land. The site is inappropriate in its location in a highly visible area of open countryside. The policy should be deleted.

THE ISSUE

1. Whether the over supply of employment land should be reduced. ?

ASSESSMENT

5.23 I have addressed this question, somewhat obliquely, in my consideration of the housing allocation under Policy HS7. The allocation under Policy EMI has planning permission, it seems, and might therefore be regarded as a commitment and the policy itself as otiose. If my recommendation for a comprehensive picture of the employment land situation is acted upon it should clear up any misunderstanding in that respect and the notion that this is part of the Business Park. As to the issue I have identified, my conclusion is a qualified agreement that some reduction should be effected. But my recommendation is that this should come about with the re-allocation of land at the Business Park which, to date, has not been regarded with much favour by developers of employment land. I have suggested that if the Council wish to pursue this prestigious initiative that Burnt Walls Park would offer many advantages without the disadvantages associated with the proposed housing development.

RECOMMENDATIONS.

- 5.24 That no modification be made to the Local Plan in respect of these objections.

POLICY EM2

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR BUSINESS DEVELOPMENT (USE CLASS B1) ON 26 HECTARES OF LAND, KNOWN AS THE DAVENTRY BUSINESS PARK (SEE PROPOSALS MAP, DAVENTRY INSET). DEVELOPMENT IN THIS AREA SHALL HAVE REGARD TO THE DEVELOPMENT BRIEF PREPARED BY THE DISTRICT COUNCIL WITH THE PRIMARY AIM OF CREATING AND MAINTAINING A HIGH QUALITY ENVIRONMENT. USES OTHER THAN CLASS B1 WILL NOT NORMALLY BE PERMITTED WHERE THE RESULTING DEVELOPMENT WOULD PREJUDICE THIS AIM.

[Proposed Changes : See Core Document No.12]

5.25 OBJECTIONS by :

2257 DoE (2258) (2259) (2260) (2261) (2262)

SUMMARY OF OBJECTIONS.

5.26 The reference to other documentation in the Local Plan runs counter to the legal precedent established in the case of *Great Portland Estates v City of Westminster* where it was established that all policies and guidance on which the Council rely should be included in the Plan. The references should be incorporated or removed.

THE ISSUE

1. Whether the production of development briefs falls into the categories covered by the judgment in the *Great Portland Estates v City of Westminster* case. And whether the production of development briefs would be aided by the contribution of other bodies ?

ASSESSMENT

5.27 If it is the Council's intention to prepare development briefs and to be solely possible for their content it is open to objection for the reasons outlined by the DoE. Notwithstanding my recommendations which would render Policy EM2 unnecessary, if development briefs are required in the consideration of planning applications for employment land under the provisions of this and Policies EM4, EM5, EM17, EM19 and EM21, it implies an agreement between Council and developer. And, I would expect, an element of cooperation between the parties wherein developer's initiatives could complement Council guidance. Objections by the DoE to what appears to be the current and unilateral practice would thereby be met if that were the case. The partnership approach is the better way; the Council benefits from developers' expertise and experience while still ensuring that its essential requirements are met. The responsibility for the issue of development briefs would remain with the

Council. I therefore recommend this as a modification rather than the Council's suggested change on the understanding that the practice outlined would be followed.

RECOMMENDATIONS.

5.28 That Policy EM2 be modified by the substitution of the word, 'ISSUED' for the word, 'PREPARED'.

And that a suitably worded paragraph outlining the practice to be followed is included in the Employment Chapter.

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POLICY EM3

PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED FOR INDUSTRIAL DEVELOPMENT ON SITES IN DAVENTRY TOWN OUTSIDE THE EXISTING INDUSTRIAL ESTATES AND THE PROPOSED ADDITION TO THE DRAYTON FIELDS INDUSTRIAL ESTATE AS SHOWN ON THE PROPOSALS MAP (DAVENTRY INSET).

[Proposed Changes : See Core Document No.12]

5.29 OBJECTIONS by :

117	V L Churchill Ltd.	905	Axa Equity and Law
1234	Renslade Investments (City) Ltd.	1310	DTi (1314)
2221	DoE	3006	British Timken
3007	St.Martins Property Co.	3008	Bryco Ltd.
3009	Hancock and Lane Ltd.	3010	VL Churchill Ltd.
3011	Postvale Ltd.	3012	Mrs Kneller
3013	Michael Gerson Ltd.		

SUMMARY OF OBJECTIONS.

5.30 Land on the eastern boundary of the Long March Industrial Estate, previously allocated for industrial/warehousing development is excluded in this Local Plan; it should be reinstated. The British Timken site should be excluded as it has been vacated.

5.31 The Long March Industrial estate is suitable for the full range of industrial uses covered by Classes B1 and B8 of the Use Classes Order. The policy should clarify that these uses would be acceptable. In its stated form it is unnecessarily restrictive and contrary to advice in PPG4; where industrial activities have no significant adverse effect on the amenity of local residents they should be permitted. The Local Plan is lacking in such guidance.

5.32 The word, 'normally' adds no more flexibility than is provided for in the basic legislative requirement to have regard to other material considerations. In order to meet the requirement for clarity in local plans, criteria or conditions for the application of Plan policies should be indicated thereby providing flexibility and a clear yardstick. The word 'normally' should be removed. In the alternative, the proposed change would further restrict the beneficial change of use of sites such as British Timken and others.

THE ISSUES

1. Whether there is a need for more employment land generally, and in Daventry in particular ?
2. Whether the policy is deficient in not setting out the full range of industrial uses which could be accommodated on the Long March Industrial Estate ?
3. Whether the Policy is too restrictive and Local Plan deficient in the guidance it provides in relation to B1 business uses ?

ASSESSMENT**First Issue : Employment Land Allocation**

5.33 It is clear from previous considerations of the employment land supply that the District is well provided for and more is not required. The objector makes no case for the reinstatement of land shown allocated in the consultation draft of the Local Plan. I see no reason to allocate land for such development which could be harmful to the setting of the Burnt Walls Scheduled Ancient Monument or to any development which might eventually be accommodated on the Burnt Walls Park land. In the case of British Timken, the site is vacant and my recommendation is that it be allocated for residential development. The Proposals Map would be changed in that case. Until that time, it is right that the Map should indicate the established use.

Second Issue : Deficiency in Policies in the Local Plan

5.34 The Council's suggested change would meet the objections of Axa Equity and Law Investment and make clear that the full range of industrial uses, [B2 - B8], can be accommodated on industrial estates. Similarly, the additional policy would make clear that these estates are reserved for those particular uses and I am content to recommend accordingly.

Third issue : Deficiency in the Guidance in the Local Plan

5.35 These suggested changes would make clear the scope for B2 - B8 uses but would leave the question of B1 business uses largely unexplained. The DTi is right to raise the issue which is obliquely addressed in the Council's response in Core Document No.11. However, more could be included in the Local Plan about B1 business uses and the fact that they can be widely accommodated in residential areas if the amenity of such is not detrimentally affected, I recommend accordingly. I am satisfied that the word, 'normally' adds nothing to the meaning and clarity of the policy and should be deleted, the Council is required to have regard to other material considerations and the merits of proposals in all cases.. And that my recommendations for the British Timken site, (which hardly qualifies for the description, 'Industrial Estate'), would permit the beneficial change of use for residential purposes.

RECOMMENDATIONS.

5.36 That Policy EM3 be modified by the deletion of the word, 'NORMALLY'; that the words, 'USE CLASSES B2 & B8', should be added to the policy after the word, 'DEVELOPMENT' and the following added to paragraph 5.14, viz :

'The policy does not restrict all business development to industrial estates; B1 uses can continue to be to be accommodated elsewhere where they would not be detrimental to residential amenity'.

5.37 That a new policy and supporting text be added to the Local Plan, viz :

NEW POLICY PLANNING PERMISSION WILL NOT BE GRANTED FOR THE CHANGE OF USE OF SITES WITHIN INDUSTRIAL ESTATES FROM BUSINESS (B1) TO NON-BUSINESS USES.

'The Council is keen to ensure that Daventry's focus as a business centre is sustained. Existing premises contribute to the variety of sites that attract businesses. This valued resource should therefore be protected from loss to other uses'

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DAVENTRY TOWN CENTRE.

POLICY EM4

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR NEW OFFICE DEVELOPMENT (USE CLASS B1a) ON THE FOLLOWING SITES IN THE TOWN CENTRE. DEVELOPMENT SHALL HAVE REGARD TO DEVELOPMENT BRIEFS PREPARED BY THE DISTRICT COUNCIL.

[A. - H] as listed.

[Proposed Changes : See Core Document No.12]

5.38 OBJECTIONS by :

2354 Northamptonshire CC. (2355) (2356) (2357) (3040)
(3041) (3042) (3043) (3044) (3045)

SUMMARY OF OBJECTIONS

5.39 The absence of the quantified area of land available for development on this site and others.

THE ISSUE

1. Whether the area of employment land could be estimated and whether it would improve the understanding of the Local Plan ?

ASSESSMENT

5.40 I accept the Council's argument that on sites where alternative uses would be acceptable, estimates of the precise areas of particular development would be difficult and possibly misleading. But on others allocated for employment purposes the information would be helpful and should be included.

RECOMMENDATIONS.

5.41 That the Local Plan be modified by the inclusion of the area of developable land in the Employment policies of this Local Plan. That the word, 'ISSUED' be substituted for the word, 'PREPARED' in Policy EM4 and that a suitable paragraph outlining the practice to be followed in the issue of development briefs be included in the Employment Chapter, [See Policy EM2].

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POLICY EM6

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR THE USE OF UPPER FLOORS IN EXISTING COMMERCIAL BUILDINGS FOR OFFICE PURPOSES (USE CLASS B1(A)).

5.42 **OBJECTIONS** by :

2089 CPRE (2090) (2091) (2092) (2093) 448 Christ Church Oxford
(2094) (2095) (2097)

SUMMARY OF OBJECTIONS

5.43 A firmer and more positive application of the policy would result if the words, 'planning permission ... may be granted ..' were substituted for the words, 'planning permission ... will normally be granted'... Paragraph 5.21 contradicts many of the policies in the Local Plan, which permit the conversion of unused buildings, by its reference to 'properly designed industrial estates'. The latter should be just one category of acceptable locations and the paragraph should be extended to include others, viz :

'such development is as far as possible confined to properly designed industrial estates, to small scale development within the existing confines of a village or to renovated or converted buildings'.

THE ISSUES

1. Whether the suggested change would more accurately reflect the aims and objectives of the Local Plan ?

ASSESSMENT

5.44 I have dealt with similar objections from the CPRE in other sections of this report and I have come to the conclusion that the suggested change would add an element of uncertainty into the policy and be contrary to the advice in paragraph 5.3 of PPG12 which advocates clear, succinct and easily understood Plans.

5.45 The objection by Christ Church, Oxford is similar to that directed at Policy EM3 which was met by the recommended addition to paragraph 5.14. That addition, in effect, is an acknowledgement of the provisions of the TCP Use Classes Order which are generally well known. I do not think the Local Plan need constantly repeat those provisions and I therefore make no recommendation for a modification of this Local Plan as a consequence of objection No.448.

RECOMMENDATIONS.

5.46 That no modification be made to the Local Plan in respect of these objections.

POLICY EM7

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR BUSINESS AND GENERAL INDUSTRIAL DEVELOPMENT ON THE FOLLOWING SITES, AS IDENTIFIED ON THE PROPOSALS MAP (BRIXWORTH INSET)

[A - C] as listed.

[Proposed Changes : See Core Document No.12]

5.47 OBJECTION by :

2090 CPRE

SUMMARY OF OBJECTION

5.48 Criterion C(i) should be amended to read, :

'The site is comprehensively landscaped particularly to the east and west'.

THE ISSUE

1. Whether the objector's suggested change would better describe the landscaping which would be appropriate for this Brixworth industrial estate ?

ASSESSMENT

5.49 The Council's suggested change meets the objection and adds additional and useful guidance in the form of the area available for development; I recommend accordingly.

RECOMMENDATIONS.

5.50 That the Local Plan be modified by the amendment of Criterion C(i), viz :

THE SITE IS COMPREHENSIVELY LANDSCAPED, PARTICULARLY TO THE EAST AND WEST BOUNDARIES.

And that the area be added to to each Criterion, viz :

To A, '(1.06 HECTARES)'

To B, '(1.24 HECTARES)'

To C, '(4.50 HECTARES)'

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LIMITED DEVELOPMENT VILLAGES.

POLICY EM8

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR BUSINESS AND GENERAL INDUSTRIAL DEVELOPMENT ON LAND TO THE NORTH OF GREAT CENTRAL WAY, AS IDENTIFIED ON THE PROPOSALS MAP (WOODFORD HALSE INSET) PROVIDED THAT:

- A. AN ACCESS ROAD IS PROVIDED AND IMPROVEMENTS MADE TO BYEFIELD ROAD.
- B. THE SITE AND THE ACCESS ROAD ARE COMPREHENSIVELY LANDSCAPED.

[Proposed Changes : See Core Document No.12]

5.51 OBJECTIONS by :

412 1255	Mr and Mrs Houldey Cllr B Ibbetson	1057	Woodford Parish Council
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SUMMARY OF OBJECTIONS

5.52 The omission in the policy of land beyond Great Central Way, Woodford Halse. The objection site is closely related to land with an extant planning permission for employment uses although access to the latter is not shown on the Proposals Map. The cost of this access is prohibitive but would be economical if combined with the objection site.

5.53 The increase in housing in Woodford Halse promises to provide a pool of labour in the village to support the development on land with the extant permission and the objection site which is poor grade, recovered industrial land.

THE ISSUE

1. Whether there is a need for additional employment land to be allocated in the District in general and in Woodford Halse in particular, bearing in mind the recent increase in population occasioned by residential development. If not, whether the cost of developing and providing access to the allocated land is so prohibitive as to justify the allocation of additional employment land on economic grounds ?

ASSESSMENT

5.54 I have concluded elsewhere in this report that the District is well endowed with employment land even if much of that is located at Junction 18 of the M1 motorway. The allocation of 4.5 ha. at Woodford Halse must therefore be regarded in that light but also in cognizance of the fact that it represents the only allocation of employment land in this part of the District. I must presume that the Council had good reason for the allocation in the first instance but it is surprising to reflect that the means of access to the site was overlooked and then, by common consent, found to be so

expensive as to make the development of the site uneconomic. The Council now invite me to consider recommending the deletion of the allocation on the basis that it is unlikely to be developed during the Plan period, even with the addition of the objection site.

5.55 I am reluctant to take such a step. The deletion of the allocation would further exacerbate the geographical imbalance of employment opportunities across the District and would reduce these in an area where they are probably limited in any event. And yet there is nothing in the objector's evidence which convinces me that if the additional land were to be allocated, development would follow as a matter of course. There is no evidence of interest from would-be occupiers, no evidence of high unemployment figures in the area while Government advice in PPG4 and PPG13 does not encourage the location of employment in places where excessive travel becomes necessary. All that has been volunteered in the way of justification is the mathematical basis of a business plan which no developer has yet adopted or seen fit to argue in support of this objection.

5.56 I do not rule out the possibility of an application occurring in the future, when the economic argument could be a weighty material consideration and lend some credibility to Policy EM8, but for the present I find no good reason to either increase or delete the allocation under this heading.

RECOMMENDATIONS.

5.57 That no modification be made to the Local Plan in respect of these objections.

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POLICY EM9

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR INDUSTRIAL OR COMMERCIAL DEVELOPMENT ON INDUSTRIAL ESTATES WITHIN THE LIMITED DEVELOPMENT VILLAGES, PROVIDED THE NATURE OF THE PROPOSAL IS COMPATIBLE WITH EXISTING DEVELOPMENT IN THE VICINITY OF THE SITE.

5.58 **OBJECTIONS by :**

2146 Commission for New Towns (2147) (2148) (2149)

SUMMARY OF OBJECTIONS

5.59 The policy, (and others), should be amended to incorporate a specific scale of development to be permitted in the Limited Development Villages.

THE ISSUE

1. Whether the suggested change would more accurately reflect the aims and objectives of the Local Plan ?

ASSESSMENT

5.60 A balance has to be struck between the objective to preserve the countryside for its own sake and the need to provide reasonable opportunities for employment in the rural areas. I am of the view that this is best done as the Council proposes, ie. by setting the criteria for development for employment against the background of the environment policies. To do as the objector suggests would be prescriptive plan making and inflexible in its approach at a time when rural economies are under stress.

RECOMMENDATIONS.

5.61 That no modification be made to the Local Plan in respect of these objections.

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