

CHAPTER 8.

8.0 TOURISM.

8.1 OBJECTION by :

1017 Mr M Spicer

SUMMARY OF OBJECTION

8.2 The absence of a policy allocating land at Drayton Lodge for hotel development.

THE ISSUE

1. Whether there is evidence of a need for the proposed hotel ?

ASSESSMENT

8.3 I have dealt with objection No.1013 into the designation of this site as part of the Special Landscape Area and concluded that it is inappropriately included. I therefore reject the Council's case which is based solely on the premise that an allocation would run against such designation. Nevertheless, I am not convinced that the case for the proposed allocation is made. The objector offers no more evidence than a couple of letters from the County and District Councils stating that, in principle, those Councils would not be opposed to an hotel development on the site. The opinion is not surprising, given that Bed and Breakfast facilities already exist, and in the light of the other uses to which the site is put.

8.4 It is significant that the Councils go no further than agreeing hotel development in principle but I would expect no more or less. It is through the Local Plan process that Planning Authorities make realistic provision for the development needs of the area, not through the individual opinions of officers concerned only with development control. Moreover, it would be quite wrong for the Local Plan to allocate land for a particular purpose simply on the basis of suitability. It would be unrealistic, devoid of any consideration of the development needs of the area and probably lacking the refinement and detail of site appraisal when a choice has to be made. I therefore make no recommendation for any modification of the Local Plan in respect of objection No.1017.

RECOMMENDATIONS

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

POLICY TM1

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR THE IMPROVEMENT, UPGRADING OR REFURBISHMENT OF ESTABLISHED TOURIST ATTRACTIONS.

[Proposed Changes : See Core Document No.12]

8.6 **OBJECTION by :**

2224 DoE

SUMMARY OF OBJECTION

8.7 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 deleted.

THE ISSUE

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

ASSESSMENT

8.8 The Council's suggested change would add a proviso which is already implicit in the policy by virtue of the use of the word 'normally'; the change does not meet the objection and, if anything, adds to the reasons behind it. In this case, the use of the word 'normally' seems to be quite acceptable given the wide ranging application of the policy. It is right that the possibility of exceptions should be admitted. The Council's suggested change to the policy would be better incorporated in paragraph 8.7 and I recommend accordingly.

RECOMMENDATIONS

8.9 That the Council's suggested change to Policy TM1 be added to paragraph 8.7.

- 0 - - -

POLICY TM2

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR TOURIST ATTRACTIONS COMPRISING ENTERTAINMENT FACILITIES, PLACES OF TOURIST INTEREST, CONFERENCE CENTRES AND TOURIST ACCOMMODATION, INCLUDING HOTEL, GUEST HOUSES, SELF CATERING AND FARM BASED ACCOMMODATION, BUT EXCLUDING CARAVANS AND CAMPING PROVIDED THAT :

[A - D] as listed.

[Proposed Changes : See Core Document No.12]

8.10 OBJECTIONS by :

450	Christ Church, Oxford	2114	CPRE (2115) (2116)
2313	DoE		(2117)
2045	MAFF		

SUMMARY OF OBJECTIONS

8.11 In the interests of clarity the introduction to Criterion A should be reworded, viz :

'In the open countryside such development does not comprise new buildings'.

8.12 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'.

8.13 The policy is more restrictive than Government guidance in PPG7, the reference to redundant buildings in paragraph 8.9 is an example; the policy should be reworded to reflect that guidance.

THE ISSUE

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

ASSESSMENT

8.14 The Council's suggested change would meet the objection of Christ Church, Oxford and I would be content to recommend accordingly if the Council were minded to retain the policy in this form, but I have reservations about the need of Criterion A which I consider below. As to the CPRE's objection to this and Policies TM3, TM4 and TM5, I have dealt with similar objections from the CPRE in other sections of this report and I have come to the same conclusion. 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.

8.15 The more substantial of the objections relates to the restrictive nature of the policy. I am inclined to a similar view and I see that exemplified in Criterion A where new buildings and even extensions to existing buildings would not be permitted in the open countryside. I accept that the aims and objectives of the Local Plan militate against the former but I see little point in that part of the criterion which deals with the reuse of rural buildings for a particular purpose; Policies EN21 and EN23, if modified, would cover their conversion and adaption for whatever use. Criterion A would therefore become largely otiose. The Council accept the need to modify paragraph 8.9 by the deletion of the word, 'redundant'. It should be further modified by incorporating the essentials of Criterion A insofar as they relate to the retention of the character of converted buildings and traffic and related matters.

RECOMMENDATIONS

8.16 That the Local Plan be modified by the rewording of criterion A, viz :

- A. IN THE OPEN COUNTRYSIDE SUCH DEVELOPMENT DOES NOT COMPRISE NEW BUILDINGS.

And that paragraph 8.9 be reworded, viz :

'Proposals for the reuse of buildings in the countryside will be expected to comply with the guidelines set out in Policies EN21 and EN23 (*) of this Local Plan while ensuring that the converted building retains its essential character both in building design and layout and complies with the general standards of the District Council in respect of traffic, parking and environmental protection'.

[* or as renumbered as a consequence of modifications]

POLICY TM5

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR TOURIST CAMPING AND CARAVAN SITES PROVIDED THE DEVELOPMENT IS CLOSELY ASSOCIATED WITH A PARTICULAR RECREATIONAL FACILITY OR TOURIST ATTRACTION AND WHERE THE DEVELOPMENT IS VISUALLY UNOBTRUSIVE AND LIES OUTSIDE THE SPECIAL LANDSCAPE AREAS.

[Proposed Changes : See Core Document No.12]

8.17 OBJECTION by :

2046 MAFF

SUMMARY OF OBJECTION

8.18 The policy is too restrictive; camping and caravanning can play an important part of farming diversification proposals. The link with recreational facilities and the exclusion of land in the Special Landscape Areas are particularly inhibiting.

THE ISSUE

1. Whether the policy is too restrictive given the strategic guidance of Policy TOUR 7 in the Structure Plan ?

ASSESSMENT

8.19 Clearly, Policy TM5 is strictly in accordance with the Structure Plan and the policies of this Local Plan, viz : policies GN1 and EN2. I therefore make no recommendation for any modification to the Local Plan in respect of objection No.2046.

RECOMMENDATIONS

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

CHAPTER 9.

9.0 RECREATION, LEISURE AND COMMUNITY FACILITIES.

9.1 OBJECTIONS by :

414	Mr and Mrs Houldey	1254	Cllr B Ibbetson
1058	Woodford Parish Council		

SUMMARY OF OBJECTIONS

9.2 The absence of a policy allocating land to the north of the existing sports and recreation ground, Woodford Halse for additional sports and recreational purposes. The need for the land has been demonstrated by the Woodford Halse, Sports and Recreational Association, (SARA); the Council has indicated that an application for housing permission for the use of the land for recreational purposes would be favourably considered.

THE ISSUE

1. Whether there is need for the additional land and whether the use of the objection site for that purpose would be a significant and damaging encroachment into the surrounding countryside.

ASSESSMENT

9.3 I am content that the evidence of a thriving and successful sporting community in Woodford Halse provides sufficient reason to justify the claim that there is a need for additional recreational land in the village. The objection site, which lies adjacent to the existing sports field, is the obvious location for the extra facilities which are required. The District Council has indicated its willingness to grant planning permission for those purposes and I am content that in doing so it has properly and fairly considered the impact on the surrounding countryside. I am with the Council in seeing no overriding objection on that or any other score.

9.4 However, this objection is linked to proposals for housing and employment development and is part of a larger 'package' of proposals. The development of the objection site is therefore largely dependent on the approval of the related development. I make my assessment of the housing and employment proposals above and it will be in the light of my recommendations that the Council will decide whether those related sites, together with the objection site should be allocated for the purposes proposed. In the

circumstances, where the granting of planning permission for the recreational proposals is assured, there would be little point in making a formal recommendation. I am therefore content to record that I would expect the Council to continue to view this objection favourably in any event.

RECOMMENDATIONS

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

- - - 0 - - -

9.6 **OBJECTIONS** by :

2138 The Sports Council (E.M. Region) 2361 Northamptonshire CC.

SUMMARY OF OBJECTIONS

9.7 The absence of a 'noisy sports' policy. PPG17 recognises the increase in the popularity of motorised sport and the need to accommodate the more adventurous forms of leisure activity. It advises Local Planning Authorities that the provision of suitable sites can divert the unauthorised and damaging use of playing fields, footpaths, open lands and woodland for these purposes.

THE ISSUE

1. Whether the Local Plan is deficient in not addressing the subject of noisy sports and, if so, what criteria should be adopted against which to consider such proposals.

ASSESSMENT

9.8 The references to noisy sports in PPG17 are couched in the context of minimising disturbance and conflict with other rural activities; they do not appear to encourage such sports but simply to acknowledge the problems they cause and to address the means by which these could be minimised. Such advice is prefaced by the words, 'where there is a clear demand', and is clearly aimed at Authorities faced with the pressures of coping with motorised sports and the noisy like. The Council claim no such pressures and I agree that there would be little point in anticipating problems which are unlikely to occur. The Local Plan should be a practical document, containing policies covering the extant and expected land uses in the District, not a document which attempts to cover every contingency, irrespective of the likelihood of it arising.

RECOMMENDATIONS

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

- - - 0 - - -

9.10 OBJECTION by :

571 Crick Parish Council

SUMMARY OF OBJECTION

9.11 The absence of a policy for the provision of developer funded 'youth related' indoor facilities in the village of Crick to compensate for the extra pressures on existing facilities occasioned by the expected increase in the youth population.

THE ISSUE

1. Whether the facility required could be reasonably regarded as falling to developers to provide ?

ASSESSMENT

9.12 Clearly, it could not. There can be no certainty about the numbers of youths in the age bracket 11 to 16 years in a population yet to be housed on new development in Crick, nor their requirements, nor whether developers would have an obligation to provide for their leisure needs. All these are matters for the future; it would be quite wrong to anticipate a possible planning obligation when that obligation seems unlikely to be incurred.

RECOMMENDATIONS

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

- - - 0 - -

POLICY RC1

PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT WILL NORMALLY BE GRANTED PROVIDED THAT PROVISION IS MADE FOR INFORMAL PUBLIC OPEN SPACE AT A STANDARD OF AT LEAST 10% OF THE DEVELOPMENT AREA OR 0.2 HECTARES PER 50 HOUSES, WHICHEVER IS THE GREATER. THIS SHALL INCLUDE PROVISION FOR BOTH AMENITY OPEN SPACE AND CHILDREN'S PLAY AREAS, WHICH WILL NORMALLY BE IN PLOTS OF NOT LESS THAN 0.2 HECTARES IN LOCATIONS THAT ARE EASILY ACCESSIBLE TO RESIDENTS. DEVELOPERS WILL BE REQUIRED TO PROVIDE PLAY EQUIPMENT TO THE SATISFACTION OF THE DISTRICT COUNCIL.

9.14 **OBJECTIONS by :**

937	Saxon Homes	1010	Northamptonshire CC
1298	McCarthy and Stone Ltd.		with Martin Grant Homes
2118	CPRE (2119) (2120) (2121)	2133	Sports Council EM Region
	(2122) (2123) (2124)		
	(2125) (2126) (2127)		
	(2128) (2129)		

[Proposed Changes : See Core Document No.12]

SUMMARY OF OBJECTIONS

9.15 The minimum requirements are disappointing and a local assessment of need would be preferable to provide higher and more appropriate open space standards.

9.16 The policy is too prescriptive and inappropriate for inclusion in the Local Plan. It should distinguish between traditional housing development and special needs housing such as sheltered accommodation where the need for open space is less and the need for security makes the provision of public play areas totally inappropriate.

9.17 Paragraph 9.9 should make clear that where open space is provided pursuant to Policy RC1, and subject to any short term maintenance agreement, the Local Authority would adopt the open space.

9.18 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 ..'.

THE ISSUE

1. Whether the provision for open space required in the Policy is inadequate and whether the changes suggested by the objectors would more accurately reflect the aims and objectives of the Local Plan.

ASSESSMENT

9.19 The Sports Council describe the requirements of the policy as disappointing but bring no evidence to suggest to what extent they are regarded as inadequate, if indeed they are. There may be good reason for this. The provisions the District Council would adopt are not easily related to the National Playing Fields Association '6 Acre Standard' which has become the common yardstick against which outdoor play and amenity space provision can be judged. It is significant, perhaps, that there is a distinct absence of objections from would-be developers which suggests that the standards are not as high as the Council claim. I make no recommendation regarding the provision but I am of the view that it would be better expressed in terms of population, as in the NPFA recommendations, than in the present form.

9.20 The change suggested by the Council would meet the objections of McCarthy and Stone Ltd, and go some way to meeting the others; there is no escaping an element of prescription in the framing of this policy. As to the CPRE's objection to this and other Recreation, Leisure and Community Facilities Policies Nos. RC3, RC4, RC5, RC6, RC7, RC8, RC9, RC14, RC15, RC20, and RC34). I am of the view that the suggested change would introduce an element of uncertainty and be contrary to the advice in paragraph 5.3 of PPG12 which advocates clear, succinct and easily understood Plans.

RECOMMENDATIONS

9.21 That Policy RC1 be modified by the addition of the following in lower case, viz :

'Proposals for sheltered housing for the elderly will not be required to provide public open space but provision should be made for communal amenity area provision as an integral part of the development'.

9.22 And that the provisions of Policy RC1 be expressed in hectares per 1,000 population, (in the manner of Policy RC15), or that paragraph 9.9 contain an estimate of the proposed provision expressed in those terms.

- - - 0 - - -

POLICY RC2

PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED FOR DEVELOPMENT THAT CAUSES THE LOSS OF EXISTING AREAS OF OPEN SPACE AND OTHER RECREATION OR AMENITY AREA INCLUDING SCHOOL PLAYING FIELDS AND WELL-USED ALLOTMENTS.

9.23 **OBJECTIONS by :**

1276 Northamptonshire CC.
2232 DoE

2134 Sports Council EM Region

[Proposed Changes : See Core Document No.12]

SUMMARY OF OBJECTIONS

9.24 The policy is too restrictive in relation to the guidance in PPG17.

9.25 The policy requires strengthening by requiring that replacement facilities are appropriately located and to a standard which is, at least, the equivalent of facilities which might be lost by development proposals. The policy should address the provision of indoor facilities as well as open space and other recreational areas.

THE ISSUE

1. Whether the policy strikes the right balance between the presumption for development and the preservation of existing recreational and amenity open space ?

ASSESSMENT

9.26 There are conflicting viewpoints about the strength and weaknesses of this policy but the Council's proposed change would remove any suggestion of flexibility in its application. In its modified form it would be an unequivocal statement for the preservation of amenity open space and that is the Council's desire.

9.27 I am inclined to the Council's approach. There could be material considerations which could persuade the Council to set aside this policy but the County Council's attempt to incorporate these in an alternative policy I find incomprehensible and illustrative of the difficulty of doing so. I am satisfied that the right balance would be struck through the normal process of development control; the policy is best left untouched except for the deletion of the word, 'normally'. I agree with the Council that this policy is not the place to address the question of indoor facilities.

RECOMMENDATIONS

9.28 That Policy RC2 be modified by the deletion of the word, 'normally'.

- - - 0 - - -

POLICY RC3

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR INDOOR RECREATION AND COMMUNITY FACILITIES FOR THE RURAL SETTLEMENTS PROVIDED THAT THEY ARE TO BE USED PRIMARILY BY RESIDENTS OF THAT SETTLEMENT. CONSIDERATION OF DETAILED DESIGN AND MATERIALS, SITING AND LANDSCAPING AND THE EFFECTS OF THE PROPOSAL ON THE AMENITIES OF LOCAL RESIDENTS WILL BE FUNDAMENTAL TO THE GRANTING OF PLANNING PERMISSION.

[Proposed Changes : See Core Document No.12]

9.29 **OBJECTIONS** by:

2314 DoE (2315)

SUMMARY OF OBJECTIONS

9.30 Planning permission should not be conditional on the use by 'residents of that settlement'. The reference should be deleted and the condition should be restricted 'to an appropriate scale'.

THE ISSUE

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

ASSESSMENT

9.31 The Council's suggested change would meet the objections to this policy and Policy RC4 which relate to the usage of facilities by local residents. The provisos objected to are not planning considerations and should be deleted and replaced in both policies by reference to a scale of development, appropriate to need.

RECOMMENDATIONS

9.32 That Policies RC3 and RC4 be modified by the deletion of the words, 'USED PRIMARILY BY LOCAL RESIDENTS OF THAT SETTLEMENT' and their replacement by the words, 'OF A SCALE APPROPRIATE TO THE NEEDS OF THAT SETTLEMENT'.

- - - 0 - - -

POLICY RC5

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR GENERAL RECREATIONAL FACILITIES IN THE OPEN COUNTRYSIDE PROVIDED THAT THE DEVELOPMENT IS COMPATIBLE WITH A RURAL LOCATION, DOES NOT CONFLICT WITH THE NEEDS OF NATURE CONSERVATION. PARTICULAR REGARD WILL BE PAID TO THE TRAFFIC GENERATION IMPLICATIONS OF PROPOSALS AND THOSE REQUIRING EXTENSIVE HIGHWAY IMPROVEMENTS WILL NOT NORMALLY RECEIVE PLANNING PERMISSION.

9.33 **OBJECTIONS by :**

557 Mrs W Richardson 2121 CPRE

SUMMARY OF OBJECTIONS

9.34 The first sentence of the policy should be changed to read, viz;

'Planning permission may be granted for recreational facilities in the open countryside provided the development is wholly compatible with the rural location and in no respect adversely affects the existing character and in no respect conflicts with the needs of nature consideration'.

9.35 Mrs Richardson's objection relates to the establishment of a riding school in Overstone Park; this is a matter to be pursued with the Council in the normal process of development control and I do not, therefore, draw any conclusions on objection No.557.

THE ISSUE

9.36 Whether the change suggested by the objector would more accurately reflect the aims and objectives of the Local Plan.

ASSESSMENT

9.37 The suggested change would make the policy far too onerous. I am in agreement with the Council in recognising that, by its very nature, most development would have some adverse effect and cannot be wholly compatible with its rural location. To make the granting of planning permission conditional on those requirements would be to strike the wrong balance between recreational needs and the preservation of the countryside.

RECOMMENDATIONS

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

- - - 0 - - -

RECOMMENDATIONS

9.43 That Policy RC6 be deleted from the Local Plan and that paragraph 9.15 be modified, viz:

'The District Council is concerned to ensure that schemes for the conversion of rural buildings for recreational purposes retain their original character. Proposals for conversion should comply with other policies in this Local Plan while ensuring that the converted building retains its essential character both in building design and site layout'.

- - - 0 - - -

FOOTPATHS AND BRIDLEWAYS

9.44 **OBJECTIONS by :**

38	NFU	1019	NFU Rugby
15	British Waterways		

SUMMARY OF OBJECTIONS

9.45 Reference should be made in paragraph 9.16 to the desirability of extensions and rationalisation of the networks being agreed with landowners. The removal of 'dead ends' and paths running through farmyards would benefit users of the network and farmers, especially when livestock is the key element of the farm.

9.46 Paragraph 9.18 should now reflect the fact that the Grand Union Canal path is open.

THE ISSUE

1. Whether the Local Plan should express opinions and objectives which are the remit of the Highway Authority ?

ASSESSMENT

9.47 Whilst the logic of the NFU's arguments is attractive and the thrust of the objections seemingly inoffensive, it would be wrong for the District Council to stray into the preserve of the Highway Authority in the manner suggested. I recommend only an appropriate update of paragraph 9.18.

RECOMMENDATIONS

9.48 That the word 'proposed' be deleted from paragraph 9.18.

POLICY RC7

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR RECREATION DEVELOPMENTS IN THE SPECIAL LANDSCAPE AREAS PROVIDED THAT THEY RELATE TO INFORMAL RECREATION FACILITIES SUCH AS COUNTRY PARKS, POCKET PARKS, PICNIC SITES AND PLAYING FIELDS DESCRIBED IN POLICY RC4.

[Proposed Changes : See Core Document No.12]

9.49 **OBJECTIONS by :**

2049	MAFF	2135	The Sports Council
2316	DoE		East Midlands Region

SUMMARY OF OBJECTIONS

9.50 The policy is unclear as to whether new or existing facilities are referred to; cross referencing to other policies should not be necessary. The examples should be in the supporting text.

9.51 The policy is too restrictive; properly designed informal recreational facilities provided as part of diversification proposals should not affect the amenity of the countryside and could be a positive benefit by affording an additional means of access. The distinction between formal and informal recreational facilities is arbitrary and would be difficult to implement.

THE ISSUE

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

ASSESSMENT

9.52 I agree with the DoE that the policy is unclear and unnecessarily restrictive in its references to particular recreational facilities. The Council's suggested change to the policy meets both the objections of the DoE and MAFF in that respect. The Sports Council's objection goes further however; I agree that the distinction between formal and informal recreation might be difficult to define but I know of no better way to make the distinction between those activities which would find acceptance in the SLAs and others which would have wider acceptability in the open countryside.

9.53 The suggested reference to Policy RC4 in paragraph 9.21 is not particularly helpful; it relates to developments associated with settlements and simply echoes the words to be deleted from the policy. Policy RC7 must have a wider application than Policy RC4 otherwise it has no place in the Local Plan, I therefore recommend a modification to Policy RC7 only.

RECOMMENDATIONS

9.54 That Policy RC7 be modified, viz :

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR INFORMAL RECREATION DEVELOPMENTS IN THE SPECIAL LANDSCAPE AREAS.

- - - 0 - - -

POLICY RC8

PLANNING PERMISSION FOR NEW GOLF COURSES AND ADDITIONS TO EXISTING COURSES WILL NORMALLY BE GRANTED PROVIDED THAT THE PROPOSAL IS NOT SITUATED IN A SPECIAL LANDSCAPE AREA AND:

[A - E] as listed.

9.55 OBJECTIONS by :

2132	The Sports Council (2135)	39	NFU
214	Mr M J Eustace	439	Christ Church, Oxford
2050	MAFF	2124	CPRE
2362	Northamptonshire CC.		

SUMMARY OF OBJECTIONS

9.56 Policies RC7 and RC8 represent a blanket ban inhibiting the development of golf and other formal sports throughout the designated Special Landscape Areas. The criteria of Policy RC8 are overly restrictive and make no concessions for the need for formal and recreational facilities in rural areas. Criterion C is an example; a contribution to the environment can be made in many ways, extensive landscaping is only one. The words, 'through extensive landscaping', are unnecessary and should be deleted.

9.57 Paragraph 9.22 is at odds with the specific requirement that golf courses should be located outside SLAs; this criterion should be deleted. Most courses are not major developments and can be adequately dealt with by reasonable planning conditions. They should not, however, involve works which would lead to the irreversible loss of the best and most versatile farming land. Criterion F should be added to the policy, viz :

F. 'Proposals must demonstrate that where the best and most versatile land is affected, this land could be returned to its original quality if required in the future'

9.58 No reference is made to the effect that a golf course might have on any Public Right of Way. The policy should include such a reference, viz:

'Provision should be made to maintain or re-route Rights of Way which are affected'.

9.59 The Council should go further by ensuring the restriction applies equally to new and existing golf courses. The last sentence of paragraph 9.24 should read, viz :

'The District Council will therefore restrict further courses and extensions or additions to existing courses to ensure that they are needed and re-directed towards resilient locations'.

9.60 An additional paragraph should state the District Council's intention to strongly resist the building of non-golf related facilities, viz:

'The District Council will strongly resist the building or extension of non-golf related facilities such as leisure complexes, hotels, conference facilities, tennis etc'.

9.61 Criterion A does not take account of the need to protect historical features in the countryside, it should be changed to read,

The proposal is located and designed in detail to ensure complete harmony and compatibility with the form and character of the existing countryside including any historic features as may exist'

THE ISSUE

1. Whether Policy RC8 is over restrictive, given the aims of the Council to preserve and enhance the character and amenity of the landscape ?

ASSESSMENT

9.62 Any assessment of the objection that the policy is overly restrictive must start from the point of national and strategic guidance. Regional Planning Guidance for the East Midlands, (RPG8), makes a strong plea for adequate land and water resources to be made available for organised sport and informal recreation but cautions that in protected areas conservation should take precedence. The Structure Plan, which predates RPG8, is quite specific in its guidance about the suitability of various sporting activities in the Special Landscape Area and in the remaining open countryside; Local Plan Policies RC7 and RC8 faithfully reflect that guidance which finds a strong echo in RPG8. It is significant that that guidance has remained unchanged for a number of years and not surprising that a number of Inspectors have relied upon it in recent cases in the Daventry District area.

9.63 I am content, therefore, that the ban on golf courses in the SLA is well founded on environmental grounds. And I am convinced by the Council's evidence that there is now little in the way of demand for such development which would warrant a weakening of Policy RC8 except insofar that Criterion C appears to prejudge the means of making a positive contribution to the local environment; 'extensive' landscaping may not always be necessary. The Council's suggested changes meet the objection of MAFF and of the CPRE, they add an element of necessary protection to the areas of their concern and are welcome on that score. I am not convinced that references to footpaths in the policy would add similarly to the guidance of Policy RC8, the statutory powers of the Highway Authority would seem sufficient to protect the concern of the County Council although they warrant a mention in the supporting text.

9.64 Mr Eustace would have the Council go further in restricting the development of golf courses and strongly resisting non-golf related development. I am content that the Policy, as recommended, would follow the spirit of the strategic guidance and that the suggested additional paragraph would not add to the understanding of the Council's approach, I recommend accordingly.

RECOMMENDATIONS

9.65 That Policy RC8 be modified, viz :

A. 'THE PROPOSAL IS LOCATED AND DESIGNED TO ENSURE HARMONY AND COMPATIBILITY WITH THE SURROUNDING COUNTRYSIDE INCLUDING ANY HISTORIC FEATURES AS MAY EXIST'

That the word, 'EXTENSIVE' be deleted from Criterion C.

And that new Criterion F should read,

'THE PROPOSAL DOES NOT RESULT IN THE IRREVERSIBLE LOSS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND'

That a new paragraph should read,

'Where proposals affect the best and most versatile agricultural land the applicant will be required to submit the details of the construction of the course to demonstrate that the loss is not irreversible. Provision should be made for the maintenance or rerouting of any affected rights of way'.

And that the words, 'and extensions to courses', be added after the words, 'further courses' in paragraph 9.24'.

- - - 0 - - -

POLICY RC10

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR THE RECREATIONAL USE OF LAKES AND RESERVOIRS PROVIDED THAT:

- A. THE WATER SUPPLY FUNCTION OF STORAGE AND CANAL FEEDER RESERVOIRS IS SAFEGUARDED.
- B. THE AMENITY, NATURE CONSERVATION VALUE AND LANDSCAPE FUNCTION OF ORNAMENTAL LAKES IS SAFEGUARDED.

9.66 OBJECTION by :

17 British Waterways

SUMMARY OF OBJECTION

9.67 No reference is made in the policy or on the Proposals Map to the considerable opportunity for the extension and creation of new recreational facilities, and the potential for a new country park at Boddington Reservoir ?

THE ISSUE

1. Whether the Local Plan provides sufficient guidance for the proper consideration of proposals for the recreational use of reservoirs and whether such consideration has been given to those for Boddington Reservoir.

ASSESSMENT

9.68 The Council is content that Policy RC10 reflects the normal considerations which would apply to proposals for the recreational use of existing reservoirs and lakes. It is right to maintain that considerations of the effect of major works would be extended into other areas if and when the storage capacity of Boddington Reservoir and its capacity for recreational pursuits was increased. The impact of such a development has not been adequately assessed and it would be quite wrong for the Council to commit itself to such a scheme in the circumstances.

RECOMMENDATIONS

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

- - - 0 - - -

POLICY RC11

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR EDUCATION, COMMUNITY, HEALTH, SHOPPING AND CERTAIN RECREATION FACILITIES AS REQUIRED TO SERVE RESIDENTS OF THE NORTHERN DEVELOPMENT AREA, WITHIN A LOCAL CENTRE (NORTHERN AREA LOCAL CENTRE) ON LAND TO THE SOUTH OF ROAD 14 AS IDENTIFIED ON THE PROPOSALS MAP (DAVENTRY INSET). DEVELOPMENT OF THE SITE SHALL HAVE REGARD TO THE DEVELOPMENT BRIEF PREPARED BY THE DISTRICT COUNCIL.

[Proposed Changes : See Core Document No.12]

9.70 **OBJECTIONS** by :

2317 DoE (2318)

SUMMARY OF OBJECTIONS

9.71 The policy is unclear as to the acceptable forms of recreational facilities; the word, 'certain' should be deleted or the term, 'recreational facilities' should be defined.

THE ISSUE

1. Whether the changes suggested by the objector would improve the understanding of the policy ?

ASSESSMENT

9.72 The Council's suggested change would meet the DoE's objection and I am content to recommend accordingly. As to the reference to development briefs, I have previously recommended a form of words by way of an explanation as to the manner in which these are issued and these could also be incorporated into the Local Plan.

RECOMMENDATIONS

9.73 That Policy RC11 be modified by the deletion of the word, 'CERTAIN', the replacement of the word, 'PREPARED' by the word 'ISSUED' and the incorporation of a new sentence to paragraph 9.28, viz :

'The good practice of issuing development briefs shall continue with the co-operation of developers who are advised that such briefs will be material considerations for the District Council in determining planning applications'.

POLICY RC12

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR EDUCATION, COMMUNITY, HEALTH, SHOPPING AND CERTAIN RECREATION FACILITIES AS REQUIRED TO SERVE RESIDENTS OF THE BURNT WALLS PARK AREA, WITHIN A LOCAL CENTRE (BURNT WALLS PARK LOCAL CENTRE) ON LAND IDENTIFIED ON THE PROPOSALS MAP (DAVENTRY INSET), DEVELOPMENT SHALL BE CONCURRENT WITH THAT OF THE SURROUNDING HOUSING SITE AND SHALL HAVE REGARD TO THE DEVELOPMENT BRIEF PREPARED BY THE DISTRICT COUNCIL.

[Proposed Changes : See Core Document No.12]

9.74 **OBJECTIONS by :**

314	Christ Church Oxford	1262	English Heritage
1285	Mr R Gilbert	2318	DoE

SUMMARY OF OBJECTIONS

9.75 Consequent upon objections 309, 1261, 1284, [Policy HS7 Burnt Walls], Policy RC12, (and paragraphs 9.29, 9.30 and 9.31), should be deleted from the Local Plan.

9.76 The policy is unclear as to the acceptable forms of recreational facilities; the word, 'certain' should be deleted or the term, 'recreational facilities' should be defined.

THE ISSUE

1. Whether or not the Burnt Walls development should proceed and, if so, whether the changes suggested by the objectors would improve the understanding of the policy ?

ASSESSMENT

9.77 I have made my assessment of the proposals for Burnt Walls Park and I have concluded that Policy H7 should be deleted from the Local Plan. As a consequence, and on the presumption that the Council will accept my recommendation, I make a similar recommendation in this case. In the event the Council do not accept that recommendation, Policy RC12 should be modified in the same manner as Policy RC11 above.

RECOMMENDATIONS

9.78 That Policy RC12 and paragraph 9.29 be deleted from the Local Plan.

POLICY RC13

IT IS PROPOSED THAT A SITE OF 1.35 HECTARES IS RESERVED FOR EDUCATIONAL PURPOSES WITHIN EACH OF THE PROPOSED LOCAL CENTRES.

9.79 **OBJECTION by :**

1286 Mr R Gilbert

SUMMARY OF OBJECTION

9.80 Consequent upon objection 1284 [Policy HS7 Burnt Walls], the reference to that local centre in paragraph 9.30 should be deleted.

THE ISSUE

1. Whether or not the Burnt Walls development should proceed ?

ASSESSMENT

9.81 I have made my assessment of the proposals for Burnt Walls Park and concluded that Policy HS7 should be deleted from the Local Plan. If the Council accept that recommendation the reference to Burnt Walls at paragraph 9.30 should also be deleted.

RECOMMENDATIONS

9.82 That the reference to Burnt Walls in paragraph 9.30 be deleted.

- - 0 - - -

POLICY RC14

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR THE DEVELOPMENT OF THE LOCAL CENTRES PROVIDED THAT EACH CENTRE INCLUDES A MULTI-PURPOSE COMMUNITY BUILDING SERVING RECREATION AND OTHER COMMUNITY USERS.

9.83 OBJECTIONS by:

1287 Mr R Gilbert 2233 DoE

SUMMARY OF OBJECTIONS

9.84 Consequent upon objection 1284, [Policy HS7 Burnt Walls] the reference to that local centre in paragraph 9.31 should be deleted.

9.85 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.

THE ISSUE

1. Whether or not the Burnt Walls development should proceed and, if so, whether the changes suggested by the objectors would improve the understanding of the policy ?

ASSESSMENT

9.86 I have made my assessment of the proposals for Burnt Walls Park and concluded that Policy H7 should be deleted from the Local Plan. As a consequence, and on the presumption that the Council will accept my recommendation, the reference to Burnt Walls at paragraph 9.31 should be deleted. In any event, Policy RC14 should be modified by the deletion of the word, 'normally', for the reasons outlined by the DoE.

RECOMMENDATIONS

9.87 That the reference to Burnt Walls Park in paragraph 9.31 be deleted.

- - - 0 - - -

POLICY RC15

NEW PLAYING PROVISION IN DAVENTRY WILL BE MADE ON THE BASIS OF 1.2 HECTARES FOR EVERY 1,000 PEOPLE.

[Proposed Changes : See Core Documents No.12]

9.88 **OBJECTION** by :

2137 Sports Council [EM Region]

SUMMARY OF OBJECTION

9.89 The requirement falls short of the NPFA minimum standards; demand can be increased with active promotional policies. A local assessment of need is more useful in providing higher and more appropriate playing field standards.

THE ISSUE

1. Whether the proposed standard is adequate.?

ASSESSMENT

9.90 The Council's proposed change would bring the provision to the minimum standard recommended by the NPFA. It is therefore a welcome improvement and one I am content to recommend.

RECOMMENDATIONS

9.91 That Policy RC15 be modified, viz :

NEW PLAYING FIELDS PROVISION IN DAVENTRY WILL BE MADE ON THE BASIS OF 1.6 HECTARES FOR EVERY 1000 PEOPLE.

- - - 0 - - -

POLICY RC17

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR RESIDENTIAL DEVELOPMENT IN DAVENTRY PROVIDED THAT CONTRIBUTIONS ARE MADE TOWARDS THE PROVISION OF PLAYING FIELDS IN PROPORTION TO THE SIZE OF THE DEVELOPMENT.

9.92 **OBJECTION by :**

2319 DoE

SUMMARY OF OBJECTION

9.93 The policy conflicts with the advice contained in Circular 16/19, 'Planning and Compensation Act 1991: Planning Obligations', in that the requirement may not be appropriate in every case.

THE ISSUE

1. Whether the policy is in conflict with the advice contained in Circular 19/91 ?

ASSESSMENT

9.94 The policy is worded to make the contribution of funds to the provision of playing fields a prerequisite of the grant of planning permission and this is clearly in conflict with the principle that planning obligations arise only as a direct consequence of development. The essence of the policy appears to be that, when applicable, the scale of contributions should normally be commensurate with the scale of development. On that basis, I recommend an alternative form of words.

RECOMMENDATIONS

9.95 That Policy RC17 be modified, viz :

CONTRIBUTIONS TO THE COST OF PROVIDING PLAYING FIELDS ARISING DIRECTLY FROM RESIDENTIAL DEVELOPMENT WILL NORMALLY BE IN PROPORTION TO THE SCALE OF DEVELOPMENT.

- - - 0 - - -

POLICY RC20

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR THE EXTENSION OF THE FOOTPATH AND BRIDLEWAY NETWORK IN AND AROUND DAVENTRY COUNTRY PARK, AS IDENTIFIED ON THE PROPOSALS MAP (DAVENTRY INSET).

[Proposed Changes: See Core Document No 12]

9.96 **OBJECTION** by :

2320 DoE

SUMMARY OF OBJECTION

9.97 The policy is unnecessary because statutory powers already exist; it should be deleted.

THE ISSUE

9.98 Whether there are occasions where the granting of planning permission is required for the creation of footpaths ?

ASSESSMENT

9.99 I accept the Council's explanation that the policy is applicable to some developers and therefore valid. I note also the Council's suggested change and agree that it would improve the understanding of the policy; I recommend accordingly.

RECOMMENDATIONS

9.100 That Policy RC20 be modified by the deletion of the word, 'NORMALLY', and the substitution of the word, 'EXTENSION', by the word, 'DEVELOPMENT'.

- - - 0 - - -

POLICY RC21

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR THE CREATION OF AN INFORMAL FOOTPATH LINK BETWEEN THE FORMER DAVENTRY-BRAUNSTON RAILWAY LINE AND THE GRAND UNION CANAL AS AN EXTENSION OF THE EXISTING FOOTPATH NETWORK.

[Proposed Changes : See Core Document No.12]

9.101 **OBJECTION** by :

2321 DoE

SUMMARY OF OBJECTION

9.102 The policy is unnecessary because statutory powers already exist; it should be deleted.

THE ISSUE

1. Whether there are occasions where the grant of planning permission is required for the creation of footpaths ?

ASSESSMENT

9.103 I accept the Council's explanation that the policy is applicable to some developers and therefore valid. I note also the Council's suggested changes and agree that it would improve the understanding of the policy; I recommend accordingly.

RECOMMENDATIONS

9.104 That Policy RC21 be modified by the deletion of the word, 'NORMALLY', and the substitution of the word, 'CREATION', by the word, 'DEVELOPMENT'.

- - - 0 - - -

POLICY RC25

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR THE DEVELOPMENT OF LAND TO THE REAR OF ABBEY STREET, ST JOHNS SQUARE AND GOLDING CLOSE IDENTIFIED AS SITE 14 ON THE PROPOSALS MAP (DAVENTRY TOWN CENTRE INSET) SUBJECT TO THE PROVISION OF ACCOMMODATION FOR THE EXTENSION AND ENHANCEMENT OF DAVENTRY MUSEUM AND APPROPRIATE COMMUNITY FACILITIES.

9.105 **OBJECTIONS by :**

1279 Stepnell Estates Ltd 2322 DoE

SUMMARY OF OBJECTIONS

9.106 Consequent upon objection 1278, [Policy RT5], the Abbey Street, St Johns Square and Golding Close site should be redesignated for use by larger retailers.

9.107 The policy is unclear and appears to contravene the advice in Circular 16/1991. 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 inclusion of accommodation for the expansion of the museum in the allocation of Site 14 for a multipurpose leisure centre is unreasonable in the context of Circular 16/91, 'Planning and Compensation Act 1991, Planning Obligations' ?

ASSESSMENT

9.108 Events would appear to have overtaken these objections insofar that planning permission has been granted for the leisure centre and development commenced. In any event, the requirement that part of the site should be used for the purposes of extending the museum seems perfectly reasonable. The reference to 'other documentation' by the DoE is not fully understood, but it would not be for me to judge the merits or otherwise of any agreement which has been entered into freely with the developer.

RECOMMENDATIONS

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

POLICY RC26

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR A MULTI-PURPOSE LEISURE CENTRE ON LAND TO THE REAR OF ABBEY STREET, ST JOHNS SQUARE AND GOLDING CLOSE, IDENTIFIED AS SITE 14 ON THE PROPOSALS MAP (DAVENTRY TOWN CENTRE INSET), PROVIDED THAT IT IS ALL OR PART OF COMPREHENSIVE DEVELOPMENT OF THE SITE. DEVELOPMENT SHALL HAVE REGARD TO THE DEVELOPMENT BRIEF PREPARED BY THE DISTRICT COUNCIL.

9.110 OBJECTION by :

2323 DoE

SUMMARY OF OBJECTION

9.111 The policy is unclear and appears to contravene the advice in Circular 16/1991. 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 conditions attached to the granting of planning permission are unreasonable in the context of Circular 16/91, 'Planning and Compensation Act 1991, Planning Obligations' ?

ASSESSMENT

9.112 Events would appear to have overtaken this objection insofar that planning permission has been granted for the leisure centre and development commenced. The reference to 'other documentation' is also otiose, it would not be for me to judge the merits or otherwise of any agreement which has been entered into freely with the developer.

RECOMMENDATIONS

9.113 That Policy RC26 be deleted from the Local Plan.

POLICY RC28

IN BRIXWORTH PROVISION WILL BE MADE WITHIN THE NEW RESIDENTIAL DEVELOPMENT REFERRED TO IN POLICY HS18 AS SHOWN ON THE PROPOSALS MAP (BRIXWORTH INSET) FOR:

A. A PUBLIC PLAYING FIELD OF 1.62 HECTARES TO BE LAID OUT AND AVAILABLE FOR USE BEFORE THE FIRST HOUSE IS OCCUPIED.

B. A SITE OF 1.16 HECTARES FOR A NEW PRIMARY SCHOOL.

[Proposed Changes: See Core Document No 12]

9.114 OBJECTIONS by :

951 David Wilson Estates

2168 Bryant Homes

SUMMARY OF OBJECTIONS

9.115 Criterion A should be changed to require that the childrens' play area be provided within Phase 1, not before the first house is occupied.

THE ISSUE

1. Whether the requirement to provide a recreational area associated with residential development at Brixworth before the first house is occupied is reasonable?

ASSESSMENT

9.116 The Council's suggested change clearly reflects a reconsideration of this policy and a relaxing of its provisions to a more reasonable requirement. I am content to recommend accordingly.

RECOMMENDATIONS

9.117 That Criteria A of Policy RC28 be modified, viz;

A PUBLIC FIELD OF 1.62 HECTARES TO BE LAID OUT AND AVAILABLE WITHIN PHASE 1 OF THE RESIDENTIAL DEVELOPMENT.

POLICY RC29

IN CRICK, PROVISION WILL BE MADE FOR A PLAYING FIELD ASSOCIATED WITH THE EXISTING PRIMARY SCHOOL AND AN ADJACENT AREA OF OPEN SPACE AS SHOWN ON THE PROPOSALS MAP (CRICK INSET).

9.118 **OBJECTION** by :

570 Crick Parish Council

SUMMARY OF OBJECTION

9.119 The policy should refer to 'public open space', and should indicate how the provision is to be ensured. The policy should be extended to require that the historic green link between St Margarets Church and the open countryside is retained in any landscape proposals.

THE ISSUE

1. Whether the policy is deficient in providing protection for the setting of St Margarets Church and the outlook from that viewpoint ?

ASSESSMENT

9.120 The public ownership of the open space designated in the Local Plan is not material to the aim of the policy to protect the setting of St Margaret's Church and the policy is not deficient in that respect. There would be no advantage in taking the land into public ownership even if that were possible. As to the outlook from that site, I am satisfied that the Council will have regard to the views of the objector when proposals for residential development and associated landscaping emerge.

RECOMMENDATIONS

9.121 That no modifications be made to the Local Plan in respect of this objection.

APPENDIX 1

DAVENTRY DISTRICT LOCAL PLAN

SUMMARY OF RECOMMENDATIONS

(VOLUME 2)