



**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING STATEMENT**

**TO ACCOMPANY A PLANNING APPLICATION FOR**

**'BRIXWORTH LOCAL SERVICES CENTRE' – MIXED USE DEVELOPMENT  
COMPRISING COMMERCIAL, BUSINESS AND SERVICE USES WITHIN CLASS E;  
MIXED USE RESTAURANT AND TAKE AWAY USE (SUI GENERIS); PUB/DRINKING  
ESTABLISHMENT (SUI GENERIS); AND HOT FOOD TAKEAWAY (SUI GENERIS)**

**ON LAND AT NORTHAMPTON ROAD, BRIXWORTH**

**ON BEHALF OF THE APPLICANT – DR D BURSTON**

**SEPTEMBER 2020**

**PF/10177**

## 1.0 INTRODUCTION

1.1 The application seeks outline planning permission for development described as '**Brixworth Local Services Centre**', which comprises:

*'Mixed use development comprising commercial, business and service uses within Class E; mixed use restaurant and take away use (sui generis); pub/drinking establishment (sui generis); and hot food takeaway (sui generis).'*

1.2 All matters of detail, other than access, are reserved for subsequent approval.

1.3 The site area comprises some 1.48 hectares, including the existing means of access onto Northampton Road. The site is bounded by a substantial tree screen on the northern boundary, which is formed by Merry Toms Lane. Northampton Road forms the eastern boundary. The southern boundary is formed by the access road which leads onto **Vineyard Gardens** and the development known as **Victor's Barns**.

1.4 Planning permission has been granted for the alterations of buildings at Hill Farm, to the south-west of this application site, to form residential properties (13 in total) in addition to The Manor House. Outline planning permission has been granted for a residential institution within Class C2 (Permission Ref: DA/2015/1009) to the north of the Victors Barns development. An application, in effect, for renewal of the planning permission DA/2015/1009 (Application Ref: DA/2018/1046) is awaiting determination by the LPA.

1.5 On the south side of the access road lies a private cricket ground, and an enclosure intended to form a bowling green. This development has yet to be completed.

1.6 The proposals for development are illustrated on the Proposed Site Plan (Dwg No. A1908 PL100) and indicates provision for:

- i. Convenience Store (Use Class E) – 4,500 sq.ft. (418.06m<sup>2</sup>)
- ii. Pharmacy (Use Class E) – 1,500 sq.ft. (139.35m<sup>2</sup>)
- iii. 2 x Hot Food Takeaway Units (sui generis) – 1,000 sq.ft. each (92.90m<sup>2</sup> each)
- iv. 2 x Non-Food Retail Units (Use Class E/sui generis) – 750 sq.ft. each (69.67m<sup>2</sup> each)
- v. 3 x Local Start-Up Business Units (Use Class E) – 500 sq.ft. each (46.45m<sup>2</sup> each)
- vi. 3 x Small Professional Office Units (Use Class E) – 500 sq.ft. each (46.45m<sup>2</sup> each)
- vii. 2 x Larger Professional Office Units (Use Class E) – 750 sq.ft. each (69.67m<sup>2</sup> each)
- viii. Retail Unit (Use Class E) – 1,500 sq.ft. (139.35m<sup>2</sup>)
- ix. Gymnasium/Dance School (Use Class E) – 3,400 sq.ft. (315.87m<sup>2</sup>)
- x. Drive-Thru Coffee Unit with High Speed Internet Hub and Large Screen Meeting (*sui generis*) – 3,850 sq.ft. (357.67m<sup>2</sup>)

1.7 **The Applicant is in active discussions with two of the country's largest retailers to provide a modern convenience store which can provide enlarged and enhanced local convenience retail floorspace (so avoiding longer journeys by local residents to similarly sized stores). Indeed, one of the retailers has now made a firm financial proposal for occupying the 'anchor' unit within this development (4,500 sq.ft.), which would provide a very substantial enhancement to the retail offer for residents in Brixworth and the surrounding hinterland community.** A letter from Underwoods Property Agents, dated 25<sup>th</sup> August 2020, accompanies the application and confirms that a firm offer has been received from '*a National Supermarket chain to take a long-term lease on the proposed new convenience store at Brixworth*'.

**1.8 The Applicant is also in active discussions with two locally-based operators for the proposed gymnasium providing a new facility for the local community.**

1.9 Provision is made in front of the units for 99 car parking spaces for staff and patrons, including 10 electric vehicle parking spaces and 9 disabled access parking spaces. Provision for a rear servicing yard to the units includes provision for a further 7 staff parking spaces.

1.10 The description of development refers to the range of use classes in which the above uses are defined. If the LPA considers that permission should limit the forms of use which may occupy the premises then a planning condition may be imposed upon a grant of planning permission. For example, if the LPA considers that a gymnasium (a use within Class E) is appropriate, but say not another use within the Use Class, then a planning condition can require the submission of a further application for the consideration of the LPA, prior to a new use within the same use class taking place.

1.11 The formal plans submitted with the application comprise:

- Dwg No. A1908 EX100 Location Plan
- Dwg No. 384-TA12 Proposed Access Arrangement
- Dwg No. 384-TA10 Articulated Vehicle Tracking

1.12 The illustrative plans comprise:

- Dwg No. A1908 PL100 Rev A Proposed Site Plan
- Dwg No. Y539-00-XX-XX-DR-C-0021 Rev P2 Surface & Foul Water Drainage Layout  
(Sheet 1)

- Dwg No. Y539-00-XX-XX-DR-C-0022 Rev P2 Surface & Foul Water Drainage Layout  
(Sheet 2)

1.13 The following reports have been prepared to accompany a planning application:

- Design & Access Statement
- Stage 1 Ecological Appraisal
- Flood Risk & Drainage Strategy
- Landscape & Visual Appraisal
- Transport Statement

1.14 The purpose of this application is to explain the Applicant's proposed development and to assess the proposal in the context of planning policy.

## 2.0 RELEVANT PLANNING POLICIES

2.1 The development plan for the purposes of Section 38(6) of the Act comprises:

- West Northamptonshire Joint Core Strategy (WNJCS), adopted December 2014
- The Countryside and Settlements Local Plan, adopted February 2020
- Brixworth Neighbourhood Plan 2011-2029, made December 2016

### **Brixworth Neighbourhood Plan**

2.2 The site lies within a large area of Local Green Space, which is referred to as **Haywards Barns Recreational Area**. The boundary of the Local Green Space under Policy 5 is shown on the Proposals Map and identifies the **cricket pitch, tennis courts, clubhouse and parking facilities**, and the bowling green – which has yet to be completed – together with land on the north side of the access road (including the application site).

2.3 **As a matter of fact**, the land between the access road and the site boundary with Merry Toms Lane:

- has never been used for recreational purposes;
- has never been used in association with the recreational land to the south of the access road (overflow car parking for Brixworth Cricket Club annual function is achieved on an area adjacent to the application site);
- comprises grassland; and

- fulfils none of the criteria for the justification of Local Green Space set out at Framework 100, namely:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.'*

2.4 It is accepted that the land south of the access road may satisfy the recreational value identified at paragraph 100(b). The factual history of the use of the land within the application site is a material consideration to be taken into account when considering the weight to be applied to Policy 5.

### **West Northamptonshire Joint Core Strategy**

2.5 The following policies are considered relevant to the development:

- Policy S1 The Distribution of Development
- Policy S2 Hierarchy of Centres
- Policy S9 Distribution of Retail Development
- Policy E2 New Office Floorspace
- Policy R1 Spatial Strategy for the Rural Areas
- Policy R2 Rural Economy

## Settlements and Countryside Local Plan

2.6 The following policies are considered relevant to the development:

- Policy RA1 Primary Service Villages
- Policy RA6 Open Countryside
- Policy ST1 Sustainable Transport Infrastructure
- Policy ENV1 Landscape
- Policy ENV5 Biodiversity
- Policy ENV10 Design
- Policy ENV11 Local Flood Risk Management
- Policy CW1 Health and Well-being

### Material Considerations

- Framework 2019
- Planning Practice Guidance

2.7 It is in the context of this main policy framework that the merits of the application are considered.



### 3.0 PLANNING CONSIDERATIONS

3.1 The planning system operates on a plan-led basis, not a plan determined system. Conflict with policies in a development plan is not determinative of the merits of any application. The decision-taker is required to have regard to any other material consideration in order to reach a planning judgement.

3.2 Fundamentally, none of the constituent parts of the development plan for the period to 2029 envisaged that the country would be facing the '**deepest recession, the likes of which we have not seen**' for 300 years (Chancellor, May 2020). Daventry District will not be immune from the effects of the recession in terms of the displacement of jobs from established employment sectors.

3.3 Achieving sustainable development requires decisions to be taken across the three objectives of sustainable development (Framework 8), namely:

- An economic objective
- A social objective
- An environmental objective

3.4 The Chief Planner (March 2020) has urged LPAs to '**be practical, be pragmatic and let's plan for the recovery**'.

3.5 It is axiomatic that very substantial weight now needs to be given to the '**economic objective**' of sustainable development. The failure of the planning system to plan for economic growth to recover from the economic recession will lead to substantial social disadvantages. The '**social**

objective' to '**support strong, vibrant and healthy communities**' will be undermined unless dramatic steps are taken to boost economic activity.

3.6 The '*economic objective*' of sustainable development states (Framework 8(a)):

***'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.'***

3.7 When drawing up development plans, a local planning authority can never anticipate each and every circumstance where development may or may not be acceptable. New development opportunities arise in circumstances that were not envisaged at the date of the preparation of the development plan.

3.8 Furthermore, the Government expects LPAs to keep development plans up to date. The Framework (33) states:

*'Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy.'*

3.9 The WNJCS was adopted in December 2014. It is acknowledged that a review needs to be undertaken, but little progress has taken place towards reviewing the Core Strategy. The weight

to be given to adopted planning policies in the Core Strategy should take account of this circumstance, and particularly the changing economic circumstances affecting the country and West Northamptonshire.

- 3.10 Brixworth is defined in the Part 2 Local Plan as one of the six Primary Service Villages under Policy RA1. The supporting context to this policy explains (5.2.17):

*'The **Primary Service Villages** are the largest settlements within the District after Daventry town. They perform an important role in providing a range of services and facilities to meet the day to day needs of their own residents and businesses and those from surrounding smaller villages and settlements, **providing access to shops, schools, GP surgery and employment including at strategic employment areas.** They also have relatively good public transport provision to the surrounding towns. Therefore it is important to ensure that these villages' roles are protected moving forward.'* [emphasis added]

- 3.11 It is acknowledged that the site lies beyond, but adjoining, the confines of Brixworth as defined on the Proposals Map. Paragraph 5.2.19 states:

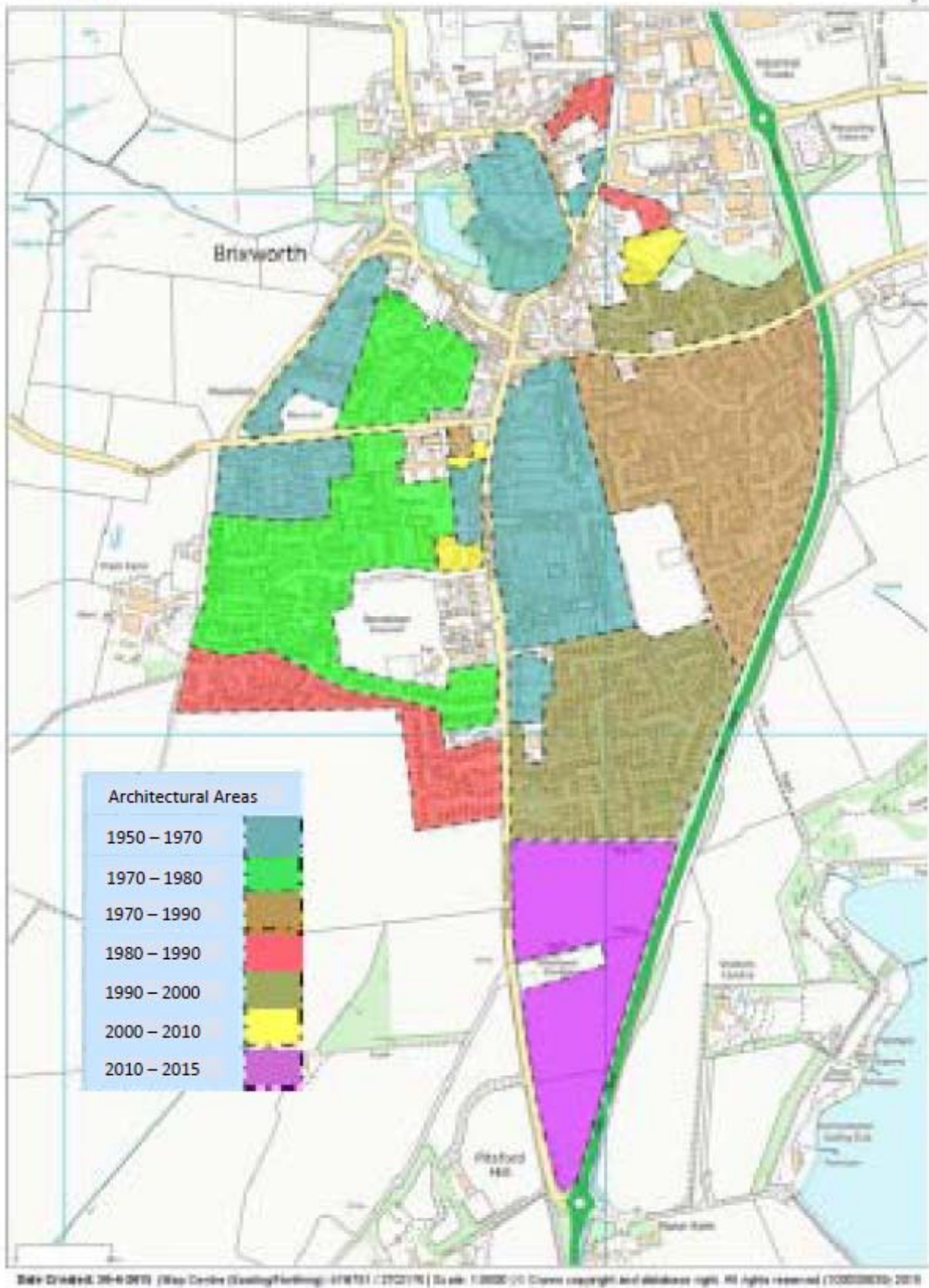
*'Taking forward policy R1 of the WNJCS, there may exceptionally be scope for development outside of the confines but only in prescribed circumstances. These are where there is an absence of a five year housing land supply (three years where a made neighbourhood development plan allocates sites for housing and is less than two years old) or where the Housing Delivery Test is not met, the development is needed to meet an identified local need, where it is required to support an essential local service that may be under threat (especially a primary school or primary health service) **or is economic development that***

*enhances or maintains the sustainability of the village or would contribute towards and improve the local economy ...'* [emphasis added]

3.12 Policy RA1 B iv. is considered wholly apposite to the proposals providing policy support for economic development:

*'Economic development that will enhance or maintain the vitality or sustainability of the Primary Service Village or would contribute towards and improve the local economy.'*

3.13 The Neighbourhood Plan includes a plan – displayed overleaf – of the architectural areas of Brixworth which show the substantial area/growth of Brixworth since the 1980s, some 40 years ago. This growth has been overwhelmingly residential development, with a consequent substantial increase in resident population. **During this period no new meaningful provision has been planned for enlarging the retail facilities to meet the needs of the expanded residential population, or the provision of non-Use Class B commercial and recreational facilities.** The services and facilities available in Brixworth have largely remained unchanged for a considerable period – albeit it is accepted that the health surgery has been able to relocate to new and expanded facilities on the southern edge of Brixworth, opposite the application site.



(The key to the plan is somewhat confusing for the earlier periods of growth.)

3.14 Indeed, the Neighbourhood Plan states, but does not resolve the problem, that (3.11):

*'The accepted centre of the village on Spratton Road where shops, the Library and Community Centre are located, **has inadequate car parking provision ...**'*

3.15 An effective 'gridlock' of traffic conflicts with inadequate parking at peak times. This unsatisfactory state of affairs has resulted in the Co-op convenience store wishing to relocate to a new site with adequate parking and easy access.

3.16 The Neighbourhood Plan does acknowledge that the former primary medical care surgery was inadequate to meet *'approximately 3500 patients from Brixworth, and up to 1500 from surrounding villages'*. The Brixworth surgery was handling around 7500 patients, which may be a reasonable measure of the 'hinterland' for Brixworth as a primary service centre.

3.17 The Saxon Spires medical centre has successfully responded to the growing demands and relocated to new enlarged premises east of Northampton Road, on land opposite the application site. The Saxon Spires surgery has a dispensary for patients in outlying villages who live more than a mile 'as the crow flies' from the pharmacy which is sited in Spratton Road next to the Co-op. Patients in the village itself must go only to a pharmacy, rather than the dispensary, and it is logical to site a new pharmacy adjacent to this new surgery.

3.18 The relocation of the health centre to the most recent area of new housing development (east of Northampton Road) is a clear illustration that new and enlarged community facilities have to relocate to the edge of the village to secure appropriate areas of land.

- 3.19 The inability of the existing urban area to meet the demands for improved services and facilities is amply demonstrated by the recent proposal of the Co-op to relocate from Spratton Road to Northampton Road, through demolition of the Red Lion Public House.
- 3.20 Policy 7 to the Neighbourhood Plan properly seeks to maintain Brixworth Village Centre which is located on Spratton Road. The Neighbourhood Plan recognises that a *'number of issues have emerged which affect its function, most notably the lack of adequate car parking provision'*.
- 3.21 Policies in development plans should be realistic. It is considered that there is no realistic proposal to enable sufficient provision of off-street car parking provided, and to enhance the quality of retail floorspace that is available on Spratton Road.
- 3.22 As such, it is submitted that there is a clear need to make available a new site for **leisure and gymnasium, professional offices and a high speed internet hub along with convenience goods retailing** which can provide for the bulk of day to day purchasing, and enable the existing parade of shops to function for other day to day needs.
- 3.23 The **existing parade of shops in Spratton Road** is well located and fully occupied. It is considered that, if the existing Co-op store relocated to the application site, the existing parade of shops would continue to be attractive to a range of occupiers. The proposals for the convenience store may well be attractive to another convenience goods retailer who would trade successfully with the Co-op store operating from Spratton Road.
- 3.24 In conclusion, it is submitted that there is no realistic prospect that the **retail and local services** offer for Brixworth and the hinterland population can reasonably be provided without the release of land for commercial activity on the edge of Brixworth. The demands for car parking and

servicing seriously limit the opportunity for such development to be located within the confines of the urban area, and may incur the loss of existing buildings which are valuable to the local community.

3.25 The proposed development achieves economies of scale in the provision of joint services and car parking. Further, by creating a '**local services centre**', with a mixture of uses, including employment and leisure, combined trip making can occur – as well as individual uses interacting so as to enhance activity and custom.

3.26 It is concluded that the proposal is complementary to the existing form of retailing in Spratton Road, and will enhance both retailing and leisure services which are available for the ever growing population.

3.27 The lockdown during the Covid-19 health crisis has demonstrated that, for many, 'home working' can be effective – and has other benefits including avoiding daily commuting trips, and the expenditure on travel. For many full-time home working will not be a long-term proposition, because the lack of interaction with business colleagues is not as effective when compared to 'face to face' contact. The opportunity for team working is less effective. Furthermore, domesticity often intrudes on an effective working environment.

3.28 As such a '**blended**' working environment is likely to be the most successful arrangement, where employed people meet others in a '**work hub**', whether work colleagues, or just to be within a working environment.

3.29 It is intended that one of the proposed buildings should be an '**internet work hub**' where quiet working can take place within a conducive environment with high quality access to the internet.



3.30 Inevitably, the recovery in the economic crisis will lead to new start-up businesses. Some will succeed, others will regrettably fail. The planning system should ensure that *'sufficient land of the right type is available... at the right time to support growth, innovation and improved productivity'* (Framework 8)a)). Now is the right time for Daventry District Council to support growth and enable, through its planning powers, the provision of small high-quality business space. Such space is otherwise not available at Brixworth. With a similar theme, residents in Brixworth and its hinterland have no choice but to undertake travel to other locations where similar small work spaces may be available. Such unnecessary travel could be avoided with a grant of planning permission for the proposed development and positively contribute to a **lower local carbon footprint**.

3.31 There is no justified planning reason why services and facilities in a Primary Service Village should be confined to Class A uses. Other forms of use such as those arising under the new Class E can provide new amenities for the resident population, and new employment opportunities.

3.32 This proposal provides an efficient development in terms of infrastructure, parking and servicing to fulfil the needs of the enlarged community at Brixworth and within the resident hinterland.

3.33 Sustainable development is about positive growth – making economic, environmental and social progress for this and future generations. All too often the planning system is about scrutiny and control. Rather, the planning system must be a creative exercise in finding ways to enhance and improve the places in which we live our lives. Not since the Act came into force has there been such an imperative to address the effects of the deepest recession in living memory and address climate change. High quality facilities should be provided with the support of local communities

to obviate the need for unnecessary travel. This scheme presents an unrivalled opportunity to plan pragmatically and positively to meet the 21<sup>st</sup> Century needs of Brixworth.

3.34 As a greenfield site, it is acknowledged that the proposal is in conflict with the proposals map contained within the Neighbourhood Plan – which identifies this area of land as Local Green Space and as a ‘*recreation area*’. Policies in development plans of whatever form are never to be applied slavishly with an unswerving prescription.

3.35 As stated in paragraph 2.3, there is no evidential basis that the area of land to the north of the access road has been used for recreational purposes. No rights of access have been available to the public or to others by way of a licence. The site simply comprises an area of grassland of no special local qualities. In consequence, the ‘conflict’ with the Neighbourhood Plan is considered not to be significant – particularly in the context of this development proposal which will provide substantial community benefits.

### **Transport Considerations**

3.36 The site is connected to the remainder of the village by the existing footpath and is well within a reasonable cycling distance. Provision is to be made for a pedestrian crossing on Northampton Road, so as to provide convenient access between residents of the development east of Northampton Road and the new local services centre.

### **Biodiversity**

3.37 The accompanying Ecological Appraisal concludes that the development will have no direct impact to any statutory or non-statutory designation of biodiversity interest. A small residual loss of

biodiversity units is identified, which can be satisfactorily mitigated to achieve a biodiversity net gain (BNG). A suitable planning condition may be imposed on a grant of planning permission to secure a BNG within land in the control of the Applicant.

### **Flood Risk and Drainage**

3.38 The site is located in Flood Zone 1. The proposed surface water drainage strategy is shown on drawings Dwg No. Y539-00-XX-XX-DR-C-0021 Rev P2 and Dwg No. Y539-00-XX-XX-DR-C-0022 Rev P2. The proposed foul water drainage strategy is shown on the same drawings.

3.39 Reasonable planning conditions may be imposed on a grant of planning permission to require details of foul and storm water drainage to follow the principles as shown on these strategy drawings.

### **Landscape and Visual Assessment**

3.40 The LVA concludes:

(i) Effect upon Landscape Character (paragraph 5.5):

*‘While the proposals will give rise to a perceived change within the context of the site itself, the enclosed nature of the site means that this will be highly localised to the site and the Northampton Road streetscene immediately to the east. Beyond this, the robust and defensible boundaries of the site and wider village will ensure that the perceived effect is negligible. It is acknowledged that there will be a moderate effect upon the character of the site initially, however, as the proposed landscaping matures and the built form weathers, the perceived effect will reduce. It is considered that the*

*proposals will not give rise to a significant adverse effect. Beyond the site and its immediate setting the proposals will not materially affect the character of the area and it is considered that the proposals can be integrated within this landscape context.'*

(ii) Effect upon the Visual Environment (paragraph 5.6):

*'As illustrated by the photographic record, views of the site are highly localised to Northampton Road where it lies adjacent to the site. Within the context of these views the existing landscape buffers will assist in integrating the proposed built form and will be reinforced with new planting. It is acknowledged that the proposals will be more visible during the winter months, however, they will be seen within the context of the suburban setting, which is characterised by the residential development to the east, Cricket Club to the south and streetlighting along the road corridor. Furthermore, the proposed built form will only be single storey, as well as being set back from the road, ensuring that it does not appear prominent or overbearing. While some change will be perceived it is not considered to be significant and will reduce as the proposed landscaping matures and the built form weathers.'*

3.41 The proposals can be integrated in this location without significant adverse effects upon the receiving landscape character or visual environment. It is concluded that the proposals are supportable from a landscape and visual perspective.

## 4.0 SUMMARY AND CONCLUSIONS

- 4.1 It is acknowledged that the site is designated as Local Green Space in the Brixworth Neighbourhood Plan. There is no evidential basis for the area of land to the north of the access road being notated as Local Green Space as it fulfils none of the purposes identified in the Framework (100).
- 4.2 This conflict with the development plan is not determinative of the merits of the proposal. The planning systems is not intended to be solely about scrutiny. Its purposes is to enhance the way we live our lives.
- 4.3 This proposal will provide substantial benefits to the community of Brixworth and to 'outlying communities' who may similarly take advantage of the enhanced community facilities. A manifest demand is already evident for the 'key' anchor of the development, namely the convenience store. New investment and new jobs will be available.
- 4.4 In the balance of planning considerations, the benefit to the overall public interest lies firmly in favour of allowing this new investment – which will provide a significant boost to the local economy.
- 4.5 None of the policies in the WNJCS or the Neighbourhood Plan were written in the context of the severe economic recession which the country now faces. Daventry District will not be immune from the adverse economic consequences of this recession. The planning system needs to respond proactively by enabling new investment and new jobs to be delivered.

4.6 This development will also have environmental benefits in providing a wider range of facilities and services to the local community, this provides an opportunity to avoid unnecessary longer journeys to larger settlements such as Market Harborough and Northampton.

4.7 The LPA is hence invited to adopt a pragmatic and practical approach to the merits of this application and grant planning permission.