



## **PLANNING STATEMENT**

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Land at Northampton Road, Towcester, NN12 6LD

CC Town Planning on behalf of Clayson Country Homes

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# 1 INTRODUCTION

1.1 CC Town Planning have been appointed by Clayson Country Homes Ltd ('The Applicant'), to prepare the following Planning Statement in support of their application under Section 73 of the Town and Country Planning Act 1990. To allow for the creation of 10 No. apartments and subdivision of 1 No. apartment to for 2 No. apartments.

1.2 The planning application is submitted to South Northamptonshire District Council ('SNC') as the Local Planning Authority ('LPA') for the area.

1.3 This statement seeks to provide the LPA with the requisite level of information to enable the determination of the enclosed application at the earliest opportunity and is structured as follows:

Section 2: Provides contextual information in respect of the site, its location and surroundings; an overview of the more recent planning history of the site and the Client's pre-application engagement with SNC is also considered.

Section 3: Sets out the proposed description of development and a discussion of those proposals which are set out on the plans contained herewith.

Section 4: Provides an overview of the national and local planning policy context which is relevant to the determination of this planning application and provides a robust and reasoned justification for its acceptability in planning policy terms, including a discussion of all material considerations.

Section 5: Summarises the discussion contained within the preceding sections and offers some concluding remarks in relation to the suitability of the application site and the proposed development.

1.4 Other than this document, the following documents comprise the planning application:

- Planning Application Forms and Certificates
- Community Infrastructure Levy Forms
- Site Location Plan
- Permitted Phasing Plan
- Site Plan
- Existing Floor Plans and Elevations
- Proposed Floor Plans and Elevations
- S/2019/0942/MAF (Dated 26<sup>th</sup> September 2020) – Decision Notice

## 2 SITE CONTEXT AND PROPOSAL

### The Site

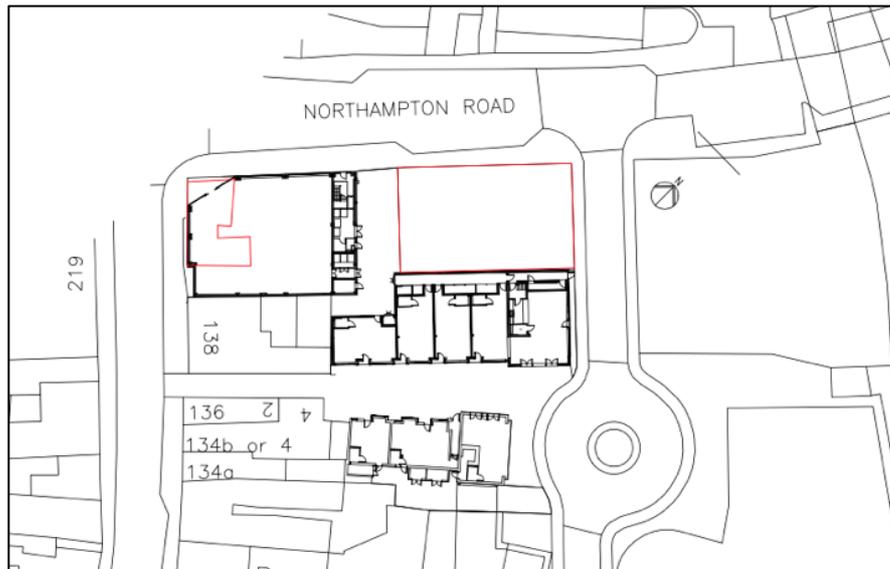
- 2.1 The development site falls within a wider regeneration area, known as Moat Lane, which has historically been identified within the development plan as a key regeneration objective and policy provisions have been contained within the development plan for a significant period to allow this redevelopment to take place.
- 2.2 The wider scheme comprises of a community building, public realm and footpath improvements, enhancement of the Bury Mount Schedule Ancient Monument as well as the delivery of market and affordable housing and various other uses including various elements of retail and community floorspace.
- 2.3 This proposal relates to a minor element of the wider scheme which has previously received consent for residential development. Whilst work has commenced on this element of the wider scheme, this proposal seeks to secure planning consent for an alternative residential scheme.
- 2.4 For absolute clarification, this submissions relates to elements of the Clayson Country Homes interests in the second and third regeneration phases of the wider Moat Lane Regeneration area as shown on Drawing No. 1025P05 (Moat Lane – Towcester Moat Lane – Phasing Plan) dated 5<sup>th</sup> November 2015 and enclosed with the suite of application documents. An extract of the enclosed phasing plan, with application area demarked is set out at Plate 1 below.

**Plate 1: Phasing Plan (Extract)**



- 2.5 As previously stated, the proposed 0.2-hectare development site lies within the Moat Lane Regeneration Area in the centre of the town of Towcester in South Northamptonshire District which has long been identified as a fundamental element of the ongoing efforts to regenerate and redevelop Towcester.
- 2.6 The enclosed site location plan clearly demarks the extent of the planning application boundary and an extract is set out at Plate 2 below;

**Plate 2: Site Location (Extract)**



- 2.7 Towcester itself is a significant historic market town which is located towards the north of South Northamptonshire District. It lies approximately 15km north-west of Milton Keynes and approximately 12km south-west of Northampton. The settlement is well connected via the A5 and A43 which afford high quality linkages to the M1 and M40.
- 2.8 As can be seen from Plate 1, the surrounding land uses are of a high density comprising of a plethora of occupiers from residential to retail and various other uses.

#### Planning History

- 2.9 The proposed development site forms part of the wider Moat Lane Regeneration area which received planning consent for a mixed-use development under reference S/2012/1476/MAF.
- 2.10 Various applications have been submitted for the wider site since the grant of the original consent.
- 2.11 The following applications are those which are relevant to this site. However, this submission seeks full planning consent for the creation of 10 No. apartments on a site

which already has been consented for the erection of 5 significant town houses since the 2012 application.

- **S/2012/1476/MAF** - The regeneration of Moat Lane/Northampton Road area to bring forward a new community building, enhancements to a Scheduled Ancient Monument and a mixed use development comprising both new build elements and change of use to include offices, library, residential, retail, café/restaurant, and light industrial uses, with associated public realm works, demolition, landscaping and engineering works and car parking provision at Moat Lane Towcester. Approved 31<sup>st</sup> July 2013.
- **S/2015/2925/MAF** - Variation of condition 2 (Plans), condition 4 (Use) and Condition 23 & 26 (Remove reference to B1 (c) use) and removal of condition 6 (code level 3) and condition 32 (Activity connected with B1 (c) use) to S/2012/1476/MAF (The Regeneration of Moat Lane)(The original application was submitted with and Environmental Statement) to enable change of use from approved offices (B1 (a)) and light industrial (B1 (c)) units and reduction in floor space of the A3 use from 330sq m to 171sq m to create a further 17 residential units. Approved 29<sup>th</sup> March 2016.
- **S/2018/0643/MAF** - Variation of Condition 1 (Plans) of Planning Permission S/2019/0556/MAF (Variation of Condition 28 (noise and odour control) of S/2018/1663/MAF Variation of Condition 1 (plans) of planning permission S/2017/1579/MAF (Variation of condition 1(plans) of planning permission S/2015/2925/MAF (The regeneration of Moat Lane, original application S/2012/1476/MAF submitted with an Environmental Statement) to increase ridge height of plots 32 - 36, insertion of 5 dormer windows northwest elevation, 5 new roof lights southwest elevation, associated elevation changes and creation of 4th bedroom to each plot. Not determined.
- **S/2019/0942/MAF** – Variation of Condition 4 (Use) to S/2019/0556/MAF (Variation of Condition 28 (noise and odour control) of S/2018/1663/MAF Variation of Condition 1 (plans) of planning permission S/2017/1579/MAF (Variation of condition 1(plans) of planning permission S/2015/2925/MAF (The regeneration of Moat Lane, original application S/2012/1476/MAF submitted with an Environmental Statement) to change the use of Plot H (Unit 55) to either A1 at A3 use at Land off Moat Lane Towcester NN12 6AD (Plot H – Unit 55 – Whittons Lane). Approved 26<sup>th</sup> September 2019.

- 2.12 The wider site has a significant planning history which details minor material amendments to some of the individual buildings across the wider scheme. The above applications are those which are relevant to this proposal.
- 2.13 For clarity, this application is submitted under Section 73 of the Town and Country Planning Act 1990 and seeks a variation to Condition 1 (Plans), Condition 2 (Finished Floor Levels) and Condition 4 (Schedule of Units) of planning permission reference S/2019/0942/MAF which was approved by the LPA on 26<sup>th</sup> September 2019.

#### Pre-Application Engagement

- 2.14 As part of the wider efforts to regenerate the Moat Lane area of Towcester, the Applicant and their representatives have sought to establish a positive working relationship with SNC.
- 2.15 This relationship has thrived since the grant of the original consent for the wider area and has sought to simplify the development of an extremely complex site in a well-established town centre location.
- 2.16 To this end, whilst the Applicant has not engaged in formal pre-application discussions in respect of the minutiae of this proposal, a dialogue has been maintained with the Planning Department and specifically the Officer who will be involved in the determination of this application.
- 2.17 Pre-application discussions have centred on the principle acceptability of the proposal, which remains largely unchanged in design terms from that which was originally permitted. Significantly, these discussions have also led with a focus on the planning gain implications arising from this development in the context of the Council having adopted a Community Infrastructure ('CIL') Charging Schedule in April 2016 after the original consent for the site was granted, but in advance of this revised proposal.
- 2.18 Therefore, this submission seeks to increase the level of habitable floor space, within Parcel A and seeks to vary those originally approved plans referenced within S/2019/0942/MAF to allow for the creation of 10 No. residential apartments instead of the 5 No. previously permitted townhouses and to sub-divide the upper floor of an additional property at the site, within Parcel B, to form 2 No. apartments. These dwellings were originally approved by the Council under the aforementioned reference.
- 2.19 The s73 proposal is discussed in depth at Section 3 of this statement.

### 3 DEVELOPMENT PROPOSAL

3.1 It has long been proposed that this element of the wider Moat Lane Regeneration Area be developed for residential purposes.

3.2 Allied to this, planning permission has previously granted for the development of 5 No. town houses on this parcel of the wider site (Parcel A) and the smaller parcel of the application site (Parcel B) has consent for a single apartment on the upper floor of the existing building.

3.3 The proposed description of development is:

***‘Application under S73 of the Town and Country Planning Act (1990) to vary Condition 1 (Plans), Condition 2 (Finished Floor Levels) and Condition 4 (Schedule of Units) of S/2019/0942/MAF (Variation of Condition 4 (Use) to S/2019/0556/MAF (Variation of Condition 28 (noise and odour control) of S/2018/1663/MAF Variation of Condition 1 (plans) of planning permission S/2017/1579/MAF (Variation of condition 1(plans) of planning permission S/2015/2925/MAF (The regeneration of Moat Lane, original application S/2012/1476/MAF submitted with an Environmental Statement) to change the use of Plot H (Unit 55) to either A1 at A3 use at Land off Moat Lane Towcester NN12 6AD (Plot H – Unit 55 – Whittons Lane) as Approved 26<sup>th</sup> September 2019)’.***

3.4 In respect of Parcel A, the proposed variations relate to internal arrangements which will see the building subdivided in an alternative manner to that which was originally permitted. This will allow for the creation of 10 No. apartments and utilise the previously permitted attic / loft area as habitable floor space. An extract from the submitted elevations is set out below;

**Plate 3: Parcel A Northampton Road Frontage.**



3.5 In respect of Parcel B, the proposed variations will not result in an increase in residential floor space. However, the variation will allow for the subdivision of an existing residential

unit to allow for a net gain of 1 additional residential apartment. The following extract is from those elevational details, which remain unchanged as per the originally permitted proposal, of the Parcel B which sits at upper floor levels above that outlet which is known as the Basket Store.

**Plate 4: Parcel B Northampton Road Frontage.**



3.6 A copy of the Council's decision notice as issued on 26<sup>th</sup> September 2019 under reference S/2019/0942/MAF is contained at Appendix A.

**4 PLANNING POLICY CONTEXT AND JUSTIFICATION**

4.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that the statutory Development Plan will continue to be the starting point in the consideration of planning applications for the development or use of land, unless material considerations indicate otherwise. This is reinforced within the National Planning Policy Framework (2019) ('NPPF').

4.2 The statutory Development Plan for South Northamptonshire consists of the following;

- West Northants Joint Core Strategy (2011-2031) (Adopted 2014)
- Local Plan (1997) 'Saved Policies'

4.3 Consideration has also been afforded to national policy and guidance contained within the National Planning Policy Framework ('NPPF') and National Planning Practice Guidance ('NPPG') as well as those relevant supplementary planning documents ('SPD') which have been adopted by the Council.

4.4 The proposal remains within the thrust of that which was originally permitted, there are no differing development typologies proposed and whilst the quantum of residential development is altering, the proposed development will only result in a modest increase in residential floorspace. This proposal is therefore entirely pursuant to that which was originally permitted.

4.5 In assessment against those relevant elements of the development plan, as outlined at Para 4.2 above, it is considered that the proposed changes to the development and the associated variation to co would not comprise the developments accordance with the policies of the Development Plan and NPPF.

## 5 VARIATION OF CONDITION

5.1 Planning permission was granted on 26<sup>th</sup> September 2019 for **the** Variation of Condition 4 (Use) to S/2019/0556/MAF (Variation of Condition 28 (noise and odour control) of S/2018/1663/MAF Variation of Condition 1 (plans) of planning permission S/2017/1579/MAF (Variation of condition 1(plans) of planning permission S/2015/2925/MAF (The regeneration of Moat Lane, original application S/2012/1476/MAF submitted with an Environmental Statement) to change the use of Plot H (Unit 55) to either A1 at A3 use at Land off Moat Lane Towcester NN12 6AD (Plot H – Unit 55 – Whittons Lane).

5.2 This submission seeks to vary conditions 1, 2 and 4 of the consent, a copy of which is submitted with this application.

### Conditions and Proposed Amendments

5.3 **Condition 1** states;

*'The development shall not be carried out otherwise than in complete accordance with the approved plans as set out in the attached 'Schedule of Approved Plans' (below) unless a non-material amendment is approved by the LPA under the Town and Country Planning (General Development Procedure) (England) Order 2015'.*

### Proposed Change

5.4 The Applicant does not seek an alteration to the working of Condition 1. However, the Schedule of Approved Plans as referenced within the condition will need a minor amendment to reflect those proposed alterations and plan numbers which have been submitted with this application.

5.5 These plans are all listed within Package 1 Clayson Country Homes as set out on Page 25 within the Schedule of Approved Plans contained within the Council's decision notice dated 26<sup>th</sup> September 2019.

5.6 **Condition 2** states;

*'The development of Phases 3 and 4 shall be carried out in accordance with the Approved Levels details shown within Drawing No's: 2850 P01; 2853 P01; 2854 P01; 2855 P01; 2856 P01; 2851 P01 (Packages 1, 2, 6, 7, 8 and 10 respectively) approved under reference S/2014/1890/COND unless otherwise agreed in writing by the LPA'.*

#### Proposed Change

- 5.7 The finished floor levels in respect of this proposal relate to Package 1, whilst the development will remain largely in alignment with those levels which were originally permitted. The introduction of living accommodation within the loft / attic space within Parcel 1 creates a requirement for finished floor levels.
- 5.8 Subsequently, it is considered that there is no need to make deletions from Condition 2 or Package 1 in respect of this element of the S73. However, there is a requirement for the written consent of the LPA.
- 5.9 The Finished Floor Level Details for the loft / attic within Parcel A is set out on enclosed Plan No: 2128NR2/102.

#### **Condition 4 States;**

*'The premises shall be used only for the purposes hereby permitted as defined in the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and as shown on the approved plans and set out below and for no other purpose:*

*-A1 Shops – 805.5 sq. meters*

*-A3 Restaurant / Café or A1 Shops – Plot H Whittons Lane (Unit 55) – 171 sq. metres;*

*-Residential dwellings – 75 residential dwellings including 14 No. 1 Bed Flats; 15 No. 2 Bed Flats; 8 No. 2 Bed Houses; 26 No. 3 Bed Houses; 11 No. 4 Bed Houses; and 1 No. 5 Bed Houses;*

*-Multi-use Community Building – 3265 sq. metres.'*

#### Proposed Change

- 5.10 The wording of the proposed condition will remain as per the current situation; however amendments will need to be made to the schedule of residential dwellings at the site to reflect those alterations which form part of this application which will result in the loss of 5 No. Townhouses and 1 No. Apartment and the creation of 11 No. Apartments.

6 **CONCLUSION**

- 6.1 It is considered that this statement, when read in conjunction with its enclosures, provides sufficient information and related justification to allow the Council to progress this S73 application to a positive conclusion.
- 6.2 The proposal is fully supported by the content of the NPPF and those key objectives and planning policies as set out within those relevant elements of the development plan.
- 6.3 The planning case for the site remains as per the original grant of consent at the site and the enclosed variations will serve to ensure a suitable and sustainable development is delivered at the site to contribute to the wider regeneration objectives for the Moat Lane Regeneration Area.
- 6.4 It is hoped that this statement and its associated enclosures provides the requisite detail to allow officers to progress the application to a positive conclusion at the earliest opportunity. However, should you need anything else please do not hesitate to contact CC Town Planning at the earliest opportunity.