



EXECUTIVE SUMMARY OF THE CAMPAIGN GROUP STAUNCH'S FORMAL OBJECTIONS AND REASONS FOR REFUSAL IN RESPECT OF PLANNING APPLICATION NE/22/00698/OUT LAND ADJACENT TO HALDENS PARKWAY, THRAPSTON.

THE SITE IS KNOWN LOCALLY AS THE GLEBE LAND (RECTORY FARM) AND IS OFF THE A605 TO THE EAST OF THRAPSTON WITHIN THE PARISH OF TITCHMARSH.

This site is not in Thrapston it is in the Parish of Titchmarsh. The major access is from the A605. There is no access or connection to Haldens Parkway. The applicant's description of the address as "adjacent to Haldens Parkway" Thrapston is deliberately misleading.

The starting point of our consideration of this application has been against the approved, and still relevant policy background of the approved Joint Core Strategy for North Northamptonshire (JCS) which was adopted in July 2016. The law requires that the application be determined in accordance with the approved Development Plan unless there are 'material considerations which indicate otherwise'. It is also clear from case law, notably 'Peel Investments (North) Ltd v Secretary of State July 2020 ' and the judges reference to the analysis carried out by Lindblom J in Bloor Homes with reference to para 11(d) of the NPPF . That it is the policies most important to the determination of the planning application that must be shown to be out of date or no longer relevant not a single policy taken in isolation.

The applicant has failed to provide a compelling case that the approved policies 'most important' to the determination of this application are out of date or no longer relevant. Indeed, they argue that the proposal in their view accords with the Development Plan as whole and therefore do not argue that there are "material considerations which would indicate otherwise." It would not therefore be justified for a decision maker to apply a tilted balance (para 11(d)of the NPPF) in favour of the proposal which is in fundamental conflict with several policies in the approved Joint Core Strategy

.The site is outside the defined Market Town boundary of Thrapston (Fig 12 p34 JCS). Indeed, it is within the rural parish boundary of Titchmarsh. Accordingly, it is beyond the "Urban Area" as shown in the JCS and is therefore in the "Rural Area". Being clearly within the "Rural Area" there are different policies to be applied. Policy 11 in the JCS makes quite clear the very limited nature of development acceptable in the "Rural Area". Policy 13 of the JCS allows for some rural exceptions, but a major strategic logistics site of some 58 hectares does not fit within those local needs exceptions.

Whilst it has a minimal co-terminus boundary with the rear of the Haldens Parkway development it is clearly not just serving a local need. It is to provide for strategic employment across NN and the scale itself is clearly not appropriate to its surroundings and is not meeting the local needs imperative of Policy 13(1)(a).

Another important element of the Development Plan is the East Northamptonshire Local Plan Part 2 (ENLP Part 2) which is at an advanced stage in its approval process having been Examined and awaiting the Inspectors Report. This Local Plan should be awarded substantial weight in the decision-making process. In its submission the Council has, whilst properly considering changes in circumstances relating to Covid and the needs of the logistic industry, retained the employment need requirements from the JCS and demonstrated that employment provision more than meets those targets. Indeed, those targets are evidenced to be exceeded within the plan period, facts accepted by the applicant, and demonstrating that the JCS targets were never ceilings. There can be no reason therefore for the Council to depart from the JCS figures during the consideration of this (or indeed the Castle Farm application) and accept that it should now be planning to meet a higher figure.

The Council in its recently produced Scope and Issues consultation document as part of the ongoing review of the JCS states that "North Northamptonshire (NN) has a significant oversupply of employment land". It is assumed that this statement is fully evidenced and is clearly at odds with the applicant's contention for even greater employment land supply. The employment supply side is nuanced within the review of the JCS by a clear strategic desire to attract and grow high value innovative business activity to provide a diverse employment base not one centred on logistics which is now dominating the NN employment offer as well as its skyline.

It is becoming clearer that significant pre application discussions have taken place with the applicant and the applicant for the Castle Farm site about cumulative impacts. As objectors we are not party to such discussions. However, it is incumbent on the Council to fully assess the cumulative impacts of both these strategic logistics schemes on all policy and other material considerations before preparing a formal recommendation to the Strategic Planning Committee.

Despite the pre-application discussions the applicants "assessment of cumulative effects "at chapter 17 (as part of the EIA) is worthless. It ignores completely the cumulative impacts that would be generated in relation to the nearby 'Castle Farm' application (NE/00151/FUL) despite this being a submitted application and considered by the Council as an integral element of its cumulative highway advice. This places the whole EIA in doubt and needs re submission.

THE ASSESSMENT OF CUMULATIVE EFFECTS MUST BE RE-SUBMITTED BEFORE THIS APPLICATION PROCEEDS AND THIS FAILURE OF THE APPLICANT TO CARRY OUT COMPLETE APPRAISALS, CONVENIENTLY OMITTING FACTS, IS BECOMING REPETITIVE.

is imperative for the Council to keep in mind the simple but clear Vision of the JCS as applied to EAST NORTHAMPTONSHIRE that it '... will be the heartland of small and medium sized enterprises based on regenerated and thriving market towns with an enhanced role for Rushden as the Districts growth town'. No enhanced role is planned for Thrapston within the Development Plan, and no proposals for two major strategic logistics sites within the Rural Area and outside the built-up area as shown in the Plan.

The strategic and physical scale of this proposal is massive. When taken together with the Castle Farm Site the visual impact on the landscape, rural setting, skyline, damage to flora and fauna, traffic generation, air quality, and noise and disturbance. Completely at odds with the Vision of the JCS which is of course translated into the Plans overall Distribution of Growth Strategy Policy 11 and consolidated in the Part 2 Local Plan which must carry substantial weight. These, as well as several other policies in the Development Plan and NPPF, are important to the determination of the application and are clearly not out of date, still relevant, and deserve the Councils full support. Except for policy 23, they are not challenged directly by the applicants.

The applicant's key reasons, for what to any casual observer is a major, strategic departure from the approved Development Plan even though the applicants claim that the proposal is in accordance with the Plan as a whole, are set out in their submitted Planning Statement and numerous supporting documents. Our high-level assessment and criticism of their case are set out below. STAUNCH will underpin and further support this Executive Summary of our objections with a series of detailed technical Appendices to be submitted later but in good time for full consideration by the Council prior to the preparation of any formal report. Each Appendix will set out a detailed critique and assessment of the applicant's submission and will include the following:

Appendix A: Planning Statement

Appendix B: Economic Assessment

Appendix C: Environment, Ecology, and Habitats

Appendix D: Landscape and Visual Impact and heritage assets

Appendix E: Highways and transport assessment

Appendix F: flooding/pollution.

Appendix G: Detailed critique of Unit 1 and access to Islington.

This list is not necessarily exhaustive.

NATIONAL PLANNING POLICY FRAMEWORK

Within the wealth of advice in the NPPF there are two overarching principles against which plan making and decision making should be tested.

1. "The purpose of the planning system is to contribute to the achievement of sustainable development."
2. "The planning system should be genuinely plan-led."

Is this proposal for 58h of strategic warehouse development on prime agricultural land sustainable?

- The site is not allocated in the approved Development Plan and is not within an urban growth area. By definition, as the approved Development Plan was found sound and sustainable, this proposal is simply not sustainable.
- The development of such a sensitive rural site with massive warehouses would cause permanent environmental damage, loss of habitats, loss of rural views, forever destroy the rural approach to the Conservation village of Titchmarsh, the permanent loss of over 20h of the Best and Most Versatile agricultural land (BMV) and change the historic market town character of Thrapston. All this damage without the testing of alternatives sites and the necessary debate on employment needs/labour supply, and timely infrastructure provision, which can only occur through the plan led process. Again, simply not sustainable.

- A very poor and limited public transport system. No train station for 17 miles. The only means of transport for future employees would be private car. Again, not sustainable.
- Thrapston and Titchmarsh, and not even the urban centres within a 20-minute drive time can provide the required pool of labour. As occurs today there is a shortage in NN of warehouse operatives and employees would have to be imported from much further afield. Not a sustainable pattern of development.

This proposal, along with its neighbouring proposal at the Castle Farm site, are speculative schemes determined to undermine the plan led system. They sit very uncomfortably with the NPPF requirement for the planning system to be "genuinely plan led".

- The law requires decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise.
- Unusually, and without substantive justification, the applicant claims that their scheme "accords with the Development plan as a whole" and that other material considerations simply support the scheme. In so doing, the applicant makes no case for the Development Plan to be set aside, makes no specific case that material considerations indicate otherwise and therefore cannot rely on any tilted balance to be applied by the decision maker as set out in para 11(d) of the NPPF.

This proposal conflicts significantly with these key policies and principles of the NPPF.

At section Six the NPPF quite rightly promotes the building of a strong and competitive economy. Such an approach has been adopted by the Council in its Development Plan and further endorsed in its Part 2 Local Plan. The JCS is in the process of review, albeit early stages, but nevertheless demonstrates the Councils responsibility towards plan making and its preparedness to review its strategy at the earliest opportunity. Para 82 of the NPPF requires Councils to set out a clear economic vision and strategy which positively and proactively encourages SUSTAINABLE economic growth. This the Plan has done successfully with its urban growth strategy and a pipeline of sites for logistics extending to some 8.4 years. (Based on the applicants own untested forecast of future needs).

At para 84 the NPPF supports a prosperous rural economy. Para 85 provides an understanding of the sensitivities in rural areas and provides caveats to new development. The development must be SENSITIVE to its surroundings; should promote public transport and only encouraged where suitable opportunities exist.

This application at 58h of land take and some 186000 sqm bulky, tall sheds, is clearly neither sustainable nor sensitive, and is not a suitable site or scale of development envisaged by the NPPF for a rural area.

This scheme does not sit comfortably with the NPPF in respect of conserving and enhancing the natural environment, nor section 9 on sustainable transport and para 105 which requires the planning system to ACTIVELY MANAGE patterns of growth. This the Development Plan has successfully done, and its review should be safeguarded and not undermined by this premature and highly damaging strategic proposal.

The applicant's analysis of the National and Local policy framework against which this proposal must be tested is significantly flawed. The site by being outside the urban strategy (policy 11 JCS) is unsustainable; as it does not comply with this fundamental policy of the JCS it cannot claim "a positive platform and policy support"; the site is factually outside the Market Town of Thrapston being within the rural area for policy

purposes; is of a scale and will cause substantial damage to many interests of acknowledged importance that cannot be reasonably or successfully mitigated. The analysis of Policy 24 in the JCS relating to logistics is flawed. Their approach is undermined by the important requirement that logistic sites must comply with the spatial strategy.

Their reliance on policy EN 20 in the Part 2 Local Plan fails two simple tests.

- 1.This application is not just for the relocation of DSV. It is a stand-alone strategic logistics site outside the scope of Policy EN 20.
- 2.The insensitive location of Unit 1 for DSV, which is the biggest and bulkiest shed in the scheme, at the highest point of the site, against arguably the most sensitive rural boundary, and causing major harm to the landscape, views and character of the area does not meet the criteria for Policy EN 20.

The Planning Statement appears to claim that the scheme is in accordance with the Development Plan as a whole, then suggests that element are out of date, but then fails to highlight material considerations that would support the Plan being set aside and justify the use of the tilted balance in Policy 11(D) of the NPPF. This is despite being prompted to do so by the Council during pre-application discussions.

They only appear to substantially challenge the soundness of the Plan on Policy 23 relating to employment needs, but do not challenge the spatial strategy Policy 11, and fail to make a compelling case on employment needs by rightly identifying a pipeline supply of logistic sites of some 8.4 years. Hardly an urgent need.

Our Appendices will set out in full detail the failings of their policy analysis, the weakness of their employment needs and labour supply argument.

The applicant has not invited the Council to invoke the "tilted balance" and it is not for the decision maker to do so on their behalf.

CONCLUSIONS

A CASE FOR A COMPELLING EXCEPTION TO THE NPPF and APPROVED DEVELOPMENT PLANS HAS NOT BEEN MADE AND THE EXCEPTION PROVIDED FOR IN PARA 11(D) OF THE NPPF SHOULD NOT BE APPLIED. THE APPLICATION MUST THEREFORE BE DETERMINED IN ACCORDANCE WITH APPROVED NATIONAL AND LOCAL POLICIES.

REASONS FOR REFUSAL

- The proposal conflicts with the NPPF in that applications should be determined in accordance with approved Development Plans unless material considerations indicate otherwise. No such compelling case has been made or indeed argued.
- The proposal conflicts with NPPF in that it is not sustainable and fails to conserve or enhance the natural environment.

The proposal would be damaging to the local highway network as it makes inadequate provision for increased traffic generation which will create further congestion, queuing, noise, and reduction in air quality.

(NB: to date we understand that National Highways have placed a holding objection to the application and its neighbour application at Castle Farm. We await a further response from HE or consultation if amended plans are submitted.)

The proposal conflicts with policies in the approved Joint Core Strategy namely, but not exclusively.

- Policy 1 presumption in favour of sustainable development
- Policy 3 landscape character
- Policy 4 biodiversity and geodiversity
- Policy 10 provision of infrastructure
- Policy 11 the network of urban and rural areas.
- Policy 13 rural exceptions
- Policy 18 HGV parking
- Policy 23 distribution of jobs
- Policy 24 logistics
- Policy 25 rural economic development and diversification

The proposal conflicts with policies in the Part 2 Local Plan namely, but not exclusively

- EN1: spatial strategy
- EN2: settlement boundary criteria
- EN5:
- EN20:

The proposal would be significantly damaging to the environment, its ecology, habitats, and the intrinsic quality and character of the open countryside which creates an iconic rural setting for the town of Thrapston and Conservation village of Titchmarsh. Such damage would be irreversible, unjustifiable, and incapable of reasonable mitigation.

The proposal would result in the significant and unjustifiable loss of wildlife populations that rely on this site for breeding, feeding and home habitat notably protected species such as badgers, bats (including the rare Barbastelle) Golden Plovers, Yellow Hammers, Linnet, Barn Owl, Lapwing, and Skylarks. The presence of these birds show that the application site is “functionally linked” to the adjacent internationally protected RAMSAR site, injuriously affecting its integrity. (In conflict with Policy 31 in the JCS).

The proposal is so substantial it would undermine the Plan making process by predetermining decisions about the scale and location of new development in particular elevating the market town of Thrapston to a Growth Town without due consideration through the Plan process of more sustainable and less environmentally damaging options which are central to an emerging, or a review of a Plan. This proposal because of its scale and non-compliant location would also be similarly prejudicial to the emerging Oxford to Cambridge ARC Strategic Framework (ARC SF) which when approved will have the status of National Policy. In this circumstance given the sheer scale of this proposal and including the cumulative impact with a similar strategic logistics site at Castle Farm, this scheme is premature and would by default, if approved, rewrite the whole growth strategy of the JCS.

The siting and size of Unit 1 on the sites most elevated position, detached from any built-up area, would be significantly harmful to the rural landscape, dominate the present rural approach to the Conservation village of Titchmarsh, and destroy rural views across the site to the Nene Valley to the West. It would be dominant on the skyline in all directions and incapable of mitigation. The boundary landscaping planting to Islington is weak, narrow in depth and cannot integrate such a massive building into this sensitive landscape.

The development would involve the loss of some 27.5h of BMV agricultural land (more than half the size of the whole application site) which has not been justified and has not been tested against other potential sites in NN.

The introduction of an emergency, and temporary construction traffic access off Islington would be visually intrusive and create significant environmental disturbance and highway danger on a narrow rural highway.

STAUNCH reserve the right to make/add to these objections in the light of additional submissions by the applicants, representations from consultees.

Kevin Shapland - CHAIR

ON behalf of STAUNCH

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