

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Appeal: Capel House Property Trust Limited

Outline Planning Application:

Proposed Sustainable Urban Extension (circa 1,000 dwellings)

Land at Monksmoor Farm, Welton Lane, Daventry

RULE 6: STATEMENT OF CASE

On behalf of

**Croudace Homes Limited, The House Trustees Limited
and Lower Thrupp Ltd**

PINS Ref: APP/M9570/A/08/2082894/NWF



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SECTION 1.0: Instructions and Introduction

1.1. Charles Planning Associates Limited (Chartered Town Planners) is instructed by Croudace Homes Limited of Croudace House, Caterham, Surrey, CR3 6XQ. Croudace Homes Limited is representing these Appellants.

1.2. On 2 January 2007 Croudace Homes Limited, the House Trustees and Lower Thrupp Limited submitted outline planning application/s in respect of land off Long Buckby Road, Daventry (known as *Church Fields*). The application/s were in respect of:

‘Comprehensive mixed-use urban extension comprising residential development (up to 4,000 dwellings) (including provision of affordable housing), provision of employment land, diversion of the B4036, access, roads, drainage, footpaths and cycleways, open space (including extension to Daventry Country Park), playing fields, landscaping, provision of social and community infrastructure, including schools, district centre (including supermarket) and local centres.’

1.3. The application/s were submitted in duplicate to both the West Northamptonshire Development Corporation and Daventry District Council, because the application site area includes land under both jurisdictions. The relevant application references relating to the appeals are:

WNDC: 07/0001/OUTWND
DDC: DA/2007/0200

1.4. Appeals have been lodged against the non-determination of the applications, the relevant PINS references are:

APP/M9570/A/08/2083327/NWF; and,
APP/Y2810/A/08/2083322/NWF.

1.5. The PINS ‘start’ date for both appeals is 21 August 2008.

1.6. Following the Pre-Inquiry Meeting, Rule 6 Statements of Case have to be submitted by 10 October.

1.7. Both appeals have been ‘recovered’ by the Secretary of State in letters dated 10 September 2008.

1.8. There are 3 related appeal cases, lodged by separate Appellants:

APP/M9570/A/08/2082894/NWF

Capel House Property Trust Ltd
Land at Monksmoor Farm, Daventry
(‘*Monksmoor*’)

APP/M9570/A/08/2071506/NWF
APP/Y2810/A/08/2071504/NWF

The Danetree Consortium, Land east of
Daventry and north of the A45
(‘*Danetree*’)

- 1.9. All of the cases have been co-joined and are scheduled to be considered at a Public Inquiry commencing on 13 (or 20) January 2009.
- 1.10. In relation to the Danetree cases there is a letter (14 April 2008) setting out the 'Matters' about which the Secretary of State wishes to be informed. There are no such letters in respect of either the Croudace or Capel House cases.
- 1.11. Croudace has registered as a Rule 6 Party in respect of the Danetree cases.
- 1.12. Taken together, the 3 sites, ie Danetree (5,150 dwellings), Church Fields (up to 4,000 dwellings) and Monksmoor (1,000 dwellings), represent the main sites being promoted as urban extensions to meet the strategic housing requirement of the Milton Keynes and South Midlands Sub-Regional Strategy (MKSM-SRS) and RSS8, aiming in particular to fulfil the objective that Daventry should grow to become a town with a population of approximately 40,000 by 2021.
- 1.13. The Monksmoor appeal relates to land to the north of the Daventry (reservoir) and Country Park and lies to the west of the Croudace site. The sites will be separated by what is being proposed as a northern extension of the Country Park, stretching from the northern edge of the reservoir up to the southern edge of the Grand Union Canal.
- 1.14. Because the Monksmoor and Church Fields developments are in close proximity to one another and are likely to have links between them (ie footpaths, cycleways, possible bus route, etc) across what will be an area of open space forming the northern extension of the Park, Croudace is seeking to protect its position and may, therefore, wish to present evidence to the Public Inquiry into the Capel House proposal.

SECTION 2.0: Description of the Site and Surrounding Area

- 2.1. A detailed description of the site and surrounding area will be provided.
- 2.2. The description will focus particularly on the location of the appeal site, its relationship to the existing settlement pattern, the Daventry Country Park, the town centre and to the Church Fields site.
- 2.3. Details will be provided of the relationship of the site to the existing highway network.
- 2.4. A description will be provided of the site's topography, site features and its context in relation to the surrounding landscape, the adjoining land uses, Daventry Country Park and the Church Fields site.
- 2.5. The description will be illustrated using plans, diagrams and photographs as appropriate.

SECTION 3.0: Planning History of the Site

- 3.1. A summary history will be provided in respect of any relevant development control history of the site and any other relevant historical information.

SECTION 4.0: Planning Policy Framework

(i) National

4.1. An analysis of the relevant planning policy framework at national level will be provided.

(ii) Regional

4.2. An analysis of the relevant planning policy framework at regional level will be provided.

(iii) Strategic

4.3. An analysis of the relevant planning policy framework at the strategic level will be provided.

(iv) Local

4.4. An analysis of the relevant planning policy framework at local level will be provided.

(v) Local Development Framework

4.5. An analysis of the Local Development Framework will be provided.

(vi) Supplementary Planning Guidance (SPG)/Supplementary Planning Documents (SPD)

4.6. An analysis of relevant SPG/SPD will be provided.

(vii) Other Relevant Documents

4.7. An analysis of other relevant documents will be provided.

SECTION 5.0: General Planning Considerations

(i) The National and Regional Dimension

5.1. A summary will be provided setting out the national and regional dimensions relating to the planned further growth of Daventry town. This will include reference to various policy documents and will explain the rationale for further development at Daventry and Daventry's strategic housing requirement, as set out in the MKSM-SRS, and in the extant and emerging review of RSS 8.

(ii) The Development Plan and Local Development Framework

5.2. A detailed analysis will be provided of both the development plan and local development framework and how they apply to the appeal case.

(iii) The Assessment of Sites for Sustainable Urban Extensions at Daventry (*including alternatives*)

- 5.3. This section of the evidence will set out an analysis of the process by which potential sites to accommodate sustainable urban extensions around the periphery of Daventry town have been identified and assessed, in order to accommodate the planned expansion of Daventry to a town of 40,000 people by 2021. This will include reference to WNDC and DDC documents, in particular, the Daventry Strategic Development Options Study (2005) (the Atkins Study). Reference may also be made to historical work undertaken by Daventry District Council in connection with the (now) adopted Daventry Local Plan (1997).
- 5.4. This section of evidence will conclude with a 'position summary' in relation to the work of both WNDC and DDC, in respect of their views on the preferred locations for sustainable urban extensions at Daventry, their location and quantum of development.

(iv) The Housing Land Supply Considerations

- 5.5. An analysis will be provided in respect of the most up-to-date (known) housing land supply figures together with a Housing Trajectory for the periods up to 2021 and 2026.

(v) The Appeal Site and Master Plan Specifics

- 5.6. Detailed comments will be provided in respect of various site specific matters, in particular the relationships and linkages with the Croudace development, and comments on the Capel House Master Plan, and other related matters.

(vi) S106 Unilateral Undertaking

- 5.7. Comments may be made in respect of any Section 106 Unilateral Undertaking that may be submitted to the Inquiry.

(vii) Planning Conditions

- 5.8. Comments may be made on any Schedule of draft planning Conditions that may be submitted to the Inquiry.

SECTION 6.0: Comments of the Secretary of State's 'List of Matters' (*if issued*)

- 6.1. A List of Matters letter has been issued in respect of the Danetree appeal cases but has not, to date, been issued in respect of either the Church Fields or Monksmoor cases. The Inspector, at the first Pre-Inquiry Meeting (23 September 2008) queried this and undertook to investigate the matter. The Appellants therefore reserve the right to include in its evidence comments on any List of Matters letter/s that may be issued, subsequent to the submission of this Rule 6 Statement of Case.

SECTION 7.0: Comments on the WNDC and DDC Reports to Committee *(including the putative reasons for refusal)*

- 7.1. The issues raised in both the West Northamptonshire Development Corporation report to its Daventry Area Committee (29 September 2008) and Daventry District Council's Report to its Committee (15 October 2008) may be addressed, as appropriate.
- 7.2. In relation to the WNDC Report, 8 putative reasons for refusal are given. Evidence may be provided in respect of each reason. In addition, under Section 10.0 of the report 12 'Issues' are identified:
- * Points identified in the support of the application by the Appellants
 - * Environmental Statement
 - * Principle of the development
 - * Transport impacts and accessibility
 - * Landscape impact
 - * Impact on ecology
 - * Impact on archaeology/cultural heritage
 - * Impact on natural resources
 - * Mix of uses/quality of development
 - * Master plan
 - * Other material considerations
 - * S106 legal agreement matters
- 7.3. Evidence may be presented in respect of each of the above topics, as appropriate.
- 7.4. The Report to the Daventry Committee will be considered by Members on 15 October and the Appellant therefore reserves the right to add to its Rule 6 Statement of Case, in the circumstances where the Committee makes significant changes to the contents of the report and its objections and conclusions.
- 7.5. In relation to the DDC Report, which is a consultee response as WNDC are the LPA for the application, the objections and conclusions relating to the Monksmoor scheme put forward by DDC are summarised in paragraph 11.25:
- * site is a suitable location for a sustainable urban extension;
 - * the scheme has a number of significant deficiencies in certain elements;
 - * there is a shortfall in the employment provision in the scheme;
 - * the proposals fail to respond adequately to the character of the area
- 7.6. Evidence may be presented in respect of each of the above topics, as appropriate.

SECTION 8.0: Comments on Consultees' Responses and Third Party Representations

- 8.1. Comments may be made on the responses submitted to both WNDC and DDC by both statutory and non-statutory consultees to the application.
- 8.2. Comments may be provided on the responses submitted to both WNDC and DDC by third party representations.

SECTION 9.0: Conclusions

9.1. A Summary (maximum 1,500 words) and Conclusion will be provided.

Note: Croudace reserves the right to add to the above topics if a Secretary of State 'matters' letter is issued by PINS.

SECTION 10.0: Documents List

10.0. The following documents may be referred to:

(i) National

PPS 1:	Delivering Sustainable Development (and accompanying guide – <i>The Planning System: General Principles</i>)
PPS 1:	Supplement: Planning and Climate Change
PPS 3:	Housing
PPS 3:	Supplement: Strategic Housing Market Assessment/Strategic Housing Land Availability
PPG 4:	Industrial, Commercial Development and Small Firms
PPS 4 (Draft):	Planning for Sustainable Economic Development
PPS 6:	Planning and Town Centres
PPS 7:	Sustainable Rural Development
PPS 9:	Biodiversity and Geological Conservation
PPS 10:	Planning for Sustainable Waste Management
PPS 12:	Local Spatial Planning (published June 2008)
PPG 13:	Transport
PPG 15:	Planning and the Historic Environment
PPG 16:	Planning and Archaeology
PPG 17:	Planning for Open Space, Sport and Recreation (and Companion Guide)
PPS 22:	Renewable Energy
PPS 23:	Planning and Pollution Control
PPG 24:	Planning and Noise
PPS 25:	Development and Flood Risk
Circular 05/2005:	Planning Obligations, and related guidance
Circular 11/95:	The Use of Conditions in Planning Permissions
Circular 01/2006:	Design and Access Statements

(ii) Regional

RSS 8: Regional Spatial Strategy for the East Midlands (2005)
RSS 8: Draft East Midlands Regional Plan (2006) and related documents
Milton Keynes and South Midlands Sub-Regional Strategy (2005)
The Regional Economic Strategy and related documents

(iii) Strategic

Northamptonshire County Structure Plan (2001) (as saved)
Northamptonshire Sustainable Communities Strategy (Consultation Draft) and related documents
Northampton Minerals Local Plan (2006)
Northamptonshire Local Transport Plan 2006–11 (2006)
Northamptonshire Transport Strategy for Growth (2007)
Northamptonshire Waste Local Plan

(iv) Local

Daventry District Local Plan (1997) (as saved) and related documents
Daventry District Housing Strategy (2003)
Daventry District Housing Needs Survey (2003)
Daventry District Housing Land Availability as at April 2007 (February 2008)
Daventry – Sustainable Community Strategy (2006)

(v) Local Development Framework

Daventry District – Statement of Community Involvement
Daventry District, Northampton Borough, South Northamptonshire District – Joint Local Development Scheme (2007)
West Northamptonshire Joint Planning Unit – Joint Core Strategy Issues & Options (2007)
LDF Core Strategy Documents relating to earlier LDF stages by Daventry District
Daventry Strategic Development Options Study (2005) (Atkins Study)
Daventry District Annual Monitoring Reports
Daventry District Sustainable Communities Plan
Daventry Landscape Character Assessment Report (pending)

(vi) Other

Northamptonshire County Council Planning Out Crime (2005)
Northamptonshire County Council Planning Obligations and LEA Schools Provisions (2003)
Northamptonshire Minerals and Waste Development Framework: Development and Implementation Principles SPD (2007)
Daventry District Council Interim Infrastructure Document (2004)
Daventry District Council Design Codes (2005)
Daventry District Council Energy and Development (2007)
Daventry Design Statement and Norton Village Design Statement (2006)
Daventry District Supplementary Planning Guidance: Parking (2003)
Daventry District Council – Town Centre Vision (2004)
Daventry District Council: Master Plan (2007)
Daventry District Council's Corporate Plan 2007/10
Strategic Flood Risk Assessment (pending)
WNDC Water Cycle Study (pending)
West Northamptonshire Joint Planning Unit – Sports Facility Study (pending)
Daventry District Council's Open Space, Sport and Recreation Study (pending)
West Northamptonshire Strategic Housing Market Assessment (SHMA)
Strategic Housing Land Availability Assessment (SHLAA)
WNDC: Realising the Opportunity: A prospectus for growth and prosperity
WNDC Strategic Employment Study
WNDC Planning Principles Document (Draft)
WNDC Daventry Infrastructure Strategy (Draft) (DIS)
WNDC Standard Charge Regime (Draft)
WNDC Developing a Planning Obligations Strategy (2008)

(vii) Any Other Documents in the Core Documents List/Inquiry Library

10.2. Croudace reserves the right to add to this list of documents, as necessary, when it has reviewed the Rule 6 Statements of the principal parties to the appeal.

END