

[REDACTED]

From: Hall, Sarah L (UK - London) [REDACTED]
Sent: 14 June 2019 16:43
To: Planning Policy
Cc: Jonathan Moore; Zhu, Maggie (UK - London)
Subject: Representations to the Consultation on Northampton Local Plan Part 2 Submission Draft
Attachments: Deloitte_Representation_Form 14.6.2019.pdf; Deloitte_ Local Plan Reps_14.6.19.pdf

Dear Sir, Madam,

Representations to the Consultation on Northampton Local Plan Part 2 Submission Draft (Regulation 19)

On behalf of Northampton Shopping Centre Limited Partnership ("NSCLP"), we write to respond to the Northampton Local Plan Part 2 ("NLP2") Submission Draft (Regulation 19) consultation, ahead of its submission for examination.

The following are appended to this covering letter:

- The Representations form for the Northampton Local Plan Part 2 Proposed Submission Draft (Regulation 19 Consultation) prepared by Deloitte; and
- The formal representation letter prepared by Deloitte.

We trust that our comments will be considered in the next stage of the NLP2. If you require further details or clarification, please do not hesitate to contact me I would be grateful if you can confirm acknowledgement of receipt of this letter and acceptance of our representation.

Many thanks

Sarah Hall

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14 June 2019

NLP2 SUBMISSION DRAFT

Planning Policy
Northampton Borough Council
The Guildhall
St. Giles Street
Northampton
NN1 1DE

Sent via email only: [REDACTED]

Dear Sir, Madam,

Representations to the Consultation on Northampton Local Plan Part 2 Submission Draft (Regulation 19)

On behalf of Northampton Shopping Centre Limited Partnership ("NSCLP"), we write to respond to the Northampton Local Plan Part 2 ("NLP2") Submission Draft (Regulation 19) consultation, ahead of its submission for examination. The consultation deadline ends on the 14 June 2019.

Background to Representations

NSCLP owns the Grosvenor Centre, Belgrave House and the East Island Site in Northampton and is therefore, a major investor in the Borough with a vested interest in the formulation of local planning policy. This letter of representation follows on from our previous response to the NLP2 Issues & Options and the Partial Review of the Central Area Action Plan consultation in June 2016; the NLP2 Options Consultation in November 2016 and NLP2 Site Consultation in November 2017.

As noted from the Statement of Representations Procedure Notice, this Consultation will allow us to comment on the NLP2's 'soundness', legal compliance and compliance with the Duty to Co-operate before it is submitted to an independent Inspector to be examined. We comment on relevant policies to NSCLP'S land interests below. See Appendix 1 for full details of draft planning policies.

Policy 1: Presumption in favour of sustainable development

We believe that Policy 1 of NLP2 Submission Draft has been positively prepared and in accordance with the overarching National Planning Policy Framework (2019), Paragraph 11 '*presumption in favour of sustainable development*'.

Policy 7: Supporting Northampton Town Centre

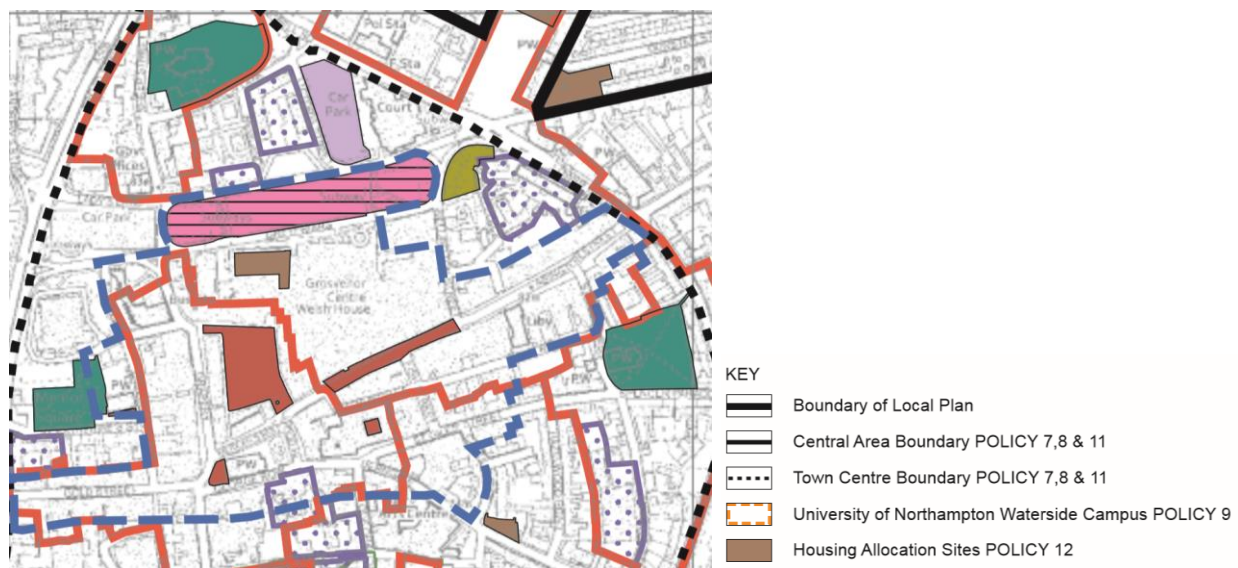
We believe that Policy 7 NLP2 Submission Draft has considered recent national trends in the decline of retail floor space. The Policy supports a range of retail, leisure and service based offers within the Town Centre to accommodate the changing role of retail.

The flexibility offered in Policy 7 is also reflective of the recent policy and guidance amendments, including the Town and Country Planning (General Permitted Development)(England) Order 2015 in May 2019, which

now includes a new Class JA which permits the change of use from shops to offices. The Government's consultation on Planning Reform: Supporting the high street and increasing the delivery of new homes (October 2018), has also indicated the possibility of simplifying the Use Class A1 to ensure it captures current and future retail models.

Policy 12: Housing Allocation Sites and Policy 33: Development Allocations

Belgrave House is allocated in Policy 12 of the NLP2 Submission Draft and Local Plan Part 2 Draft Policies Map for housing, with capacity for 99 residential dwellings. Appendix A: Trajectory for sites allocated in the NLP2 (excluding Sustainable urban Extensions) confirms that Belgrave House (site ref: 1022) is already featured in the Council's five year housing supply calculations and are existing commitments.



Source: Local Plan Part 2 Draft Policies Map

NLP2 Submission Draft Policy 33 Development Allocations confirms that the Council will support the development and proposals on these allocated sites, provided that they meet the requirements set out in the development management policies within the Plan.

We support the allocation of Belgrave House for housing within Policy 12 and Policy 33 of the NLP2 Submission Draft.

Policy 15: Safeguarding existing employment sites

NSCLP own Belgrave House in Greyfriars, which is a prime example of dated office stock within the Town Centre. The office block has been vacant since 2016 and is evidenced through marketing that there is no demand.

NPPF (2019) paragraph 121 confirms that *"Local Planning Authorities should take a positive approach to applications for alternative uses of land which are currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. They should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres and would be compatible with other policies in the framework."*

Policy 15 of the NLP2 Submission Draft states that the Council will safeguard all existing employment sites for employment use. It also states that the Council will support the change of use to alternative non-employment-generating uses, only if evidence can be provided to demonstrate that the existing use and other employment-generating uses are no longer viable. Policy 15 requires that evidence must be supplied to demonstrate detailed marketing for employment use over a minimum 12 month period.

In our representations dated 2 November 2016 we advised that placing such a long time limit (24 and 12 months) for marketing is an inefficient use of land, given the conflicting pressures and limited land availability. We still consider that this time scale is an unreasonable burden for businesses. It should be recognised that a part vacant / vacant building continues to cost businesses money, not only in terms of loss of income, but marketing and maintenance costs to name but a few.

We reiterate that Policy 15's requirement for a minimum 12 month marketing period should be reduced to a minimum of 6 months. We still consider that a 6 month marketing period is sufficient to demonstrate there is no reasonable prospect of a site being used for that purpose. This links back to the evidence based for the Local Plan part 2, the Northampton Local Plan (Part 2) Employment Land Assessment Final Report prepared by Peter Brett Associates (2018), which confirms there is a lack of demand for office uses within Northampton Town Centre. The Report states that office rents in the Town Centre are low, which is discouraging to development and investment (paragraph 1.35). Under current market conditions the market potential for new office development in Northampton seems very limited. The Report concludes that poorer quality Town Centre office space which is currently achieving low rents, should be considered for release for alternative uses to help the market move on (paragraph 1.38).

In summary, whilst we support the policy to allow the change of use of existing employment uses to alternative non-employment-generating uses, we do not support the requirement to demonstrate marketing for the employment for a minimum of 12 months. We consider that a 6 month period of marketing would have been more suitable and realistic.

Policy 17: New retail development and retail impact assessment

Comparison and convenience floorspace

Policy 17 of the NLP2 Submission Draft confirms that the Council will support the provision of between 7,000 sqm and 8,900 sqm net of convenience retail floorspace and between 5,300 sqm and 7,300 sqm net of comparison floorspace to meet forecast retail expenditure to 2029 in the defined retail hierarchy. Northampton is defined as a Regional Town Centre.

In comparison the West Northamptonshire Joint Core Strategy Local Plan Part 1 (2014) confirmed that the Northampton Town Centre had a requirement for 37,500 sqm net of comparison floorspace and 7,800 sqm of convenience floorspace up to 2026. The NLP2 Submission draft proposes a minor increase in the amount of convenience floorspace and a significant reduction in the amount of comparison floorspace that can be accommodated within Northampton Town Centre, in comparison the Local Plan Part 1.

We consider that the reduction of the provision of comparison floorspace within Policy 17 is reflective of national trends and supported by evidence within the updated Retail and Leisure Study.

Notwithstanding this, the Retail and Leisure Study confirms that capacity modelling should not be seen as an absolute, it is a guide. In relation to decision taking, the lack of significant demonstrable quantitative capacity should not necessarily prevent the Council's from allowing new applications for retail development in existing designated centres, particularly where development would bolster the draw of centres and encourage growth in line with Council's aspirations and retail hierarchy. We agree that the retail capacity of Town Centres should not be seen as absolute where proposals would enhance the vitality and viability and that this should be reflected within Policy 17.

Policy 17 is evidenced by the Retail and Leisure Study prepared by Nexus Planning (2018), which identifies the quantitative capacity for new convenience and comparison floorspace across the Borough over the plan period based on available expenditure. We welcome the preparation of an updated Retail and Leisure Study to inform the NLP2 as recommended in our previous representations submitted on 17 June 2016. We recommend that Policy 17 should also state that retail capacity will be reviewed on a regular basis setting out a clear time frame for clarity.

Primary and Secondary Shopping Area

NLP2 Submission Draft Policy 17 only makes reference to the Primary Shopping Area, it does not refer to the Secondary Shopping Area. We consider that the Secondary Shopping Area still needs to be identified within the NLP2. The Secondary Shopping Areas maintain the distinction between the function of different parts of the Town Centre and how these contribute to its overall vitality and viability. In this context we consider that some uses are less desirable in the primary shopping area, such as hot food takeaway and betting shops.

The designation of shopping areas is also important for assessing the impact of new retail proposals on Town Centres in terms of the sequential test and impact assessment. The NPPF (2019) defines Town Centres as an *'area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area'*. The shopping area and its relationship with Secondary Areas needs to be clear in order to assess retail impact.

Marketing period

Policy 17 states that a *"change of use of vacant units into alternative main town centre or upper floor residential use will be supported if evidence shows that there is a continuous period of vacancy and marketing over an 18 month period and that there are no realistic prospects of the unit being occupied for its previous use"*. Whilst we support proposals to enable the change of use from retail to other increasingly popular Town Centre uses (e.g. leisure and restaurants), we do not agree with the length of marketing period.

As per our comments on the marketing requirements of Policy 15, we consider that an 18 month period of marketing for retail use is an unreasonable financial burden for businesses and should have been reduced to 6 months. Burdens include ongoing costs of loss of income, rent, staff, marketing and maintenance costs etc.

Policy 37: Greyfriars

NSCLP own a parcel of land to the northeast of Grosvenor Centre, known as East Island. East Island was previously promoted under the site reference LAA1023 in the Sites consultation in 2017 for residential use.


Policy 37 has now earmarked East Island, together with the rest of the Greyfriars site for high density, high quality, mixed use, Town Centre development and residential use which complements and expands the current town centre offer and improved connectivity to the Market Square and Town Centre.

We strongly believe that Policy 37 has been positively prepared and is in line with National Policy which seeks to deliver sustainable development, deliver a sufficient supply of homes, ensure the vitality of town centres and make the best use of previously developed land.

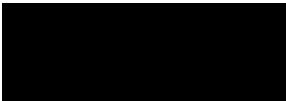
Conclusion

Thank you again for the opportunity to provide comments on the proposed changes to the Local Plan Part 2 Submission Draft. We request to be kept updated on the preparation of the new Local Plan Part 2.

We trust that the above comments will be considered in the next stage of the NLP2. If you require further details or clarification, please do not hesitate to contact me or my colleague Sarah Hall

 I would be grateful if you can confirm acknowledgement of receipt of this letter and acceptance of our representation.

Yours faithfully



Mark Underwood

Deloitte LLP

cc. C.Adams (Legal and General)

Appendix 1: Local Plan Part 2 Submission Draft Policies

Policy 1 Presumption in Favour of Sustainable Development

When considering development proposals in Northampton, the Council will maintain a positive and flexible approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively, and be sufficiently flexible, with applicants jointly to find solutions and respond to rapid change. This means that sustainable development proposals will be approved and developments that improve the economic, social and environmental conditions of the area can be secured.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with other development plan policies) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to a planning application or relevant policies are out of date at the time of making the decision, then Northampton Borough Council will grant permission unless material considerations indicate otherwise. The Council will take into account whether there are any adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits, when assessed against the National Planning Policy Framework.

Policy 7: Supporting Northampton Town Centre

In the town centre, as defined on the policies map, the Council will continue to support proposals and schemes which contribute positively towards the range of retail, leisure and service based offers, to accommodate the changing role of Northampton's town centre and to improve visitor experience.

Policy 12: Housing and Other Housing Led Allocation

The following sites are allocated for housing and / or housing led development:

Ref	Location	Dwelling Capacity
1022	Belgrave House	99 (5YHLS)

Proposals for the allocated sites will need to have regard to the site specific considerations set out in policies 34 to 38, in addition to other relevant planning policy, planning objectives and other material consideration.

Policy 15: Safeguarding existing employment sites

To facilitate the creation of new jobs, attract inward investment and deliver economic prosperity to Northampton residents and investors, the Council will:

- Safeguard all existing employment sites, including the Enterprise Zone, as shown on the Policies Map, for employment use within the office, general industrial and warehousing and distribution sectors. Employment generating uses which are ancillary to and/ or support the wider employment operations will also be supported if evidence associated with need is provided.
- Support the change of use to alternative non-employment-generating uses only if evidence can be provided to demonstrate that the existing use and other employment-generating uses are no longer viable. Evidence to be supplied includes detailed marketing over a minimum of 12 months which shows that the applicant has actively and extensively marketed the site for employment use.

Policy 17: New retail development and retail impact assessment

The Council will support the provision of between 7,000 sq.m and 8,900 sq.m net of convenience retail floorspace and between 5,300 sq.m and 7,300 sq.m net of comparison floorspace to meet forecast retail expenditure to 2029 in the defined retail hierarchy as set out in the table below.

Retail Hierarchy:	
Regional Town Centre	Northampton town centre
District Centres	Weston Favell Kingsthorpe
Local Centres	St James End Far Cotton Wellingborough Road (Abington) Kettering Road (Kingsley) Local Centres provided within SUEs

The Council will support proposals which meet the following criteria:

- Will deliver retail firstly in the Primary Shopping Area, followed by the Town Centre as shown on the Policies Map. Priority will be given to additional comparison retail in the town centre. If no suitable, viable and available sites exist in the centres identified in this policy (taking account of reasonable flexibility in the format of the proposal), then proposals for sites on the edge of those centres will be considered. If no edge of centre sites are suitable, viable and available, out-of-centre sites will be considered. It is not accepted that specific classes of goods cannot be sold from in-centre locations. Developments will need to demonstrate flexibility in their operational requirements in terms of their form
- Any retail proposals on sites outside centres in the retail hierarchy will be required to demonstrate compliance with the sequential approach to site selection. For those proposals exceeding 500 square metres gross floorspace, it will have to be demonstrated that the proposal will not have an unacceptable impact on existing centres in the retail hierarchy
- Within the defined Primary Shopping Area, development proposals should:
 - Not result in the over-dominance of non-retail use within a frontage;
 - and ii. Provide an active frontage and be open for business during the day
- Change of use of vacant units into alternative main town centre or upper floor residential use will be supported if evidence shows that there is a continuous period of vacancy and marketing over an 18 month period and that there are no realistic prospects of the unit being occupied for its previous use
- **Policy 33: Development Allocations**
- The sites set out below are allocated on the Policies Map for development. The Council will support the developments and proposals on these allocated sites, provided that they meet the requirements set out in the development management policies within this Plan.

Policy 37: Greyfriars

This key development site is available for a high density, high quality mixed use town centre development and residential use which complements, expands and seeks to enhance the current town centre offer and improve connectivity to the Market Square and the town centre.

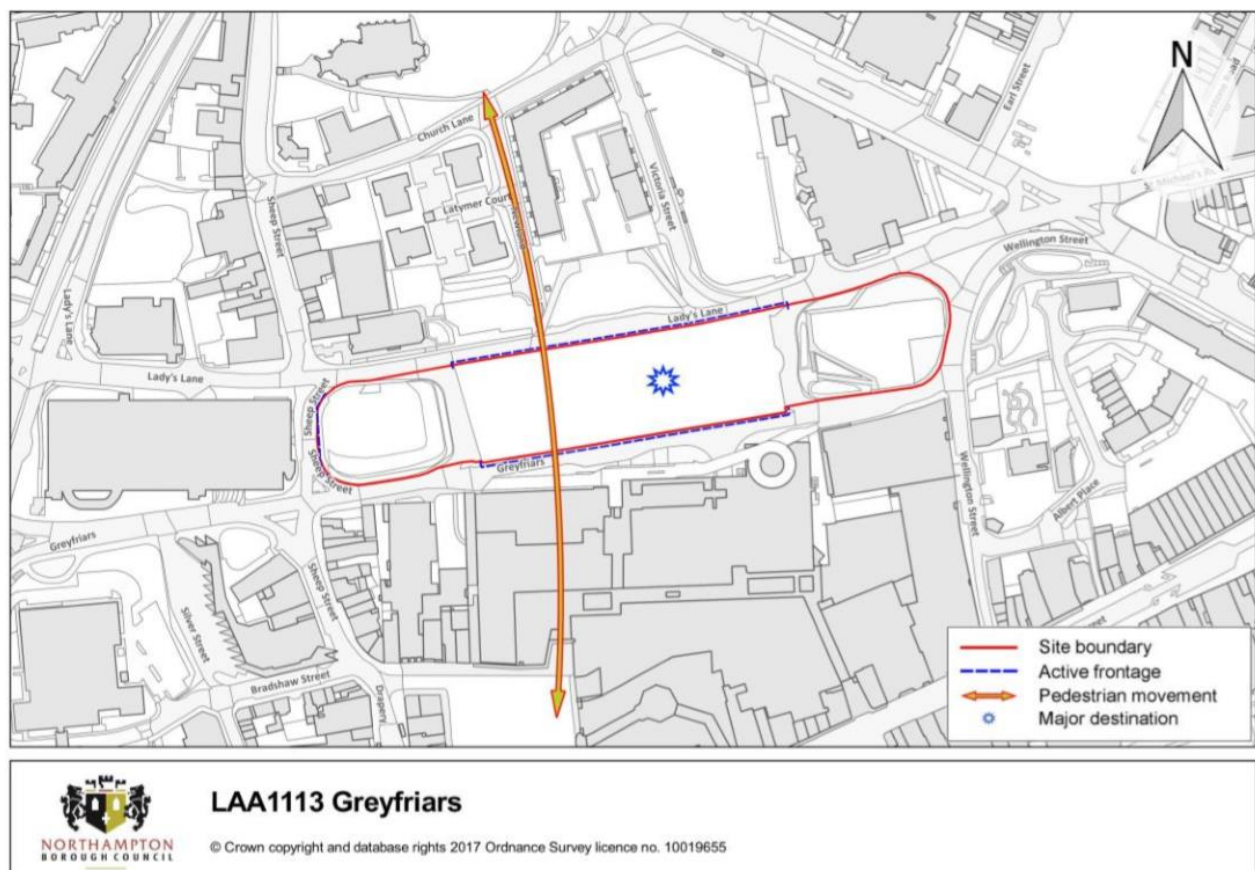
Any proposals should conform to the development principles shown in Figure 19 and will need to ensure that they:

- Are of a high quality design, using high quality materials which complement the surrounding area and public realm. The proposal should include the creation of key, unique landmark buildings that reflect the location of this site and Northampton town centre
- Provide sympathetic design of an appropriate scale taking into account the historic character of Sheep Street together with improved, safe and well-lit pedestrian and cycle connectivity north / south and reinstate a building line in the missing gap to the north of Lady's Lane and to the south of Greyfriars. Pre-existing surface connections should also be reinstated
- Be outward looking towards maximising external active frontages particularly at ground floor level
- Ensure that new development is well related and sympathetic to the characterisation and heritage assets of the surrounding areas

Ensure the provision of appropriate levels of secure and safe vehicle parking which are consistent with parking requirements.

The layout of new development should be designed to take into account existing sewers and water mains within the site.

Figure 19 Development Principles for Greyfriars:





REPRESENTATION FORM FOR THE NORTHAMPTON LOCAL PLAN PART 2 PROPOSED SUBMISSION DRAFT (REGULATION 19 CONSULTATION)

Northampton Borough Council is preparing a Local Plan Part 2 for the Borough which will supplement the West Northamptonshire Joint Core Strategy and will replace Saved Policies in the Northampton Borough Council Local Plan (1997). The Local Plan Part 2 will cover the period to 2029. This stage is the Proposed Submission Draft Local Plan Part 2 (Regulation 19) and is the version of the plan that the Council intends to submit to the Planning Inspectorate for independent examination.

This form should be used to make representations on the Northampton Borough Council Local Plan Part 2 Draft Submission.

You can submit your representation online using our electronic form through the link below:

www.northampton.gov.uk/lp2proposedsubmission

A downloadable version (MS Word) is also available on the same page.

Under the General Data Protection Regulation (GDPR), Northampton Borough Council needs to inform you of the reasons why we are capturing your data and what we will do with your data. Any personal data collected and/or processed will be dealt with in accordance with the Data Protection Legislation and the Council's Data Protection Policy. Data is held securely and accessed by, and disclosed to, only individuals where relevant to this policy / procedure.

View Northampton Borough Council's Privacy Policy here:

<https://www.northampton.gov.uk/info/200031/data-protection/175/data-protection>

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the consultation website and included as part of the submission to the Inspector. Address and contact details will be removed from published responses.

I agree to the Council collecting my personal data so that they can process my reply to the Northampton Local Plan Part 2 Proposed Submission Draft Regulation 19.

☒ Yes (please tick)

**Please complete and submit by 5pm on Friday 14 June 2019.
Responses received after this time will not be accepted**

Ref:

(For official use only)

This form has 2 parts:

Part A Personal details

Part B Your representation(s).

Please fill in a separate sheet for each representation you wish to make

Part A: Personal Details

Q1: Are you making this representation as? (Please tick as appropriate)

a) Resident or member of the general public ☐

b) Local Authority or Town/Parish Council ☐

c) Landowner ☐

d) Agent / Consultant (on behalf of) ☒

e) Other organisation (please specify which type of organisation below):

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in column 2.*

	Personal Details	Agent's Details (if applicable)
Title	-	Mr
First name		Mark
Last name		Underwood
Job title (where relevant)		Partner – Head of Planning
Organisation (where relevant)	Northampton Shopping Centre Limited Partnership ("NSCLP")	Deloitte LLP
Address line 1		1 New Street Square,
Line 2		
Line 3		
City / Town		London
County		
Postcode		EC4A 3HQ

Telephone number		
Email (if provided we will always contact you this way)		

Part B: Representation(s)

Please use a separate sheet for each representation

Please read the accompanying notes before completing Part B. The notes explain what we mean by soundness and legal compliance. These are questions that we are expected to ask consultees.

Please note all comments will be made publicly available. If you do not have sufficient space in the box, please continue on a separate sheet or expand the box.

2: Do you consider the Northampton Local Plan Part 2 to be legally compliant?	Yes	X	No	
If NO , is this because it is: (please tick all that you think apply)				
Not prepared in accordance with the Local Development Scheme				
Not prepared in accordance with the Statement of Community Involvement				
Not consistent with the regulatory requirements for consultation				
Not compliant with the duty to cooperate				
Not accompanied by a compliant Sustainability Appraisal				

2 (1): Please give details of why you consider the Northampton Local Plan Part 2 Submission Draft document is not legally compliant. Please be as precise as possible.

3: Do you consider the Northampton Local Plan Part 2 to be sound?	Yes		No	X
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3 (1): If NO, is this because it is: (please tick all that you think apply)	
Not positively prepared	X
Not justified	X
Not effective	
Not consistent with national policy	X

4: To which part of the Local Plan does this representation relate?	Paragraph number	Policy number	Policies Maps
Policy 15 Safeguarding Existing Employment Sites and Policy 17 New Retail Developments and Retail Impact Assessment		15 and 17	

4 (1): Please set out the changes that you consider are necessary to make the Northampton Local Plan Part 2 Submission Draft document legally compliant and / or sound including revised wording of any policy text, and reasons why the proposed change would make it legally compliant and/or sound. Please be as precise as possible.

Please refer to accompanying representations letter dated 14 June 2019.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested changes, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

SUSTAINABILITY APPRAISAL

5. Which part of the document do you wish to comment on? (please give the relevant paragraph or policy number).	
Paragraph	N/A
Comments	N/A

HABITATS REGULATIONS ASSESSMENT

6. Which part of the document do you wish to comment on? (please give the relevant paragraph or policy number).	
Paragraph	N/A
Comments	N/A

7: If your representation is seeking a change, do you consider it necessary to take part and speak at the examination hearing(s) if invited to do so by the Inspector?

No , I do not wish to participate at the oral examination		Yes , I wish to participate at the oral examination	X
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8: If you wish to take part at the oral examination, please outline why you consider this to be necessary (please note the Inspector will determine who will be invited to be heard at the examination hearing(s))

NSCLP is a major owner of land and assets in Northampton Town Centre and had a vested interest in planning policy that has a direct impact on its assets. East Island, a site owned by NSCLP is earmarked for development in the draft NLP2.

9: Please tick a box if you wish to be notified of further progress of the Local Plan Part 2 (please tick all that apply)

When the Northampton Local Plan Part 2 has been submitted for independent examination under Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended)	X
When the report of any person appointed to carry out an independent examination of Northampton Local Plan Part 2 is published	X
When the Northampton Local Plan Part 2 has been adopted	X
Other (please specify)	

10: Signature		Date	14 June 2019
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**Thank you for taking the time to complete the form.
Please return it to:**

Email:

