



dynamic development solutions™

For and on behalf of
Hampton Brook

The Plan for the Borough of Wellingborough Part 2 Examination
Response to Inspectors Questions - Matter 6

Prepared by

**DLP Planning Ltd
Bedford**

March 2018



The Plan for the Borough of Wellingborough Part 2 Examination
Response to Inspectors Questions - Matter 6
on behalf of Hampton Brook

Prepared by:

Andrew Parry MRTPI
Associate Director

Approved by:

Roland Bolton BSc (Hons)
MRTPI
Senior Director

Date: March 2018

DLP Planning Ltd
4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH

Tel: 01234 832740
Fax: 01234 831266

DLP Consulting Group disclaims any responsibility to the client and others in respect of matters outside the scope of this report. This report has been prepared with reasonable skill, care and diligence. This report is confidential to the client and DLP Planning Ltd accepts no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk.



dynamic development solutions TM

Contents

Page

0.0	Executive summary	4
	Matter 6- Green Infrastructure (GI)	5
1.0	Question 6.1	5
2.0	Question 6.3	8
Appendix 1 – Northampton Road Suggested Site Plan		17



dynamic development solutions™

0.0 EXECUTIVE SUMMARY

- 0.1 DLP Planning Limited have been instructed by Hampton Brook to respond to the Inspector's questions in respect of their land interests at Northampton Road, Wellingborough (Omission site).
- 0.2 This statement is submitted specifically in response to the Inspector's questions in relation to Matter 6 (Green Infrastructure).
- 0.3 Hampton Brook is a well-established local land promoter and developer, as such they have been fully engaged in both the Joint Core Strategy and regulation 18 and 19 consultations. This response will refer to these earlier representations.

MATTER 6- GREEN INFRASTRUCTURE (GI)

1.0 QUESTION 6.1

IS POLICY GI1, TO PROTECT AND ENHANCE GREEN INFRASTRUCTURE (GI) CORRIDORS, SOUND AND IS THE IDENTIFICATION OF THE GI CORRIDORS ON THE POLICIES MAP APPROPRIATE? IS THE POLICY LIKELY TO RESULT IN CONFLICTS WITH OTHER AIMS OF THE PLAN AND NATIONAL POLICY CONSIDERATIONS AND IF SO DOES THE POLICY NEED TO BE MODIFIED SO AS TO MINIMISE SUCH CONFLICTS?

- 1.1 Policy GI1 as drafted does not reflect the ‘presumption in favour of sustainable development’ set out in paragraph 14 - the ‘golden thread’ running through the Framework. It should encourage and support proposals that can deliver qualitative as well as quantitative improvements in GI provision.
- 1.2 Parts of the identified local GI corridors currently have little or no intrinsic environmental or recreational value and much of the land is also in private ownership so often the only way to change this situation is to allow some sensitive and appropriate development to enable qualitative improvements to be made.
- 1.3 It is recommended that the policy wording be altered as follows to positively acknowledge that certain forms of development can be appropriate within these areas.

Developments ~~must be designed to~~ that protect and enhance existing Green Infrastructure networks, and the connections between them (where possible) will be supported. Local GI corridors within Wellingborough town as identified on the Policies Map, will be priorities for investment and improvement. These will be ~~safeguarded~~ protected and enhanced by:

A. ensuring that new development ~~will not compromise the integrity~~ provides qualitative benefits and enhancements to the green infrastructure network;

B. ensuring new development maintains and provides appropriate connections to the existing green corridors;

C. ensuring that wherever possible new open space connects to or is provided within the green infrastructure corridors;



dynamic development solutions™

D. prioritising investment in enhancement of open space, sport and recreation in green infrastructure corridors; and

E. using developer contributions to facilitate improvements to their quality.

In the rural areas Local GI corridors will be ~~safeguarded~~ protected and enhanced. Opportunities to connect these corridors into the wider GI network will be supported.

- 1.4 Use of the word 'safeguarded' is not consistent with paragraph 114 of the Framework and risks being interpreted as an absolute block on any development within a GI corridor. This in turn is likely to have direct conflicts with Wellingborough's status as a 'Growth Town' under Policy 11 of the NNJCS and its ability to deliver much needed housing, particularly if the Council's ability to demonstrate a 5 year supply of housing land is compromised over the plan period.
- 1.5 In line with the above, the wording of this policy should be more positively framed to ensure that the designation does not itself preclude development in principle, but supports the achievement of appropriate and complimentary development outcomes; with new development often leading to benefits such as:
- The 'opening up' of private land;
 - Enhanced connectivity and pedestrian routes;
 - Enhancements to existing and/or creation of new biodiversity habitats and ecosystems; and
 - Improved management and maintenance of green infrastructure.
- 1.6 This change to proposed policy GI1 would also better reflect the positive stance of Policy 19 of the North Northamptonshire Joint Core Strategy, which seeks development to secure a net gain in green infrastructure; identifying examples such as the creation of multi-functional green spaces and improvements to wildlife habitats, facilities and routes. Importantly this net gain can be either a qualitative or quantitative gain.
- 1.7 The policy wording also needs to provide greater clarity and guidance as to what the BCW would consider to '*compromise the integrity*' of green infrastructure networks. Expansion on this point will not only better direct developers, in achieving improved and tailored development outcomes early within the planning and design process but will



also minimising potential delays and scheme alterations later in the planning process.

- 1.8 We therefore submit that Policy G11 as drafted is unsound as it is not positively prepared and is inconsistent with national policy.

2.0 QUESTION 6.3

IS THE APPROACH IN POLICY GI3, TO ASSESSING AND IDENTIFYING SITES FOR LOCAL GREEN SPACE (LGS), APPROPRIATE?

2.1 No. DLP strongly objects to both Policy GI3 and the identification of our clients site (Land South of Kingsway, Wilby Grange Area between Wilby Bridge, Swanspool Brook and Northampton Road) as Local Green Space (Ref: LGS55).

2.2 The criteria for designating land as Local Green Space (LGS) is clearly set out in Paragraph 77 of the Framework, which states (our emphasis):

“The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- *where the green space is in reasonably close proximity to the community it serves;*
- *where the green area is 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*
- *where the green area concerned is local in character and is not an extensive tract of land”*

2.3 In the Open Space Designations Background Paper prepared to support the Publication Plan, the Council is proposing to designate a total of **81 separate sites** as Local Green Space. **In the town of Wellingborough alone a total of 51 sites are identified.**

2.4 Paragraph 77 of the Framework clearly states that the LGS designation is not appropriate for most open spaces – the explicit implication of this being that it should only be sought in very special circumstances, where the open space meets the criteria listed. By allocating such a vast number of sites within Wellingborough as LGS, this clearly devalues the importance of the designation and is quite plainly contrary to the intentions of national policy. It also raises serious question marks over the soundness of the assessment against the criteria undertaken in the Open Space Designations Background Paper. We believe this paper, in conjunction with Policy GI3 represents a blatant attempt on the Council’s part to unduly restrict future development in sustainable

locations, generating a direct conflict with Wellingborough's status as a 'Growth Town' in Policy 11 of the NNJCS.

- 2.5 Indeed Paragraph: 007 Reference ID: 37-007-20140306 of the National Planning Practice Guidance (NPPG) states that "Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making." Our client's representations in respect of Matters 4 & 5 demonstrate that there are significant question marks over the Council's ability to demonstrate a five year supply of housing land with the allocations as proposed, and therefore it follows that sites that exhibit a sustainable and deliverable location within Wellingborough Growth Town should be seriously considered as housing allocations rather than restricted by LGS designation.
- 2.6 Further, the Inspector's attention should be drawn to NPPG Paragraph: 011 Reference ID: 37-011-20140306 which discourages LPA's from applying multiple designations to a single piece of land. Whilst the guidance accepts that different types of designations are intended to achieve different purposes, it states '*if land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.*' In the case of our client's land at Northampton Road, the land is already designated as a Local Wildlife Site (LWS) and is proposed to form part of a Local GI Corridor under policy G1. It is therefore not clear what additional purpose an LGS designation would serve, as the Council's main justification for designating LGS55 appears to be its value in terms of wildlife and biodiversity, which is already covered by the LWS designation.
- 2.7 Notwithstanding the motives and rationale for the policy and proposed LGS designations, the wording of Policy GI3 as submitted is highly ambiguous and does not comply with Paragraph 78 of the Framework. Paragraph 78 states:

"Local Policy for managing development within a Local Green Space should be consistent with policy for Green Belts"

2.8 Policy GI3 as drafted precludes any development which would result in the loss of a site designated as Local Green Space on the Policies Map. This is not in accordance with paragraph 78, as it does not allow for the inherent flexibility for certain types of development that is included within higher order national policies such as Green Belt policy in Chapter 9 of the NPPF.

Local Green Space Designation Methodology

2.9 We strongly question the robustness of the assessment methodology that has been applied to LGS, as set out in Appendix A of the Open Space Designations Background Paper.

2.10 The methodology employed by BCW to assess site eligibility to be designated as LGS is basic and not sufficiently complex enough to accurately identify those areas which are demonstrably special. Specifically:

- There is no justification as to how the boundaries of each of the sites have been determined. The sites assessed vary in size, but many are large and may contain a variety of land ownerships, different open space types and access arrangements;
- There is no assessment of what should constitute the extent of Local Green Space. As such there may be some areas within each site which meet the criteria, while others may not; and
- The criteria established are not compliant with the criteria set out in the NPPF namely:
 - a) Part 1 uses a blanket distance of 1000m, regardless of location or the reasons of importance. This contradicts PPG which states that *'distance is dependent on local circumstances, including why each area is special.'* Perversely therefore all open spaces within the urban area of Wellingborough, automatically meet this criterion;
 - b) In terms of Part 2, sites only need to meet one of the criteria listed. There is an over reliance on desk based information, and limited qualitative assessment meaning that sites only meeting one criteria in only a limited way could automatically qualify as LGS; for example a

historic record for a protected species indicating wildlife value. On the other hand, responses on the site assessment forms include many aspects which are 'unknown.' This is particularly true of community significance, where no detailed assessment or consultation has taken place. As such the assessment does not necessarily demonstrate that an area is 'demonstrably special';

- c) In respect of Part 3 there is no detailed consideration of what constitutes an area of 'local character.' This is particularly relevant where sites assessed individually, such as the linear park system, which when combined together are part of a wider network of green space and form extensive tracts of land through the urban area.

2.11 For the reasons outlined above, Policy GI3 (and accompanying LGS allocations) as submitted is unsound as it is not justified and is inconsistent with national policy.

Re-assessment of Site LGS55 as Local Green Space

2.12 As an existing area designated as Environmentally Important Open Space (within the adopted Local Plan), the site has been assessed by the BCW to determine whether it meets the requirements of LGS. The area (LGS55) forms part of a much larger parcel of land LGS105, LGS106 and LGS107, which extends from the A509 Wilby Way in the south west to Kingsway in the north east. On the basis of the methodology, the assessment finds that the site meets the criteria of LGS.

2.13 The assessment of site LGS55, includes a number of inaccuracies and generalisations that have been applied to the site as a whole and does not take into account the variations in open space value across the site. These are explained below.

Proximity to the Community

2.14 This assessment criterion is misleading and ineffective because, by definition, every open space within the built up area of Wellingborough is less than 1000m from the community it serves and therefore automatically satisfies this criterion. Indeed, by way of example, without exception every site assessed and included within Table 2 of the

Open Space Designations Background Paper meet this criterion. This serves to demonstrate the ineffectiveness of this criterion and inherent bias towards site protection in the Council's assessment methodology.

Local Significance

2.15 LGS55 is assessed by BCW as meeting four of the seven criteria defined– Beauty; Historic Significance; Biodiversity; and Character and Form.

i) Beauty

2.16 The BCW have identified the site to have significant beauty, offering 'wide views down over the valley and Swanspool Brook from Northampton Road and upwards from Wilby Way'. The site however is substantially enclosed by its topography (including the embankment of the A509 Wilby Way) with mature boundary vegetation particularly to the west, south and east; reinforced by field vegetated boundaries within the site itself. To the north the site is adjoined and bound by the existing urban area including existing properties on Northampton Road. The above features and levels of existing vegetation surrounding and within the site are considered to greatly inhibit views into and out of the site. Wider views are only experienced from the high ground adjoining the site entrance from Northampton Road; such views extend south across the valley to the urban area of Wellingborough (the Wilby Way estate) and open countryside to the south west. The site also lies adjacent to a major highway (A509) and a large water pumping facility managed by Anglian Water.

2.17 Given the above, and the sites unmanaged and derelict state, it is not considered that the site can justifiably demonstrate any local significance against this criteria.

ii) Historic Significance

2.18 The site has been identified to contain an undesignated heritage asset, stating that the site contains 'cropmarks ridge and furrow earthworks in the southern part of the site'. Whilst it is not contested that the site has some limited evidence of ridge and furrow archaeology, it is not considered that this feature be substantial enough to warrant it being classified as locally significant.

iii) Biodiversity

- 2.19 In terms of biodiversity, the Council's assessment states that LGS55 includes important wildlife / habitats and species and designations for its wildlife value. This assessment relies on historic information including data from the Northamptonshire Biodiversity Records; which we understand shows historical records of water voles from the site (1996), and more recently from further away (1.7km in 2012).
- 2.20 Approximately 90% of the site (including that now lost due to Anglian Water construction works) is designated as Wilby Way Meadows Local Wildlife Site (LWS). This designation is fairly historic (pre-1991), described as 'vulnerable' and has not undergone any deliberate conservation management for the past 25 years, leading to a deterioration of the habitats and an overall pattern of decline. Site specific surveys demonstrate that the site contains habitats of deteriorating quality, with areas of principal ecological importance limited to the Swanspool Brook.
- 2.21 Full up-to-date detailed species surveys were undertaken in summer 2014 by JBA Consultancy Services Ltd on behalf of Hampton Brook to support planning application reference WP/15/00127/OUT. This includes surveys for Bats, Reptiles, Badgers, Water Vole and Otter. The findings of these surveys are summarised below:
- Reptiles - Surveys undertaken by JBA during June and July 2014 recorded no reptiles using habitats within the proposed development site boundary.
 - Bats - Survey in July 2014 recorded no evidence of bats roosting within the site boundary. Foraging and commuting bats using the site included common and soprano pipistrelle, brown long-eared, Myotis and noctule. Activity was confined mostly to mature hedgerows and the stream corridor to the south.
 - Birds - Hedgerows and dense scrub within the site, and mature trees at the boundaries provided potential nesting and foraging habitat for birds. However, no red listed or protected birds were observed during the phase 1 survey, and habitats within the site were common in the local area.

- Water Voles - A survey undertaken by JBA in 2014 recorded signs indicating use of the stream by a low population of water voles.
- Badger and Otter - During surveys by JBA between June and July 2014, no signs indicating the presence of otters or badgers were recorded at the site. Two large holes were recorded at the southern boundary adjacent to the stream, which were being used by foxes at the time of survey, but may have previously been an outlier badger sett.

2.22 Wilby Way Meadows LWS is listed as an area of neutral grassland. However, since the original designation, the site has deteriorated considerably and a survey undertaken in 2010 to assess the wildlife site stated "*this appears to be a previously diverse site that, due to overgrazing by horses, has declined in condition*". Whilst this site did experience some initial bounce back after this period of grazing, the on-going lack of management will lead to the long term deterioration of this land. Furthermore, construction works have been carried out by Anglian Water, permitted by BCW, to an area of the LWS (approximately 0.4 hectares in size), permanently changing its character.

2.23 In its current state, and without management, it is likely that the site will deteriorate further; potentially losing its LWS status.

2.24 The Council's blanket assessment of the site against this criterion is unsound and considered very misleading as only a small proportion of the whole site i.e. the Swanspool Brook corridor, demonstrates important wildlife habitats or species of wildlife and furthermore is currently deteriorating due to a lack of active management. There is the potential for this area to be improved and enhanced, but only if development proposals to enable this are supported by the Council.

iv) Local Character

2.25 The area identified as LGS55 forms part of a wider network of green spaces together with LGS105, LGS106, LGS107 and LGS69. This forms part of the town's defined 'green wheel', stretching from Wilby Way Roundabout in the west to Wellingborough Town Centre in the east. Simply because this tract of land has been broken up into five

separate sites by the Council does not mean it does not form an extensive tract of land when taken in its wider context. It is neither logical nor consistent for the Council to define a Local Green Infrastructure corridor for the purposes of policy G11 and then split it up into smaller sites for the purposes of its assessment of LGS. For that reason we would argue that LGS55 is part of a wider network of open space and is therefore an extensive tract of land that is not local in character.

2.26 Overall it is considered that LGS55 has limited value in landscape terms and that it could reasonably be developed for residential purposes without significant impacts on the existing character of the area, which is residential in nature, and overall integrity of the Green Infrastructure corridor more widely.

2.27 To summarise, the correct summary assessment of LGS55 should be as set out below in Table 1:

Table 1: DLP Summary Assessment of LGS55

Site reference	Is the green area in reasonably close proximity to the community it serves?	Is the green area demonstrably special to a local community and does it hold a particular local significance?	Is the site local in character and not an extensive tract of land?	Conclusion
LGS55 – Land South of Kingsway, Wilby Grange, Wellingborough	Yes. The site sits between Wilby Way estate to the south and residential properties on Northampton Road to the north.	No. The majority of the site is private and therefore demonstrates no public access and has limited recreational value. The ecological habitats on site are limited to the Swanspool Brook corridor and are known to be deteriorating in quality. The site has no known historic or community significance and makes little contribution to the beauty and character of the wider Green Infrastructure corridor.	No. The site forms part of a much larger tract of green land that includes sites LGS105, LGS106, LDS107 and LGS69. It is therefore not local in character.	No. The site will not be designated as LGS as it only meets 1 of the 3 criteria specified.

2.28 Our client's site at Northampton Road has recognised that there is a level of biodiversity and ecological habitats along Swanspool Brook to the south east of the site, and is not proposing development in this area. Furthermore, our client has demonstrated that,



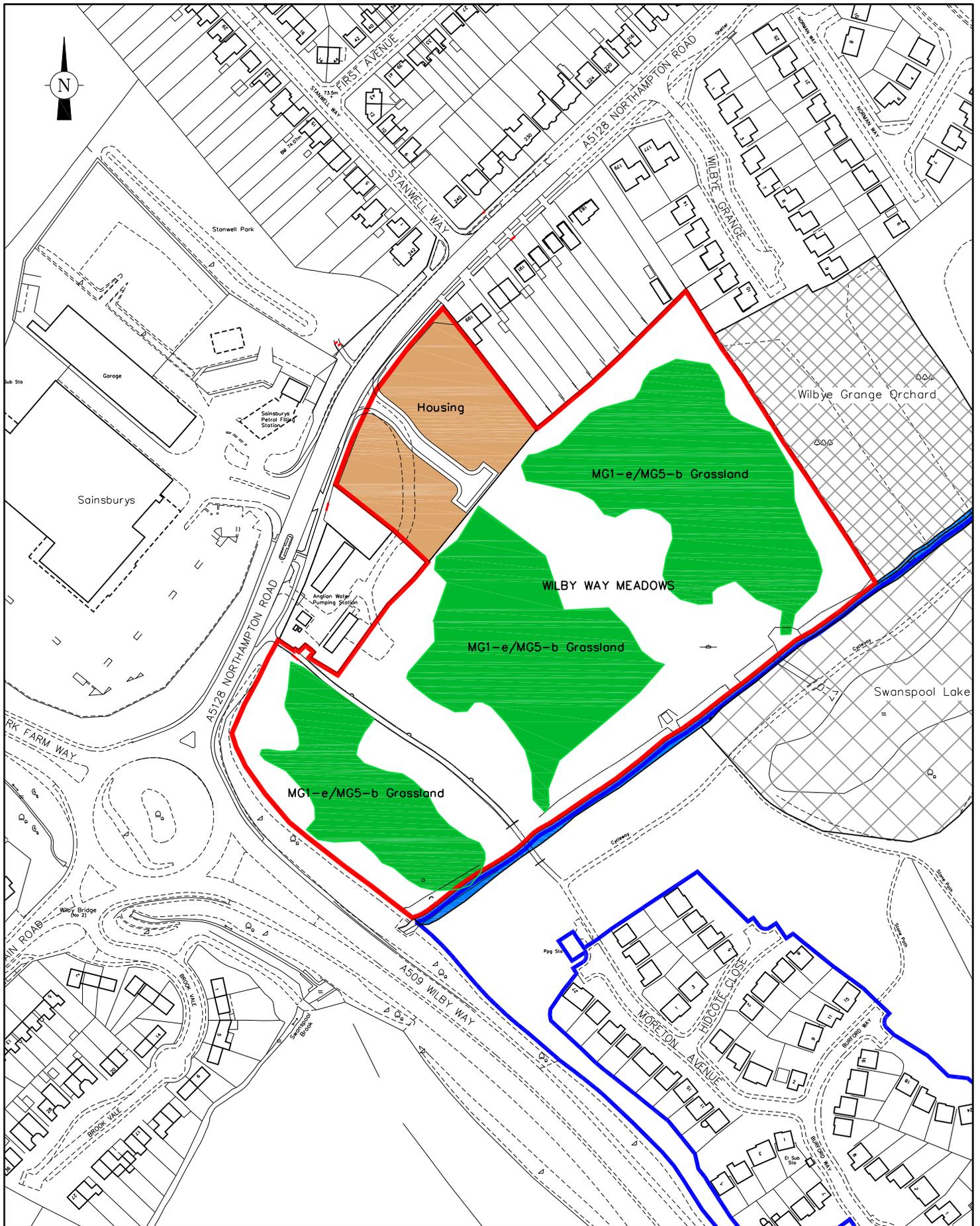
dynamic development solutions TM

where the Inspector minded not to modify the LGS sites, a smaller portion of the land could be developed, as shown in Appendix 1.

- 2.29 This development area consists of 0.56ha and could accommodate approximately 20 dwellings. This development would represent a logical infill plot along Northampton Road, whilst retaining the majority of the Wilby Way Meadows area, as well as avoiding any impact on the ecological habitats along Swanspool Brook.
- 2.30 The site in Appendix 1 represents an available and deliverable site, in a sustainable location, that could come forward for development within the next five years. The partial development of the site would directly facilitate a number of subsequent benefits, positively contributing to and qualitatively improving the biodiversity and green infrastructure values, without compromising the overall integrity of the Green Infrastructure.
- 2.31 We submit therefore that the identification of the land as Local Green Space is therefore unjustified and unnecessary and should be removed in the event the plan is recommended for adoption.
- 2.32 We also submit that a smaller housing site along Northampton Road should be considered, as a partial development of the overall site.



APPENDIX 1 – NORTHAMPTON ROAD SUGGESTED SITE PLAN



Scale 0m 50m 100m



Project: Northampton Road
Wellingborough

Title: Site Location

Scale: 1:2500 @ A4
Date: 20 March 2018

Drawing No. HB-NR-300

BEDFORD

4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH

Tel: 01234 832 740
Fax: 01234 831 266
bedford@dlpconsultants.co.uk

BRISTOL

Broad Quay House (5th floor)
Prince Street
Bristol
BS1 4DJ

Tel: 0117 905 8850
bristol@dlpconsultants.co.uk

CARDIFF

Sophia House
28 Cathedral Road
Cardiff
CF11 9LJ

Tel: 029 2064 6810
cardiff@dlpconsultants.co.uk

LEEDS

Princes Exchange
Princes Square
Leeds
LS1 4HY

Tel: 0113 280 5808
leeds@dlpconsultants.co.uk

LONDON

The Green House
41-42 Clerkenwell Green
London
EC1R 0DU

Tel: 020 3761 5390
london@dlpconsultants.co.uk

MILTON KEYNES

Midsummer Court
314 Midsummer Boulevard
Milton Keynes
MK9 2UB

Tel: 01908 440 015
Fax: 01908 357 750
miltonkeynes@dlpconsultants.co.uk

NOTTINGHAM

1 East Circus Street
Nottingham
NG1 5AF

Tel: 01158 966 620
nottingham@dlpconsultants.co.uk

RUGBY

18 Regent Place
Rugby
Warwickshire
CV21 2PN

Tel: 01788 562 233
rugby.enquiries@dlpconsultants.co.uk

SHEFFIELD / SPRU

Ground Floor
V1 Velocity Village
Tenter Street
Sheffield
S1 4BY

Tel: 0114 228 9190
Fax: 0114 272 1947
sheffield@dlpconsultants.co.uk