



Strategic Planning Committee

A meeting of the Strategic Planning Committee will be held at The Forum, Moat Lane, Towcester, NN12 6AD on Tuesday 17 October 2023 at 2.00 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 8) To confirm the Minutes of the meeting of the Committee held on 12 September 2023.
4.	Chair's Announcements To receive communications from the Chair.
Planning Applications	
5.	WND/2022/1066 - Pastures Farm Red House Lane Hannington Northamptonshire NN6 9SZ (Pages 9 - 42)
6.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
7.	Exclusion of Press and Public In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt Public Document Pack Page 1 information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is

requested to resolve: "That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them"

Catherine Whitehead
Proper Officer
9 October 2023

Strategic Planning Committee Members:

Councillor Phil Bignell (Chair)	Councillor Kevin Parker (Vice-Chair)
Councillor Ann Addison	Councillor Alan Chantler
Councillor André González De Savage	Councillor Rosie Herring
Councillor Rosie Humphreys	Councillor David James
Councillor Charles Manners	Councillor Ken Pritchard
Councillor Bob Purser	Councillor Cathrine Russell
Councillor Danielle Stone	

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

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special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

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Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

If you have any queries about this agenda please contact Diana Davies, Democratic Services via the following:

Tel: 01327 322195

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
The Forum
Moat Lane
Towcester
NN12 6AD

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Strategic Planning Committee

Minutes of a meeting of the Strategic Planning Committee held at The Forum, Moat Lane, Towcester, NN12 6AD on Tuesday 12 September 2023 at 2.00 pm.

Present:

Councillor Phil Bignell (Chair)
 Councillor Kevin Parker (Vice-Chair)
 Councillor Ann Addison
 Councillor Alan Chantler
 Councillor André González De Savage
 Councillor Rosie Humphreys
 Councillor David James
 Councillor Charles Manners
 Councillor Ken Pritchard
 Councillor Bob Purser
 Councillor Cathrine Russell
 Councillor Danielle Stone

Also Present:

Paul Waterfield

Apologies for Absence:

Councillor Rosie Herring

Officers:

Katherine Hall, Head of Legal (Place)
 James Rodger, Development Management Manager - Daventry & South Northants Area
 Philip Donaldson, Development Management Engineer Highways
 Michael Osman, Principal Planning Officer
 Hayley Usher, Development Management Highways
 Diana Davies, Democratic Services Officer

139. **Declarations of Interest**

There were no declarations of interest.

140. **Minutes**

The Committee were advised of a typographical error in minute reference 137, the word odor be corrected to odour.

Resolved: That, subject to the amendments above, the Minutes of the Strategic Planning Committee of 15 August 2023 be approved and signed as a correct record.

141. **Chair's Announcements**

Thanks were extended to Councillor Parker for acting as chair to the Strategic Planning Committee for three months.

A welcome was extended to the Highways Officers in attendance.

142. **WNS/2023/0007/MAF Northampton West Allocation N4: Comprising of New Roundabout Access from Roman Road and Northern Side Footpath Along Roman Road to Junction with New Sandy Lane**

The Principal Planning Officer outlined the information in the report and provided a presentation which included maps, plans, site layout and photographs to provide contextual information.

The Development Management Manager outlined the information in the written updates:

Amendments to the report included:

- Submitted plan omitted from list of drawings: New Roundabout Access from Roman Road and Northern Side Footpath Along - 332210790_700_001 A - Pavement and Paved Areas Sheet 1 of 2.pdf
- Condition 5 CEMP – Remove reference to Section 5 of the submitted Environmental Statement
- The applicants had advised that where Paragraph 7.3 suggested land in their control could deliver 500-600 dwellings that this was higher than was likely. That the forthcoming application would likely be for up to 450 dwellings.

In response to a late representation submitted it was considered that the infrastructure proposed would not significantly increase traffic flow. A full Transport Assessment would be carried out when an Outline application for the Davidsons site was presented.

Officers had considered the applicants request to omit conditions and exclude the requirement for a S.106 agreement. On balance, it was considered that a S.278 agreement would not fully cover any of the matters referred to in the planning conditions and that the development could not be looked at in isolation to the development of the wider SUE.

In response to members questions the Development Management Manager confirmed the applicant was Davidson Homes and that officers had welcomed the infrastructure application in advance of the development application.

Paul Waterfield, the applicant, addressed the Committee in support of the application and outlined the design and delivery of the application and the connectivity with proposed neighbouring sites.

In responses to members questions the applicant added:

- Provision would need to be made in a legal agreement to ensure connectivity of new and existing footpaths and the existing bridleway. The cycle way would connect to Sandy Lane cycle network.
- The S.278 agreement could address concerns regarding segregation of the footpath/cycleway, speed restriction of 30mph, and lighting at crossing points. Road safety audits would take place within the S.278 process, addressing issues relating to pedestrian safety and road safety.
- The biodiversity net loss on the infrastructure application would be taken into consideration and mitigation included within the future Outline application expected in relation to the related proposed housing development.
- Roman Road does not currently have parking restrictions
- The importance of the site as a gateway into Northampton was acknowledged.

In response to members questions, the Development Management Engineer Highways further advised:

- Temporary road works during the development would impact vehicle speeds. A reduction to the speed limit would be required on completion of the scheme.
- Car parking restrictions would be taken into consideration and conditioned when a detailed application was received for the adjacent development site.
- Preliminary design had been through a first stage road safety audit. The second stage audit would be undertaken when a detailed design had been provided.
- A number of matters raised by the committee including pedestrian safety and road safety would be addressed when the detailed design was provided.
- There would be a connectivity of footpaths throughout the site and the anticipated footfall and cyclist movements on the footpath/cycle way was not expected to be heavy.

In response to members questions, the Development Management Manager further advised:

- Highway safety was a material planning concern and parking and speed restrictions on Roman Road could be considered as a requirement of the planning process.
- A S.106 agreement would facilitate the timing and phasing of the site and ensure planning maintained an involvement alongside the S.278 requirements.

In response to members questions, the Solicitor advised that two legal agreements were proposed, S.278 and S.106 and further explained the context in how they applied in relation to the planning application. Highlighted the committee's discussions points as examples where further detailed discussion may necessitate a S.106 agreement.

During the course of the debate the Committee discussed:

- Illumination of both road and pathways.
- The perceived density of the future housing development.
- Pedestrian movement between sites.
- Forward plan for cycling and pedestrian access.
- Context in relation to the broader delivery of the site, for information.

- The necessity of including a S.106 agreement alongside a s278 highways agreement

In reaching its decision, the Committee considered the officer's report, presentation, representations and written updates.

Councillor Pritchard proposed the application be approved, subject to the inclusion of a condition to restrict the traffic speed on Roman Road, requirement for a S.106 agreement and a highways condition regarding road safety. The proposition was seconded by Councillor Gonzalez de Savage and on being put to the meeting was declared carried unanimously.

Resolved: That permission be granted subject to the conditions in the report and subject to:

1. The amendment of Condition 2 Approved Plans by the inclusion of the following drawing:
New Roundabout Access from Roman Road and Northern Side Footpath Along - 332210790_700_001 A - Pavement and Paved Areas Sheet 1 of 2.pdf; and
2. The amendment of Condition 5 CEMP by the removal of the reference to:
"Section 5 of the submitted Environmental Statement"

With delegated authority being given to the Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary by officers to ensure an appropriate legal agreement is in place for the delivery of the proposed development including highway works before a planning approval is issued but that the final content of the legal agreement be delegated to officers.

The meeting closed at 3.18 pm


Chair: _____

Date: _____



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WND/2022/1066
Hannington CP

 Planning Application



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Planning Committee Report

Application Number: WND/2022/1066

Location: Pastures Farm Red House Lane Hannington
Northamptonshire NN6 9SZ

Development: Change of use of land and buildings from mixed residential and equestrian use to use as showman's family quarters

Applicant: Mr J Scarrott & Family

Agent: Mr N Baseley

Case Officer: Chris Burton

Ward: Moulton Ward

Reason for Referral: Major application

Committee Date: 17th October 2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director of Planning and Development to approve an amendment to conditions as deemed necessary.

Proposal

Change of use of land and buildings from mixed residential and equestrian use to use as showman's family quarters.

Consultations

The following consultees have raised **objections** to the application:

- Parish Council
- Archaeology

The following consultees have raised **no objections** to the application:

- Planning Policy
- Local Lead Flood Authority
- Local Highways Authority
- Environmental Health

46 letters of objection have been received and 0 letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

1. The principle of provision of Gypsy and Traveller sites.
2. The principle of the application site for the proposed use.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The site of Ferndown and Pastures Farm, north-east of Hannington and opposite Mere Farm Business Complex accessed of Red House Lane with the A43 close by to the north-east.
- 1.2 The site is currently in a mix of residential and equestrian use and comprises an existing two-storey house (known locally as Ferndown) with a hard surfaced yard and equestrian buildings comprising stables, tack and storage room and separate groom's accommodation. There is also an independent lawful mobile home and 6no. paddocks currently grazed by horses.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The development is for Change of use of land and buildings from mixed residential and equestrian use to use as showman's family quarters.
- 2.2 This would see the existing hardstanding would be used to accommodate the existing residential caravans and fairground rides and equipment; the equestrian building would serve as a covered and secure maintenance; and the field to the rear would be subdivided to provide the 6 plots (with storage space).
- 2.3 This would see a total of 10 plots for caravans (4 individual and 6 with associated storage).
- 2.4 Within the application it is stated that the agricultural tied dwelling would be taken over by one of the families. This is addressed in more detail below but it is important to note that this application does not alter the tie.

3 RELEVANT PLANNING HISTORY

- 3.1 The following planning history is considered relevant to the current proposal:

Date of decision	LPA reference	Description of Development	Decision
02/11/1989	DA/89/1190	Erection of a bungalow on agricultural land using existing access to Red House Lane	Granted
19/04/2013	DA/2013/0139	Certificate of Lawfulness (Existing) for stationing of mobile home for residential use	Granted
27/05/2014	DA/2014/0283	Variation of Condition 4 of planning permission DA/89/1190 (Construction of bungalow on agricultural land using existing access) relating to occupancy of dwelling limited to person mainly/solely or last employed in agriculture) to allow additional equestrian use	Granted
28/01/2016	DA/2015/0848	Demolition of existing bungalow and construction of two storey dwelling	Granted
02/10/2018	DA/2018/0524	Replacement of mobile home with new mobile home	Granted
14/02/2018	DA/2017/0744	Construction of new vehicular access	Refused
03/08/2020	DA/2019/0801	Removal of Condition 5 of Planning Permission DA/2015/0848 (Demolition of bungalow and construction of two storey dwelling) relating to occupation of dwelling limited to a person solely or mainly or last employed in the locality in agriculture	Refused
23/02/2022	P/21/165	Pre-application for change of use to Travelling Showmen site	In principle acceptable subject to highways and landscape concerns.

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

4.2 Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/polts should be used to assess applications that may come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections

Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

When considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

Development Plan

- West Northamptonshire Core Strategy (Local Plan Part 1)

Policy S10 Sustainable Development Principles
Policy BN9 Planning for Pollution Control

- Settlements and Countryside (Part 2) Local Plan 2011-2029 the following policy are considered relevant:

Policy RA6 – Open Countryside
Policy HO6 – Rural Worker Dwellings
Policy HO9 – Gypsies, Travellers and Travelling Showpeople
Policy ENV1 – Landscape
Policy ENV5 – Biodiversity
Policy ENV10 – Design
Policy ENV11 – Local Flood Risk Management

Material Considerations

National Planning Policy Framework (NPPF) (2023)

The following NPPF chapters are the most relevant (others apply to a lesser extent):

2. Achieving sustainable development

- 4. Decision-making
 - 5. Delivering a sufficient supply of homes
 - 8. Promoting healthy and safe communities
 - 9. Promoting sustainable transport
 - 11. Making effective use of land
 - 12. Achieving well-designed places
 - 14. Meeting the challenge of climate change, flooding and coastal risk
 - 15. Conserving and enhancing the natural environment
- Planning Practice Guidance (PPG)

Planning Policy for traveller sites (August 2015) - read in conjunction with the NPPF.

The Planning Practice Guidance (PPG)

West Northamptonshire GTAA Final Report November 2022

5 RESPONSE TO CONSULTATION

- 5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
LLFA	No objection subject to Condition	Having reviewed the applicant's submitted details located within the Flood Risk Assessment and Drainage Strategy, report reference: R01A Job Number: A84 prepared by NeoFlood Ltd in November 2022, we would advise that there is sufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development. We would advise that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of surface water flooding.
Archaeology	Requested further information	The application site is located a little less than 1km to the east of Hannington. Historically the site has been agriculture or pasture land until Pastures Farm was constructed in recent times. The site is within 600m of a recorded later prehistoric settlement site but on the whole, there has not been enough archaeological work undertaken locally to sufficiently quantify the archaeological potential of

		<p>the site. Additional information is required. Consequently, I recommend that a phased programme of archaeological evaluation is undertaken in advance of the determination of the application in order to understand the potential impact of the scheme on any surviving sub-surface archaeological remains that may be present in line with NPPF Para. 194. I will be happy to provide a brief for the recommended programme of work.</p> <p>Following discussion with the Archeology officer it has been agreed that the additional information required can be conditioned.</p>
LHA	No objection subject to Condition	<p>In respect of the above planning application, the local highway authority (LHA) has the following observations, comments and recommendations: -</p> <p>The LHA has no objection to this application. The applicant has demonstrated that a safe means of access can be provided to the site through the upgrade of the existing access and the traffic generated by the change of use would have little impact on the public highway. A review of personal injury collision in the vicinity shows no existing issue.</p>
Environmental Health	No objection subject to Conditions	<p>The Environmental Protection Team provided no objection or comment but did set out 4 conditions they wished to see, these were:</p> <ol style="list-style-type: none"> 1) A prior to occupation noise condition, this would see a demonstration of the Noise levels on site and that they must stay within BS8233:2014 and World Health Organisation Guidelines 2) A construction management plan 3) A Land Quality Assessment and contamination report. 4) The provision of Electric charging points 5) Submission of a recycling and

		<p>waste plan</p> <p>6) Submission of an external lighting plan.</p>
Ecology	No Comment	<p>Comment will be included in Committee Update. If no response has been received officers are content that a suitably worded condition to prevent works until ecology has been approved would be appropriate.</p>
Planning Policy		<p>The proposal is for change of use of land and buildings from mixed residential and equestrian use to use as showman's family quarters. Reference should be made to Policy H09 Gypsies, Travellers and Travelling Show people Criterion A i - vi and the application should demonstrate how it meets the tests.</p> <p>Policy HO9 requires provision to be made for the accommodation for travelling show people to meet the needs identified in the most recent Gypsy, traveller and travelling show people needs assessment. The most recent West Northamptonshire Gypsy, Travellers and Travelling Show people evidence base was published in August 2022, which shows that there is a need for accommodation for travelling show people in West Northants. Reference should be made to Section 7, conclusions and recommendations (para 7.2, 7.5, 7.8 and 7.13) The report can be found here: made to Section 7, conclusions and recommendations (para 7.2, 7.5, 7.8 and 7.13) The report can be found here:</p> <p>New Local Plan for West Northamptonshire West Northamptonshire Council (westnorthants.gov.uk) Table 6.5 and 7.2 of the study outlines the accommodation needs for travelling show people, (period 2022-2037). This shows there is a need for 11</p>

		<p>plots, broken down the need is for 7 plots in 2022-27, 2 plots in 2027-3 and a further 2 in 2032-2037. Para 7.13 states "In relation to accommodation needs identified for Travelling Showpeople, it is recommended that the local authority work closely with the families, particularly those in urgent need to relocate. When considering applications and provision for Showpeople, that the local authority consider not only space for accommodation and for the accommodation to be of sufficient size and safe, but also provision for storage and maintenance of their equipment etc." Para 7.3 sets out the key factors that should be considered in terms of identifying broad locations for new permanent sites and yards including costs, social, availability and deliverability. Para 7.8 explains the requirements for plot sizes for travelling show people and how they differ from gypsy and travellers. Policy HO9 sets out 6 criteria that all planning applications must meet. This includes safe and convenient vehicular access from the public highway and provides adequate space for parking. the site is reasonably accessible to a range of services, the site will provide an acceptable level of amenity, it will be capable of providing adequate on site services, the scale and location of the site will not have an unacceptable impact on landscape, local infrastructure and existing communities and in the case of travelling show people there will be sufficient space for the storage and maintenance of equipment and parking and manoeuvring of all vehicles associated with the occupiers. Consideration should also be made to Local Plan Part 2 Policy ENV1 Landscape and ENV 10 design and how the proposal would be compliant. Given the up-to-date evidence base, that is available and provided the tests</p>
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		in HO9 Ai-vi are met there would not be a policy objection to the application.
Parish Council	Object	<p>Object</p> <p>1. Development in open countryside 2. HGVs and road safety</p> <p>The application seeks to develop in the open countryside. This is in contravention of policy.</p> <p>There is plenty of precedent where West Northants Council have enforced this policy.</p> <p>WND/2021/0173 is a recent local example, where the policy was enforced although the proposed development of a single house was on a much smaller scale and had little impact on its environment. WNC rejected this application because “it would result in the encroachment of development into the countryside beyond the village confines“.</p> <p>This policy cannot be outweighed by meeting a ‘local need’ as suggested by the Applicant (Woodford Halse is not ‘local’ to Hannington in any sense), or any of the exceptional circumstances in planning policy</p> <p>The Applicant suggests that the location is suitable because of its proximity to the A43, providing easy access for HGVs and other large vehicles. It also states that these vehicles will not use local routes through villages because of this location.</p> <p>Locally, the Red House junction on the A43 is known to be notoriously dangerous. Broadly, the Applicant’s vehicles will find that the junction is unsuitable for HGV movements, and unsafe for domestic use.</p> <p>With respect to HGVs in particular, Holcot is blighted by HGVs flouting the local 7.5t restrictions.</p> <p>Furthermore, even though local roads are unsuitable for HGV movements, large HGVs based on Red House Lane already use Holcot’s roads as an access route despite their yard’s proximity to the</p>

		<p>Red House junction. Of course, these vehicles are 'authorised' as they are based within the restricted area, but it is telling that they don't routinely use the A43 for access.</p>
Landscape Officer	No objection subject to conditions	<p>In terms of the sites location it is the site of Ferndown and Pastures Farm, north east of Hannington and opposite Mere Farm Business Complex accessed of Red House Lane with the A43 not only close by to the north east but also audible. The site itself falls within the Clay Plateau Landscape Character Type and further broken down into the Sywell Plateau Character Area. The landscape setting for the site exhibits many of the characteristics that would be expected as identified in paragraph 3.7 of the LVIA. The fields are generally large with gentle rises and falls allowing well established hedgerows with a high percentage of associated trees to be clearly visible. In terms of the opportunities for public views into the proposed site the hedgerow along the south eastern side of Red House Lane is well established and with few gaps providing strong mitigation of the site for car drivers using the road. The A43 is too far to the north east to allow views given the intervening established hedgerows and trees as well as the general landform of gentle undulation.</p> <p>Local footpaths have been identified within the LVIA, though there are none within the proposed site. Three of the nearest public Rights of Way CT6, CT9 and CT5 are all located at least two fields to the south west of the site. There is marking the sites south western boundary a well-established hedge and associated trees which has been identified to be retained that provides strong mitigation of the site beyond from the three Rights of Way and two of the provided viewpoints within the LVIA are taken from CT9 and CT6 (viewpoints 4 and 5 respectively) as well as image 4.1 illustrating the quality of the hedge immediately adjacent to CT6. The Context and Designations Plan shows</p>

		<p>the footpath network within a 1.5km radius of the site. In addition one further nearby Right of way is CT3 is located to the north of the site running roughly parallel to Red House Lane, but is screened from the site by intervening woods and hedgerows.</p> <p>The five viewpoints provided do emphasise the importance both visually and regarding character of the hedgerows and associated trees. The intervening as well as retained hedge/trees along the sires south western boundary provide strong mitigation for views from the Rights of Way to the south west as illustrated in viewpoints 4 and 5. The remaining three views are from Red House Lane from the entrance allowing the clearest views into the site all be it from one specific point. The other two views are from the road to the south west and north east, both well screened by the roadside hedge though the roof of the property of Ferndown is visible from viewpoint 3 to the south west.</p> <p>It has been identified that the new north eastern boundary is not currently marked by either an existing hedge or trees. While public views are limited from the north west given the established roadside hedge and no Public Rights of Way in that direction it has been identified how important it is to create a strong landscape boundary which is clearly illustrated in the Proposed Layout Plan. Along the sites currently open north eastern boundary would be established a 15m wide native woodland belt of trees and this treatment is also proposed for the southern and south western boundaries, where it will reinforce the retained hedgerow and trees. Species chosen for the woodland belts are those identified locally in order to tie the proposed planting into its immediate surroundings as well as looking to choose species that succeed locally. While the specifics of the scale of what would be stored on site would not appear to have been identified given the limited</p>
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		<p>opportunities for clear public views of the site due to the existing intervening established hedgerow network and landform as well as the proposed 15m woodland belt planting round the site the impact of the change of use of the site I would agree is likely to be negligible.</p> <p>The proposed woodland belts in conjunction with the wildflower meadows should provide biodiversity benefits certainly in the long term. Obviously such an extent of woodland planting will depending upon specification elements such as species and size take time to establish and provide not only the proposed visual mitigation but also the wildlife corridors that they will be created in due course. Should the application be approved the sooner the woodland belt planting is able to be undertaken the better. If it were able to be carried out as advanced planting prior to the proposed elements within the site it would allow the vegetation to begin to establish. Obviously there would need to be a maintenance/management specification provided to provide the trees with the best opportunity to establish with both protection and aftercare including a suitable replacement period.</p>
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6 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

6.1 There have been 72 objections raising the following comments:

- When the rides are tested there will be noise and lights which will disturb the wildlife.
- If a ride suffers a failure it could fall and injure people.
- Cleaning of the rides will lead to dangerous wash off.
- Increased traffic flow is dangerous.
- Increase the risk of accidents at the A43/Red House lane junction (an interchange that already suffers from regular and serious incidents.
- The village is too small to accommodate the size of vehicles.
- There are no amenities to support the application.
- It is a greenfield site.
- There is also a 60 acre SSSI woodland 800 yards from the site.

- The application provides no details on lighting – flood lights?; no details on the storage of diesel – needed for generators? no details on height of stored vehicles; no details on associated noise levels.
- Any assurances may prove to be unenforceable.
- Redhouse Lane is subject to a 7.5T weight limit restriction.
- Access to the site via Holcot Road and Main Street, Hannington, is not feasible due to the blind bend and restricted road width of 4.6m adjacent to the village church. Although this is not the proposed access route, it is inevitable that it will be used at some point.
- The road itself is not made to support such large and heavy vehicles.
- Recent planning for holiday lodges have been denied due to the large scale of the operation and this would be the same. This also failed on appeal.
- Industrial invasion into open countryside.
- The land in question is very important visually as you enter the village and is currently well beyond any housing on that side of the road, there are only fields between there and the village.
- Majority of concerns would be addressed if effective Planning Conditions + Highway Signage were worded to prevent long vehicle traffic movement accessing the Site through inappropriate Local Villages routes. N.B. no reliance should be placed on mythical 'proposed future road infrastructure improvements' reducing the strength of the wording in Planning Conditions.
- Walgrave Primary School will struggle to accommodate more children.
- Walgrave village is already too busy at school drop off and pick up times.
- The Transport Statement does not comment on the increased 'near misses' experienced by drivers along Redhouse Lane since the last Planning Approvals for changes to HGV uses at the Business Park opposite the proposed development.
- The original farm dwelling on this site was granted with an agricultural tie. The field is of Grade 1 farming quality and used as such ever since.
- Whilst drainage is shown on the plan, run off will increase due to the work & loss of natural drainage could see ditches overwhelmed. Red House Lane already floods.
- The site would be operating as a commercial site for the repair and maintenance of fairground equipment which means that hydrocarbon products would be used such as Hydraulic oil for the maintenance of the machinery.
- There is a preservation order on a pond opposite the potential showman's site.

6.2 It should be noted that many of the public comments received were before a change in the 'permissions' relating to publishing of comments, as such the view was taken that the commentors had not provided permission for their comments to appear online. Though the comments do not appear on the online register they have been logged, read and considered as part of this report.

7 APPRAISAL

Definitions

7.1 Planning Policy for Traveller Sites was published in August 2015 and as set out in paragraph 1 it should be read in conjunction with the National Planning Policy Framework 2023. Key provisions of this planning policy are-

7.2 Paragraph 3 - The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

- 7.3 Paragraph 4 – To help achieve this, Government’s aims in respect of traveller sites are:
- a. That local planning authorities should make their own assessment of need for the purposes of planning
 - b. To ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
 - c. To encourage local planning authorities to plan for sites over a reasonable timescale
 - d. That plan-making and decision-taking should protect Green Belt from inappropriate development
 - e. To promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
 - f. That plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective
 - g. For local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies
 - h. To increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
 - i. To reduce tensions between settled and traveller communities in plan-making and planning decisions
 - j. To enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
 - k. For local planning authorities to have due regard to the protection of local amenity and local environment

7.4 Paragraph 18 – Local planning authorities should consider, whenever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents. Local planning authorities should consider the scope for identifying separate sites for residential and for business purposes in close proximity to one another if mixed sites are not practical.

7.5 Paragraph 19 - Local planning authorities should have regard to the need that travelling showpeople have for mixed-use yards to allow residential accommodation and space for storage of equipment

7.6

7.7 Within it Annex 1 provides a glossary containing definitions, the following two definitions are considered relevant:

“3. For the purposes of this planning policy, “travelling showpeople” means: Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.”

and

“4. For the purposes of this planning policy, “travellers” means “gypsies and travellers” and “travelling showpeople” as defined above.”

The principle of provision of Gypsy and Traveller sites

7.8 This section considers the principle of the provision of Gypsy and Traveller Sites, when assessed against planning policy, guidance and the evidence base of need held by the

LPA. The suitability of the submitted site is considered in the next heading "*Principle of the Development Site for the Proposed Use*"

- 7.9 There is support at National level for provision of sites for Gypsies and Travellers both in law and planning policy. The NPPF at paragraph 62 requires local planning authorities (LPAs) to produce planning policies for sites and the Government's 'Planning Policy for Traveller Sites' (PPTS) requires that local planning authorities maintain a rolling 5-year supply of specific, deliverable Gypsy and Traveller sites together with broad locations for growth within 6-10 years and where possible 11-15 years. This 5-year supply is entirely separate to the 5 year land supply that is required for housing (see footnote 38 of the NPPF).
- 7.10 In addition, the PPTS stipulates that LPAs should use a robust evidence base to establish accommodation needs to inform the preparation of local plans and making planning decisions. Furthermore, Section 225 of the Housing Act 2004 requires local housing authorities to carry out an assessment of the accommodation needs of Gypsies and Travellers relating to their Borough. Government policy states that a lack of a 5-year supply should be a significant material consideration in any subsequent planning decision when considering applications for the grant of a temporary permission.
- 7.11 Paragraph 4 of the PPTS states that LPAs are to develop fair and effective strategies to meet needs; promote more private site provision; increase the number of sites in appropriate locations; address under-provision and maintain an appropriate level of supply; and enabling the provision of accommodation from which travellers can access education, health and other services.
- 7.12 As of October 2022, within West Northants, there is a provision of 74 Gypsy and Traveller pitches consisting of 39 privately owned pitches, and 35 local authority pitches (all of which were occupied during the consultation period). There are 12 pitches on 3 unauthorised development sites, and 3 potential pitches i.e. pitches with planning permission but yet to be developed. There are also 2 sites consisting of 19 pitches which are owned and managed by Gypsies and Travellers but mainly occupied by non-Gypsy and Traveller households. Only 2 of the 19 pitches are occupied by members of the Gypsy and Traveller community, who are owners of the respective sites and therefore unlikely to move. They have subsequently been included in the 39 authorised pitches identified above. In relation to Travelling Showpeople, there are currently 3 yards consisting of 6 plots, 2 plots, and 1 plot respectively. All plots are currently being used, there are no vacant Travelling Showmen Plots.
- 7.13 Policy H6 of the West Northamptonshire Core Strategy is superseded in its entirety by Policy H09 of the Settlements and Countryside Local Plan (Part 2) For Daventry District 2011-2029, though the policy retains the same wording.
- 7.14 Policy HO9 requires provision to be made for the accommodation for travelling show people to meet the needs identified in the most recent Gypsy, traveller and travelling show people needs assessment. The most recent Gypsy and Traveller Accommodation Needs Assessment (GTTA) is the West Northamptonshire Gypsy and Traveller Needs Assessment 2022 which was published in November 2022.
- 7.15 Table 6.5 and 7.2 of the GTTA November 2022 assessment outlines the accommodation needs for travelling show people, (period 2022-2037). This shows there is a need for 11 plots, broken down the need is for 7 plots in 2022-27, 2 plots in 2027-3 and a further 2 in 2032-2037. Paragraph 7.13 states "*In relation to accommodation needs identified for Travelling Showpeople, it is recommended that the local authority work closely with the families, particularly those in urgent need to*

relocate. When considering application and provision for Showpeople, that the local authority consider not only space for accommodation and for the accommodation to be of sufficient size and safe, but also provision for storage and maintenance of their equipment etc.”.

Table S2 – Taken from the GTAA 2022

Table S2: Summary of Travelling Showpeople accommodation needs 2022-37 (plots)

Period	Need
2022-27	7
2027-32	2
2032-37	2
Total 2022-37	11

Source: GTAA 2022

- 7.16 The recommendation of the West Northamptonshire GTAA Final Report November 2022 sets out that consideration needs to be given as to the size of future traveller site provision as it would appear that any potential site(s) should not exceed 15 pitches. It also provides that the LPA may also need to consider additional accommodation needs, in relation to both Gypsies and Travellers and Travelling Showpeople, which may materialise over the Local Plan period. As such the report recommends that the LPA incorporates criteria-based policy which takes into consideration any planning applications that might materialise over the plan period from households not considered by the needs assessment. This may be either because their existence was not known during this assessment, or their accommodation needs arise after the completion of this assessment. This could include households residing on unauthorised developments, unauthorised encampments, due to immigration, and those residing in bricks and mortar accommodation. The report sets out that these accommodation needs should be considered separate to the needs identified in this assessment and could be met through windfall applications.
- 7.17 With regards to the current need within the GTAA November 2022, at paragraph 6.5, the following is set out:

“A Travelling Showpeople household currently residing on a yard in the study area is seeking planning permission to develop a 9-plot yard in West Northants. This is due to overcrowding on their current yard both in terms of a lack space for accommodation and to safely store equipment. Also, the current yard is situated at the bottom of a narrow track and has poor access. It previously met the household’s accommodation needs, but a growing family and the use of larger equipment means that it is now unsuitable. This extended Travelling Showpeople family is seeking new accommodation in the Daventry area. They plan to relocate to land they have identified and are currently in discussions with the council.”

- 7.18 The Travelling Showpeople household mentioned in paragraph 6.5 GTAA November 2022 is that which have submitted this application. The application is for 10 pitches, but this takes into consideration the identified future need (such as children reaching adulthood in the family).
- 7.19 As provided for by the comments from the policy team, there is an identified need for Travelling Showpeople and the up-to-date evidence base held by the LPA shows that this family are currently in unsuitable accommodation and looking to move to a new site. This means that consideration under Policy HO9 and NPPF paragraph 62 is required as an identified need has been evidenced.
- 7.20 It is acknowledged that the site does sit in the open countryside (RA6) and that paragraph 25 of "Planning policy for traveller sites" sets out the LPA's should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan but Officers are of the opinion that the weighting to give to RA6 is reduced by virtue of the need established by HO9 for the plots and the failure of the LPA to demonstrate a 5-year supply of suitable Gypsy and Traveller sites. HO9 provides some conflict with the principles as set out in RA6 but it must be also be recognised that there will be a "push and pull" on planning policies and that overall conformity to all policies is difficult to achieve. In this specific application policy HO9 provides an explicit set of criteria to consider when considering Gypsy and Traveller sites and should take primacy when considering this application.
- 7.21 As such officers are satisfied that the principle of provision of a Travelling Showman site is required and justified.

Principle of the Development Site for the Proposed Use

- 7.22 To satisfy Policy HO9 all the sub criteria must be met, for ease of reference the 6 sub criteria are included below:
- i. The site has safe and convenient vehicular access from the public highway, and provides adequate space for parking, turning and servicing on-site.*
 - ii. The site is reasonably accessible to a range of services set out in national policy, i.e. shops, public transport, primary health care and schools.*
 - iii. The site will provide an acceptable standard of amenity for the proposed residents. Sites which are exposed to high levels of flood risk and noise and air pollution are not acceptable.*
 - iv. The site will be capable of providing adequate on-site services for water supply, power, drainage, sewage disposal, waste disposal, composting and recycling facilities.*
 - v. The scale and location of the site will not have an unacceptable impact on the landscape, local infrastructure and existing communities.*
 - vi. In the case of sites for travelling showpeople there will be sufficient space for the storage and maintenance of equipment and the parking and manoeuvring of all vehicles associated with the occupiers. Additional screening may be required having regard to the nature of the equipment that is being stored.*
- 7.23 Each of these criteria are examined, below:
- i. The site has safe and convenient vehicular access from the public highway, and provides adequate space for parking, turning and servicing on-site.*

- 7.24 The agent states that the site benefits from an existing access from Red House Lane which benefits from adequate visibility splays (as shown on the existing and proposed layout plans) and is already used by large equestrian vehicles. It is accepted that the proposed re-use of the site as showmen's family quarters will increase traffic movements during certain times of the year (namely autumn-spring when the showmen will bring their equipment and rides back to the site and stay on site during the winter), but result in fewer movements during other parts of the year when the showmen are typically travelling (namely spring-autumn).
- 7.25 The Local Highways Authority have been consulted and have commented as follows:
- "The applicant has demonstrated that a safe means of access can be provided to the site through the upgrade of the existing access and the traffic generated by the change of use would have little impact on the public highway. A review of personal injury collision in the vicinity shows no existing issue."*
- 7.25.1 As such it is considered that the site has safe vehicular access and provides adequate space.
- ii. The site is reasonably accessible to a range of services set out in national policy, i.e. shops, public transport, primary health care and schools.
- 7.26 As set out in the pre-application response by the LPA the site is *"reasonably accessible to a range of services including those within Wellingborough, Moulton and Northampton notwithstanding further services and facilities that will be provided in the Northampton North SUE"*.
- 7.27 The site is also not unduly remote from the village of Walgrave where there is a community shop, pub, village hall and primary school.
- 7.28 it is considered that the site is reasonably accessible and meets criteria ii.
- iii. The site will provide an acceptable standard of amenity for the proposed residents. Sites which are exposed to high levels of flood risk and noise and air pollution are not acceptable.
- 7.29 The site sits within Flood Zone 1, therefore it is not considered at risk of flooding. The Lead Local Flood Authority have also provided no objection to the site and the surface water drainage plan (subject to condition) as such the site will not be exposed to high levels of flood risk.
- 7.30 Within the purview of Environmental Health is that of noise and air pollution (air quality). Environmental Health have examined the application and provided no objection, subject to conditions on noise, land quality and light.
- 7.31 In terms of amenity Government Guidance suggests that a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage. Within the preamble to Policy H09 the number of pitches on a site is considered and in practice up to 6 pitches containing one family unit works well. The preamble sets out this is further supported by residents and site managers who would prefer to avoid large sites unless agreed by the community via a consultation process. In this case 10 pitches are proposed with the residential building creating 11 'plots'. Accepting that this number is higher than the 6 recommended in Policy H09 it is below the maximum government guidance of 15, further the LPA has an undersupply of pitches so were space allows it

is important to meet that need as the alternative is either overcrowding, removal to a different area or the use of illegal pitches.

7.32 The site location plan sets out well spaced pitches that sit well within the landscape screening, each pitch has an area of amenity space around it which is deemed suitable for the intended use. A large area of green space is proposed to the north of the site and within the submission it is set out that this is additional amenity land which can be used for play. The plan does set out that this land will also be used for the occasional testing of the rides, to avoid this area becoming permanent storage and amenity use being lost a condition is proposed to remove permanent storage on this area.

iv. The site will be capable of providing adequate on-site services for water supply, power, drainage, sewage disposal, waste disposal, composting and recycling facilities.

7.33 The applicant's agent has set out that there is already a water and electricity supply to the site, as there is an existing dwelling there this is not disputed. The application is accompanied by a Flood Risk Assessment and Drainage Strategy prepared by NeoFlood Ltd which provides an initial strategy for the foul and surface water drainage. A verification report condition is included which requires a demonstration from the applicant that their drainage strategy is effective.

7.34 No refuse or recycling plans have been submitted with the application but it is considered that there is sufficient land to include a suitable scheme, a condition is also included requiring the submission of these details.

7.35 With regards to sewage a submission to building regulations will need to be made. If the site cannot meet the general binding rules for discharge, then a submission for a permit to the Environment Agency is required.

7.36 As such criteria iv is met.

v. The scale and location of the site will not have an unacceptable impact on the landscape, local infrastructure and existing communities.

7.37 The LPA's landscape officer has stated the following:

"In terms of the sites location it is the site of Ferndown and Pastures Farm, north east of Hannington and opposite Mere Farm Business Complex accessed of Red House Lane with the A43 not only close by to the north east but also audible. The site itself falls within the Clay Plateau Landscape Character Type and further broken down into the Sywell Plateau Character Area. The landscape setting for the site exhibits many of the characteristics that would be expected as identified in paragraph 3.7 of the LVIA. The fields are generally large with gentle rises and falls allowing well established hedgerows with a high percentage of associated trees to be clearly visible. In terms of the opportunities for public views into the proposed site the hedgerow along the south eastern side of Red House Lane is well established and with few gaps providing strong mitigation of the site for car drivers using the road. The A43 is too far to the north east to allow views given the intervening established hedgerows and trees as well as the general landform of gentle undulation.

Local footpaths have been identified within the LVIA, though there are none within the proposed site. Three of the nearest public Rights of Way CT6, CT9 and CT5 are all located at least two fields to the south west of the site. There is marking the sites south western boundary a well-established hedge and associated trees which has been

identified to be retained that provides strong mitigation of the site beyond from the three Rights of Way and two of the provided viewpoints within the LVIA are taken from CT9 and CT6 (viewpoints 4 and 5 respectively) as well as image 4.1 illustrating the quality of the hedge immediately adjacent to CT6. The Context and Designations Plan shows the footpath network within a 1.5km radius of the site. In addition one further nearby Right of way is CT3 is located to the north of the site running roughly parallel to Red House Lan, but is screened from the site by intervening woods and hedgerows.

The five viewpoints provided do emphasise the importance both visually and regarding character of the hedgerows and associated trees. The intervening as well as retained hedge/trees along the sires south western boundary provide strong mitigation for views from the Rights of Way to the south west as illustrated in viewpoints 4 and 5. The remaining three views are from Red House Lane from the entrance allowing the clearest views into the site all be it from one specific point. The other two views are from the road to the south west and north east, both well screened by the roadside hedge though the roof of the property of Ferndown is visible from viewpoint 3 to the south west.

It has been identified that the new north eastern boundary is not currently marked by either an existing hedge or trees. While public views are limited from the north west given the established roadside hedge and no Public Rights of Way in that direction it has been identified how important it is to create a strong landscape boundary which is clearly illustrated in the Proposed Layout Plan. Along the sites currently open north eastern boundary would be established a 15m wide native woodland belt of trees and this treatment is also proposed for the southern and south western boundaries, where it will reinforce the retained hedgerow and trees. Species chosen for the woodland belts are those identified locally in order to tie the proposed planting into its immediate surroundings as well as looking to choose species that succeed locally. While the specifics of the scale of what would be stored on site would not appear to have been identified given the limited opportunities for clear public views of the site due to the existing intervening established hedgerow network and landform as well as the proposed 15m woodland belt planting round the site the impact of the change of use of the site I would agree is likely to be negligible.

The proposed woodland belts in conjunction with the wildflower meadows should provide biodiversity benefits certainly in the long term. Obviously such an extent of woodland planting will depending upon specification elements such as species and size take time to establish and provide not only the proposed visual mitigation but also the wildlife corridors that they will be created in due course. Should the application be approved the sooner the woodland belt planting is able to be undertaken the better. If it were able to be carried out as advanced planting prior to the proposed elements within the site it would allow the vegetation to begin to establish. Obviously there would need to be a maintenance/management specification provided to provide the trees with the best opportunity to establish with both protection and aftercare including a suitable replacement period.”

- 7.38 Following these comments, a Landscape, Environment, Management Plan condition is suggested which will set out the planting, timescales and maintenance schedule.
- 7.39 The public comments (above) have been noted and consideration given to the objections . The majority of concerns appear to focus on highways, especially that of the moving of large vehicles.
- 7.40 Due to the nature of the site (and the occupation of the proposed residents) it is not envisaged that there will be a daily movement of lorries. The large vehicles will leave

the site in spring and return in the autumn, there may be the occasional return to the site and there could be some movement of large vehicles during the winter (for maintenance etc.) but it is not felt that these will be of a scale to cause an amenity impact. Outside of these large vehicles there will be an intensification of the site in autumn and winter but 11 residential plots, with their associated traffic movements, is not considered an over intensification nor would it cause an unacceptable impact.

- 7.41 Commentary regarding the change in landscape and impact on the footpaths is also noted and has been considered by the landscape officer (above).
- 7.42 With regards to the impact to the village, though there will be an increase in people in proximity to the village, due to the transient nature there will be periods (Spring through to Autumn) of time where the Travelling Showpeople will have left the site and will place no reliance on the village or its services and amenities.
- 7.43 In taking the above into consideration it is considered that the application will not have an unacceptable impact on the landscape as per the criteria of H09 or, Local Plan Part 2 Policy ENV1 Landscape and ENV 10 design; nor will it have an unacceptable impact on local infrastructure and existing communities.
- vi. In the case of sites for travelling showpeople there will be sufficient space for the storage and maintenance of equipment and the parking and manoeuvring of all vehicles associated with the occupiers. Additional screening may be required having regard to the nature of the equipment that is being stored.

The submitted plans show individual storage areas with each plot, there is further storage to the north east of the site and the amenity site to the north west is marked as being used for temporary use of the testing of equipment.

- 7.44 The proposed screening is extensive and looks to envelope the site to remove unacceptable landscape impact.
- 7.45 It is recognised that the machinery stored is large, especially when erected, so a condition is proposed to limit the erection of machinery to testing only, with a total of 30 testing days a year.

Other Matters

Water Quality and Surface Water Run Off

- 7.46 Within the application Design and Access Statement it is set out that the front (northern) part of the site closest to Red House Lane will remain open, primarily as a surface water attenuation and amenity space. The proposed measures look to ensure that surface water run-off is controlled to pre-development levels, but will also provide water quality and amenity improvements as advocated by Policies BN7 and BN7A of the Core Strategy Local Plan Part 1 and Policy ENV11 of the Local Plan Part 2.
- 7.47 As noted in the public comments, there may be the washing of large machinery and vehicles, when they are brought back to site. As such a suitably worded condition that requires the control of surface water runoff is proposed.

Archaeology

- 7.48 The Archaeology Consultee has set out the following:

“The application site is located a little less than 1km to the east of Hannington. Historically the site has been agriculture or pasture land until Pastures Farm was constructed in recent times.

The site is within 600m of a recorded later prehistoric settlement site but on the whole, there has not been enough archaeological work undertaken locally to sufficiently quantify the archaeological potential of the site. Additional information is required.

Consequently, I recommend that a phased programme of archaeological evaluation is undertaken in advance of the determination of the application in order to understand the potential impact of the scheme on any surviving sub-surface archaeological remains that may be present in line with NPPF Para. 194.”

- 7.49 The Archaeology Officer has now confirmed that a suitable pre-commencement condition can be included to carry out the Archaeology works and this has been included.

Ecology

- 7.50 The Ecology consultee has not yet returned comment on the application but the submitted Preliminary Ecological Environmental Report is considered robust. The intention is to provide Ecology Comments within the committee update, if these comments have not been received it is felt a suitable condition for the approval of the ecology documents would be appropriate.

Agricultural Tie

- 7.51 This application red line also covers a building which is covered by an agricultural tie (DA/89/1190 and variation DA/2014/0283). This application does not lift the tie on the property “Ferndown”, this property is and will continue to be tied to the land via DA/2014/0283.
- 7.52 Within the application it is set out that the tied dwelling would be lived in by one of the family unit. Policy HO6 of the Local Plan Part 2 sets out the criteria for rural workers dwellings. There is no specific policy to lift such a tie, though it is usually achieved through a marketing period and demonstration that the tie is no longer necessary. Consideration is given to the planning history and that no marketing has been undertaken to lift this tie to date.
- 7.53 In discussion with the applicant’s agent they have confirmed that they would accept a Grampian Condition which requires the submission of an application to vary the tie to allow the inclusion of use for Travelling Show people related to these pitches, before the site is occupied. The Council will consider and determine an application for the release of the tie in the usual way.

8 FINANCIAL CONSIDERATIONS

- 8.1 CIL is not payable on this development and there are no S106 contributions.

9 PLANNING BALANCE AND CONCLUSION

- 9.1 There are two key elements that need to be considered when considering this application:
1. The principle of provision of Gypsy and Traveller sites
 2. The principle of the application site for the proposed use
- 9.2 In terms of the provision there is a well-established need which is backed by an up-to-date evidence base. The LPA is required to demonstrate a 5-year supply of Gypsy and Traveller sites (separate to that of the housing 5 year supply). The authority cannot demonstrate a 5-year supply and as such this should weigh significantly in the planning balance.
- 9.3 Once the need has been established the 6 sub criteria of policy HO9 becomes relevant in assessing individual sites. Officers have considered each element and are of the view the application site is a suitable location for the proposed development.
- 9.4 The rural tie on the dwelling is also noted but this should be balanced by the need for such pitches and the retention of the dwelling to a tied use with the land. This will prevent its sale on the open market.
- 9.5 As such officers recommend approval of the application, subject to suitable conditions.
-

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

Location Plan dwg no 22/422-01 06/01/2023

Context Plan dwg no 22.422-02 06/01/2023

Existing Layout Plan dwg no 22/422-03 06/01/2023

Proposed Layout Plan dwg no 22/422-04 06/01/2023

Preliminary Ecological Appraisal RSE 6275 R1 V3 PEAR 06/01/2023

Flood Risk Assessment and Drainage Strategy R01A 06/01/2023

Reason : To clarify the permission and for the avoidance of doubt.

3. The existing area shown for parking and storage of equipment on the approved plan drawing no. 22/422-04 shall be permanently set aside and reserved for that purpose.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

4. Any gates across the site access must be set back by a minimum of 20 metres from the highway boundary to allow a full length HGV to pull off the highway before the gates are opened.

Reason : In the interests of highway safety, to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

5. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination Risk Management (LCRM)'

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and

other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local PC - Land Contamination Desk Study 5. 05.22 / Site Walkover development other than that required to carry out remediation, unless otherwise agreed in writing by the Local

Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

Reason: Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 11 of the NPPF and in the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

6. A schedule of landscape maintenance for a minimum period of 15 years shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule unless otherwise approved in writing by the Local Planning Authority.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity

and to accord with Policies SS2 of the South Northamptonshire Local Plan Government guidance.

7. Prior to the occupation of the residential units a scheme for achieving the external and internal noise levels outlined in BS8233:2014 and World Health Organisation Guidelines shall have been submitted and approved in writing by the Local Planning Authority, and the approved scheme implemented. Thereafter it shall be maintained in the approved state at all times with no alterations made to the approved structures including roof, doors, windows and external facades, layout of the units or noise barriers.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

8. Prior to the commencement a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

9. No more than 10 static caravans or mobile homes, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any time whatsoever.

Reason : This consent is only granted in view of the special circumstances and needs of the applicant, which are sufficient to justify overriding the normal planning policy considerations which would normally lead to a refusal of planning consent and to comply with Government advice contained in Planning Policy for Traveller Sites August 2015 .

10. Any outside storage shall only take place within a defined area in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority before the occupation of the site .

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

11. No commercial activities shall take place on the land, including the storage of materials that are not ancillary to that of fairground equipment

Reason : In order to safeguard the amenities and character of the area and in the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) [or on the completion of the development, whichever is the sooner,] [or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority] and shall be maintained for a period of 5

years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

13. No development shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason

To ensure that the drainage systems associated with the development will be adopted and maintained appropriately in

perpetuity of the development, to reduce the potential risk of flooding due to failure of the proposed drainage system.

14. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, document reference: R01A Job Number: A84 prepared by NeoFlood Ltd in November 2022 has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority.

The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

e) CCTV confirmation that the system is free from defects, damage and foreign objects.

Reason

To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

15. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (report reference: R01A Job Number: A84 prepared by NeoFlood Ltd in November 2022) will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

i. details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so

on) of all elements of the proposed drainage system, to include pipes, inspection

chambers, outfalls/inlets and attenuation structures (if required).

ii. details of pollution control measures to capture any oil, grease etc. associated with the cleaning and maintenance of

the machinery.

iii. details of the drainage system are to be accompanied by full and appropriately cross referenced supporting

calculations.

iv. cross sections of the control chambers (including site specific levels mAOD) and

manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices

v. Infiltration test results to BRE 365.

Reason

To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site.

16. The site shall not be occupied by any persons other than gypsies and travellers as defined in Planning Policy for Traveller Sites August 2015 (or its successor) . This is to include all the land within the red line and the existing residential dwelling.

Reason : This consent is only granted in view of the special circumstances and needs of the applicant, which are sufficient to justify overriding the normal planning policy considerations which would normally lead to a refusal of planning consent and to comply with Government advice contained in Planning Policy for Traveller Sites August 2015 .

17. Both visibility splays, either side of the site access, as shown on drawing No. 22/422-04, shall at all times be retained and kept clear of all obstructions to visibility exceeding 0.9m in height from carriageway level.

Reason : To ensure that adequate visibility is retained in the interest of road safety in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

18. Prior to occupation, a scheme showing the provisions to be made for external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting is to be designed, installed and maintained so as to fully comply with the ILP Guidance for the Reduction of Obtrusive Light. The design shall satisfy criteria to limit obtrusive light presented in Table 2, page 8 of the guide, relating to Environmental Zone E2 Low district brightness areas-Rural, small village or relatively dark urban locations. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: Details are required in the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

19. Before the development hereby permitted commences, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted to the Local Planning Authority for approval. The scheme shall be implemented prior to the development coming into use and shall be retained thereafter.

Reason : To ensure that proper arrangements are made for the disposal of waste, to ensure the creation of an environment free from intrusive levels of litter and to prevent the pollution of adjacent ditches and watercourses, in accordance with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

20. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Preliminary Ecological Appraisal RSE 6275 R1 V3 PEAR 06/01/2023 unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

21. The area shown as "area to remain as grass and to be used for occasional testing of rides" on the approved plan No. 22/422-04 shall be used for no more than 5 consecutive days for the testing of a single ride and no more than a total of 30 days throughout a calendar year. Outside of the testing of rides all machinery is to be stored in the areas marked on the approved plan No. 22/422-04 for storage.

Reason : In the interests of retaining amenity space.

22. Prior to the commencement of development, provision of ducting to allow for installation of EV charging infrastructure will be required (one charge point per residential unit), in order to make resident parking places EV ready for future demand. The details and location of such provision should take into consideration the availability of electrical supply and should therefore be designed making reference to information held by the local distribution network operator. Subsequently, these details and designs should be submitted to and approved in writing by the Local Planning Authority. Such provisions shall be formed, and laid out in accordance with these details before usage of the parking spaces commences and shall remain in place thereafter.
23. The dwelling (Ferndown) identified as the existing dwelling on submitted plan 22/422-03 shall not be occupied by Travelling Showpeople unless and until an application has been submitted and approved by the Local Planning Authority for the variation of DA/2014/0283 to include within the occupancy restrictions the use for Travelling Showpeople.

Reason: As set out in Policy H06 of the Settlements and Countryside Local Plan (Part 2) For Daventry District 2011-2029 the dwelling is considered appropriate for a rural works dwelling. An application is required so that the variation of the tie can be assessed against Development Plan Policies and to allow lawful occupation of the dwelling by a Travelling Showperson.

24. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) fieldwork in accordance with the agreed written scheme of investigation;
- (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
- (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason:

To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 205.