



# Strategic Planning Committee

A meeting of the Strategic Planning Committee will be held at the Jeffery Room, Guildhall, Northampton on Monday 18 October 2021 at 2.00 pm

## Agenda

1.	<b>Apologies for Absence and Appointment of Substitute Members</b>
2.	<b>Declarations of Interest</b> 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.	<b>Minutes</b> (Pages 5 - 14) To confirm the Minutes of the meeting of the Committee held on 16 August 2021.
4.	<b>Chair's Announcements</b> To receive communications from the Chair.
<b>Planning Applications</b>	
5.	<b>WNS/2021/0498/EIA - Solar Farm at Greatworth</b> (Pages 17 - 46)
6.	<b>DA/2020/1178 - Reserved Matters for 129 Dwellings at Overstone Leys</b> (Pages 47 - 68)
7.	<b>WND/2021/0072 - Reserved Matters for 59 Dwellings at Overstone Leys</b> (Pages 69 - 88)
8.	<b>WND/2021/0132 - Reserved Matters for Road at Overstone Leys</b> (Pages 89 - 100)

9.	<b>WND/2021/0152 - Reserved Matters for 320 Dwellings at Overstone Leys</b> (Pages 101 - 124)
10.	<b>WNS/2021/0366/COND &amp; C/2017/0899- Design Code Condition at Northampton West</b> (Pages 125 - 144)
11.	<p><b>Urgent Business</b></p> <p>The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.</p>
12.	<p><b>Exclusion of Press and Public</b></p> <p>In respect of the following items the Chair may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt 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”</p>

Catherine Whitehead  
Proper Officer  
8 October 2021

**Strategic Planning Committee Members:**

Councillor Phil Bignell (Chair)  
Councillor Penelope Flavell  
Councillor Enam Haque  
Councillor Rosie Herring  
Councillor James Hill  
Councillor Charles Manners  
Councillor John Shephard

Councillor David James (Vice-Chair)  
Councillor Andre Gonzalez De Savage  
Councillor Jonathan Harris  
Councillor Stephen Hibbert  
Councillor Paul Joyce  
Councillor Jake Roberts

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence and the appointment of substitute Members should be notified to [democraticservices@westnorthants.gov.uk](mailto: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.

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### **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](mailto:democraticservices@westnorthants.gov.uk)

Or by writing to:

West Northamptonshire Council  
One Angel Square  
Angel Street  
Northampton  
NN1 1ED

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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 Monday 16 August 2021 at 2.00 pm.

Present	Councillor Phil Bignell (Chair) Councillor David James (Vice-Chair) Councillor Jonathan Harris Councillor Stephen Hibbert Councillor Charles Manners
Apologies for	Councillor Terrie Eales Councillor Penelope Flavell
Absence:	Councillor Andre Gonzalez De Savage Councillor Rosie Herring
Officers	Paul Seckington, Interim Head of Development Management, Enforcement and Land Charges Daniel Callis, Principal Planning Officer for WNS/2021/0064/MAF Jamie Parsons, Planning Solicitor Diana Davies, Democratic Services Officer

#### 1. **Declarations of Interest**

There were no declarations of interest.

#### 2. **Chairman's Announcements**

There were not Chairman's Announcements.

#### 3. **Land Adjacent to M1 and Waltham Wood Courteenhall Road, Quinton, Northamptonshire**

The Committee considered application WNS/2021/0064/MAF, for the erection of polytunnels on existing agricultural land. The polytunnels would cover an area of 10.36Ha/103,607sqm. There would also be 6,519sqm of hardstanding, plus a SuDs attenuation basin. Access is taken from the existing private road, which connects to Courteenhall Road and leads to the A508 Northampton Road. Internally, access will be shared with the adjacent agricultural uses. The private road will be extended from the existing broiler unit to the site and will include two passing bays to enable HGVs and staff vehicles to pass. Parking is provided for 25 cars, including 4 DDA spaces and 3 Electric Vehicle spaces with charging points. Cycle Storage is provided for up to 6 cycles. The hardstanding includes space for 2 HGVs to wait. The loading spaces are internal to the polytunnels and turning space is provided within the yard area. The polytunnels will be constructed of a galvanised steel frame covered in polythene

sheeting. The proposed structures have an eaves height of 5m and an overall ridge height of 7m.

Stacey Rawlings, agent for the applicant, addressed the Committee in support of the application. It was proposed by Councillor David James and seconded by Councillor Stephen Hibbert that the application should be approved subject to the conditions and reasons.

In reaching its decision, the Committee considered the officer's report and presentation, the address of the public speaker, and the written update.

### **Resolved**

- (1) that authority be delegated to the Assistant Director – Growth, Climate and Regeneration to grant permission for application WNS/2021/0064/MAF subject to
  - 1) The receipt of 'no objection' from the Local Highway Authority, and
  - 2) subject to the condition set out in the report (and any amendments to those conditions or additional conditions as deemed necessary).

### **CONDITIONS**

#### **Time limit**

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.

#### **Approved plans**

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:
  - Drawing No. 00 (site location plan)
  - Drawing No. 07 (site layout plan)
  - Drawing No. 03 (elevations)
  - Drawing No. 05 (hardstanding layout)
  - Drawing No. 08 (equestrian and bridleway access detail)
  - Drawing No. 50597\_5501\_103 rev P01 (swept path analysis of proposed access road)

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

#### **Maximum height**

3. No structure erected on the site shall exceed 7.5m in height about the existing ground levels, as determined by external measurement.

Reason: In the interests of visual amenity in accordance with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

**Maximum floor area**

4. The floor area of the proposed polytunnels shall not exceed 103,607m<sup>2</sup> as determined by external measurement.

Reason: In order to avoid overdevelopment, to achieve a satisfactory form development and to comply with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

**Retention of hedges**

5. The existing hedges along the boundaries of the site (and the 2 hedges bisecting the site) shall be retained at a minimum height of not less than three metres and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason: To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan

**Time limit of ecological surveys**

6. If the development hereby approved does not commence within 2 years of the date of this consent revised Great Crested Newt and Breeding Bird surveys shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on affected species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

**Surface water drainage**

7. No development shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment

of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the first use of the development. These shall include:

- a) 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 basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
- b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.
- c) Cross sections of all attenuation basins (showing their profile relative to the existing ground levels).
- d) Infiltration test results to BRE365 Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

### **Archaeology**

8. No development shall take place until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16). This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Tree protection**

9. No development shall take place until the existing tree(s) and hedges to be retained around the site boundaries, and across the site, have been protected in the following manner unless otherwise previously agreed in writing by the Local Planning Authority;
  - a) Protective barriers shall be erected around the tree(s) to a distance not less than a radius of 12 times the trunk diameter when measured at 1.5m above natural ground level (on the highest side) for single stemmed trees and for multi-stemmed trees 10 times the trunk diameter just above the root flare.
  - b) The barriers shall comply with the specification set out in British Standard BS5837:2012 'Trees in Relation to Construction – Recommendations' that is steel mesh panels at least 2.3m tall securely fixed to a scaffold pole framework with the uprights driven into the ground a minimum of 0.6m depth and braced with additional scaffold poles between the barrier and the tree[s] at a minimum spacing of 3m.



- c) The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development [and / or demolition] and shall be maintained until all equipment, machinery and surplus material has been removed from the site.
- d) Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies SS2 and NE5 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

**Construction method statement**

- 10. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
  - a) The parking of vehicles of site operatives and visitors;
  - b) The routeing of HGVs to and from the site;
  - c) Loading and unloading of plant and materials;
  - d) Storage of plant and materials used in constructing the development;
  - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
  - g) Measures to control the emission of dust and dirt during construction;
  - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
  - i) Delivery, demolition and construction working hours; The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

**Landscaping scheme**

- 11. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
- (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation, Such details shall be provided prior to the erection of the polytunnels or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Lighting**

- 12. Details of both the internal and external lighting, including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: In order to safeguard the visual amenities of the area and in the interests of ecology in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government advice in The National Planning Policy Framework.

### **EV charging**

- 13. The development hereby permitted shall not be occupied until it has been provided with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) to charge at least 3 vehicles simultaneously.

Reason: To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION**

### **Surface water drainage maintenance**

- 14. No development shall be brought into use 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.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

**Surface water drainage verification**

15. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the Drainage Statement ref 505DS dated 19th February 2021 prepared by Stantec, 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 that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

**Landscape maintenance**

16. A schedule of landscape maintenance for a minimum period of 25 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 contained within the National Planning Policy Framework.

**Parking and turning**

17. The proposed access and parking, turning, loading and unloading facilities shall be provided in accordance with the approved plans before first occupation of the development hereby permitted. The access, parking, turning, loading and unloading facilities shall thereafter be retained for use in connection with the development for those purposes only.

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

**Cycle parking**

18. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

**CONDITIONS TO BE COMPLIED WITH AT ALL TIMES**

**Archaeology reporting**

19. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 8 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited. Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

**Construction hours**

20. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason: In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Policy SS2 of the South Northamptonshire Local Plan.

**Landscaping maintenance**

21. 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 polytunnels, or before the end of the planting season immediately following first occupation, 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.

**Restricted use**

22. The premises shall be used only for the purpose of growing food produce and for no other purpose whatsoever.

Reason: To safeguard the visual amenities of the area and protect the amenities of nearby residents in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

**Removal of polytunnels**

23. If at any time the polytunnels fall into disuse and are unused for their approved purpose for a period of 6 months or more, all equipment (including the polytunnels, frames, their internal fittings and fixtures, utilities and services and the area hardstanding) hereby permitted shall be removed and the land restored to its former agricultural use.

Reason: This is a time limited permission only given the nature and lifespan of the development proposed and to ensure the long term protection of the character and appearance of the countryside in accordance with Policies SS2 of the South Northamptonshire Part 2 Local Plan.

Additional Conditions

1. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancements set out in the Preliminary Ecological Appraisal (PEA) by Cambridge Ecology dated 23rd February 2021 (Ref: P0868-R-001d), Breeding Bird Survey (Ref: P0868-M-002b) by Cambridge Ecology dated 10th June 2021 and Great Crested Newt Mitigation Strategy (Doc. Ref: 202102008) by Herpetologic Ltd July 2021, 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.

2. Where an offence under Regulation 41 of the Habitat and Species Regulations 2017 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats/newts until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West

Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

3. Prior to commencement of the development hereby approved, a Biodiversity Management Plan (BMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the BMP shall be carried out in accordance with the approved details.

The content of the BMP shall include the following:

- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.
4. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

5. All species used in the planting proposals shall be native species of UK provenance.

Reason: To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

#### 4. **Urgent Business**

There were no items of Urgent Business.

The meeting closed at 2.37 pm

Chair: \_\_\_\_\_

Date: \_\_\_\_\_

West Northamptonshire Council  
Strategic Planning Committee  
Monday 18 October 2021

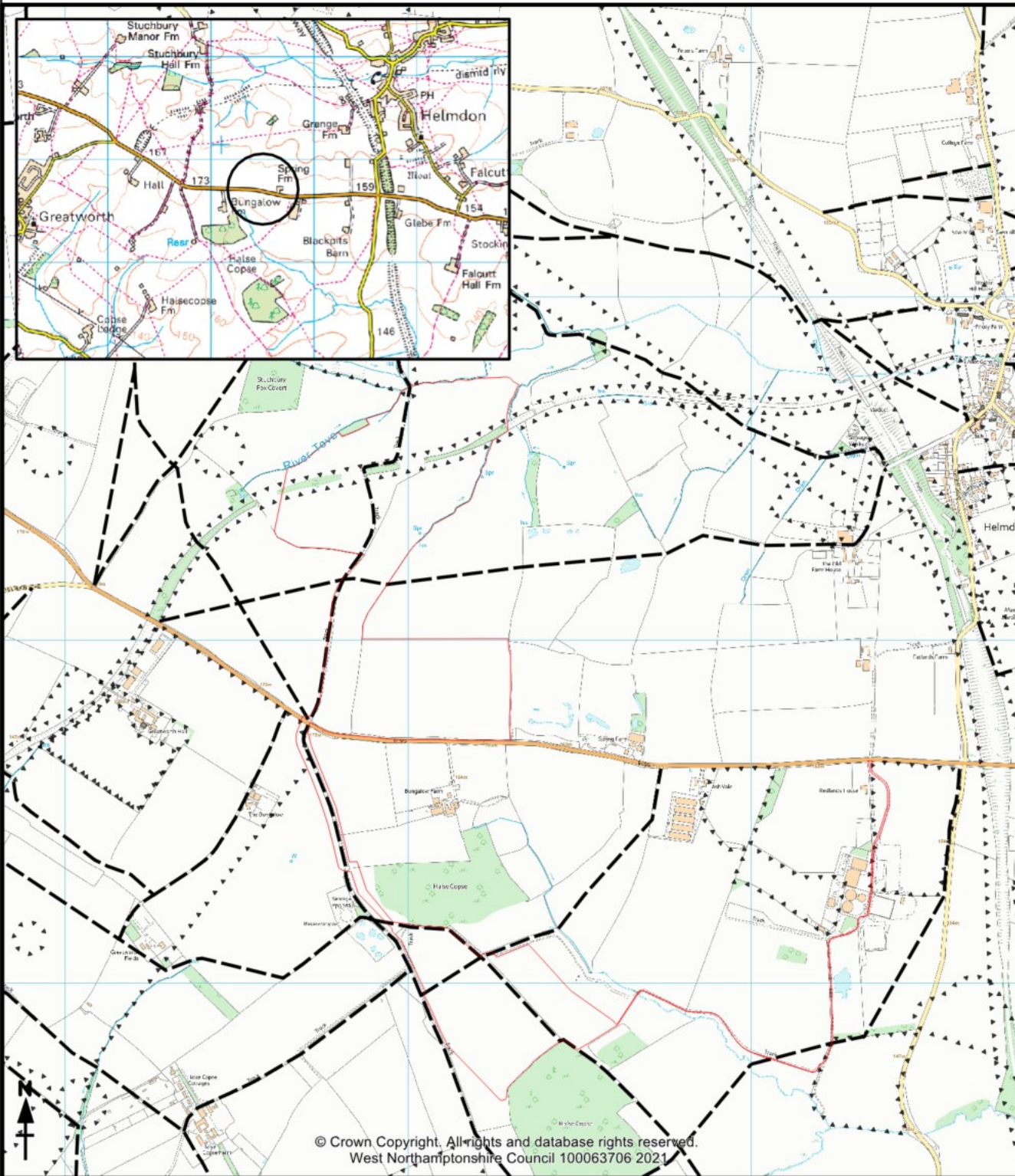
Agenda Item	Ward	Application Number	Location	Recommendation	Officer
5	Middleton Cheney	WNS/2021/0498/EIA	Solar Farm at Greatworth	*Grant Permission	Samuel Dix
6	Moulton	DA/2020/1178	Reserved Matters for 129 dwellings at Overstone Leys	*Grant Permission	Rebecca Grant
7	Moulton	WND/2021/0072	Reserved Matters for 59 dwellings at Overstone Leys	*Grant Permission	Rebecca Grant
8	Moulton	WND/2021/0132	Reserved Matters for road at Overstone Leys	*Grant Permission	Rebecca Grant
9	Moulton	WNC/2021/0152	Reserved Matters for 320 dwellings at Overstone Leys	*Grant Permission	Rebecca Grant
10	Bugbrooke & Moulton	WNS/2021/0366/COND & C/2017/0899	Design Code condition at Northampton West	*Agree to Discharge the Design Code Condition	Suzanne Taylor

\*Subject to conditions

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Parish: Greatworth CP, Helmdon CP



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West Northamptonshire Council 100063706 2021

- Town/Village: Greatworth
  - Site Area: 61.3658 Ha
  - Grid Location: SP 57061 42846
  - Map Scale: 1:15000
- Site
  - Listed Building
  - Public Right of Way
  - Site of Archaeological Asset

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<b><u>Application Number:</u></b>	WNS/2021/0498/EIA
<b>Location:</b>	Land north and South of Welsh Lane Greatworth Banbury OX17 2DJ
<b>Proposal:</b>	Construction and operation of a solar farm together with all associated works, equipment and necessary infrastructure. Application accompanied by an Environmental Statement
<hr/>	
<b>Applicant:</b>	Drover's Lane Solar Farm Limited
<b>Agent:</b>	AECOM
<b>Case Officer:</b>	Samuel Dix
<hr/>	
<b>Ward:</b>	Middleton Cheney
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<b>Reason for Referral:</b>	Major development
<b>Committee Date:</b>	18 <sup>th</sup> October 2021
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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

#### **Proposal**

The proposed development is the creation of a solar farm through the installation of rows of photo-voltaic panels alongside other ancillary development such as access tracks, containerised inverters, a substation compound, fencing, and new landscaping. The estimated total output of the project would be around 30Mw, which would be sufficient to power just under 10,000 homes and displace 6,740 tonnes of CO2 annually once connected to the national grid.

#### **Consultations**

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

- Helmdon Parish Council;
- Greatworth & Halse Parish Council;
- Historic England.

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

- Lead Local Flood Authority;
- Local Highway Authority;
- WNC Ecology;
- Environment Agency;
- Environmental Health;
- Natural England;
- HS2 Ltd.

The following consultees have **commented** on the application:

- Police Crime Prevention & Design Advisor;
- Sulgrave Parish Council;
- WNC Archaeology;
- Northants Wildlife Trust.

2 letters of objection have been received and 1 letter of support has 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:

- Principle of development;
- Landscape and visual impact;
- Highway safety;
- Archaeology;
- Ecology.

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 application site comprises just over 60Ha of land that is currently in arable agricultural use. It is located in open countryside roughly equidistant between Helmdon to the east and Greatworth the west with both villages being around 1.5km from the site. It is split over two separate parcels either side of the B4525 (Welsh Lane) with the northern element being larger and accommodating four of the seven 'development zones' shown on the submitted drawings. The development zones broadly follow existing field boundaries with the areas between different zones allowing access for construction and maintenance purposes.

1.2 The landscape and visual context of the site differs considerably between the northern and southern parcels. The southern development zones are screened from the surrounding area by two areas of existing woodland and are also highly influenced by ongoing construction work associated with HS2, with part of the development actually being within the formal safeguarding area for the railway (a matter assessed below). The northern parcel is more open and presently entirely free of development. It undulates as a result of both the shallow valley in which the site sits and also as a result of a former railway cutting that runs through the site at its extreme north. A loosely surfaced byway (known as Drovers Lane) runs directly through the site before continuing northwards to the hamlet of Stuchbury. A total of three other rights of way (footpaths) bisect the site for shorter lengths across both the northern and southern parcels. Neither parcel has any

other features of note other than the existing trees and hedgerows that form the field boundaries within the site.

## **2. CONSTRAINTS**

2.1. The application site is within open countryside. It is also affected by the following constraints:

- A total of 4no. rights of way run through the site as outlined above;
- Part of the site at its southern end lies within the formal safeguarding area for the HS2 rail project;
- The southern parcels adjoin (but do not include) the Halse Copse and Halse Meadow Local Wildlife Sites, which are also designated as Ancient Woodland;
- The site is within 2km of six other Local Wildlife Sites;
- To the north of the site is a Scheduled Ancient Monument associated with the deserted medieval village of Stuchbury;
- The former railway cutting running through the site is also an area of archaeological interest.

## **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

3.1. The proposed development comprises the creation of a solar farm and associated infrastructure including containerised inverters, substation compound, access tracks, fencing, and landscaping. The development would not be temporary in a conventional planning sense but would have a finite lifespan of 40 years, after which the development would be decommissioned and the site returned to its current use and condition.

3.2. The most significant element of the development is the installation of PV panels themselves, which would be arranged in south-facing rows within the various development parcels with each row being around 3.2m apart. The panel structures themselves would be angled at 29.5 degrees with the lowest edge around 90cm from ground level and the highest edge between 2.5 and 3m in height.

3.3. A total of 14 inverters are shown on the submitted drawings in 7 different locations across the site. The inverters are to be containerised within rectangular units measuring 12.2m by 2.5m with a total height of 2.5m. They are indicatively to be green-coloured steel structures akin to shipping containers. Their exact finish may be secured by condition. In addition to the inverters, a substation compound and additional plant unit is proposed in the south-east corner of the site. This will measure 10m by 4m and be 3m tall and be a flat-roofed structure of functional appearance. The development also seeks permission for 2m tall stock-fencing around the edge of the development and infrared CCTV cameras roughly every 50m along its perimeter, which are to be mounted on 2.3m wooden stakes.

3.4. The site will be accessed during construction and maintenance through two existing accesses from Welsh Lane. The first access to the northern parcel is an existing field entrance that will be upgraded to the necessary standard for HGVs. The second access to the southern parcel lies to the east of the site and is currently in use for a waste processing centre and therefore already suitable for HGVs. Construction is expected to take 14 weeks with trips to the site thereafter not likely to exceed four per week and to be conducted with smaller cars/vans rather than HGVs.

#### 4. RELEVANT PLANNING HISTORY

4.1. The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
S/2020/1433/SCR	Screening opinion for proposed solar farm and associated infrastructure	EIA required
S/2010/1437/MAF	Wind farm comprising the erection of five wind turbines plus underground cabling, meteorological mast, access tracks, control building, temporary site compound and ancillary development (Includes Environmental Statement)	Refused  Appeal recovered and dismissed by Secretary of State (against Inspector's recommendation)  High Court challenge refused.

4.2 The above planning history includes a formal screening request by the applicant to establish whether the current proposal required an Environmental Impact Assessment. An opinion stating that this was required was issued under delegated authority. This matter is considered in detail under the principle of development assessment below.

4.3 Part of the northern part of the site was included in an alternative renewable energy proposal in 2010 for the erection of five wind turbines. That application was complex and protracted with the Secretary of State disagreeing with his appointed Inspector in 2014 and dismissing an appeal that had been made against the Council's decision to refuse the application. A claim for Judicial Review in the High Court by the applicant was then subsequently refused in 2015. Notwithstanding the unusually high-profile nature of that application, it is considered of only limited relevance to the current application for several reasons. Firstly, the impacts of solar farms are clearly very different to those associated with wind turbines. Secondly, only part of the current site overlapped with the 2010 application. Thirdly, the local and national policy context for renewable energy and development more generally has evolved considerably since the 2010 development was refused. Finally, the context to the site itself will also have evolved with the result that the impacts of the development currently proposed should be assessed afresh rather than with reference to circumstances that are over 10 years old. For these reasons the 2010 application is recorded here for completeness but is not a material consideration that has any weight in the below report and recommendation.

#### 5. RELEVANT PLANNING POLICY AND GUIDANCE

##### Statutory Duty

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

##### Development Plan

5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY 2014 (JCS 2014)

- SA Presumption in Favour of Sustainable Development
- S1 Distribution of Development
- S10 Sustainable Development Principles
- S11 Low Carbon and Renewable Energy
- BN1 Green Infrastructure Connections
- BN3 Woodland Enhancement and Creation
- BN9 Planning for Pollution Control
- INF2 Contributions to Infrastructure Requirements
- R2 Rural Economy.

SOUTH NORTHAMPTONSHIRE PART 2 LOCAL PLAN (Part 2 LP)

- SS1 The Settlement Hierarchy
- SS2 General Development and Design Principles
- HE1 Significance of Heritage Assets
- HE2 Scheduled Ancient Monuments and Archaeology
- NE4 Trees, Woodlands and Hedgerows
- NE5 Biodiversity and Geodiversity
- NE6 Sites of Special Scientific Interest and Protected Species

**Material Considerations**

5.3. Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance, including Energy Efficiency (Part 1) and Low Carbon and Renewable Energy (Part 2) Supplementary Planning Document adopted in July 2013. Part 2 of this SPD provides specific guidance on different types of renewable energy including Solar Farms.

**6. RESPONSE TO CONSULTATION**

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, via the online Planning Register.

Consultee Name	Position	Comment
Environment Agency	No objection	No objection
WNC Local	No objection	Comments regarding use of banksmen not

Highway Authority		being condoned; the proposed access/swept path drawings being acceptable; need to adhere to Construction Traffic Management Plan.
Police Crime Prevention & Design Advisor	Comment	Further detail required on CCTV operation and management as well as fencing specification. ( <i>Officer comment: further information has subsequently been provided informally with agreement that this can be dealt with by condition as necessary</i> )
WNC Lead Local Flood Authority	No objection subject to conditions	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 ( <i>Officer comment: the recommended conditions are specified in the recommendation below</i> ).
WNC Environmental Health	No objection subject to conditions	No adverse comment subject to safeguarding conditions concerning unexpected contamination and dust/noise.
Sulgrave Parish Council	Comment	LVIA should consider additional views from Sulgrave-to-Helmdon Road
WNC Archaeology	Comment	Application should be supported by trial trenching pre-determination before it can be established whether there will be significant impacts on archaeological assets ( <i>Officer comment: the trial trenching is being carried out in accordance with a Written Scheme of Investigation agreed by the County Archaeologist and the recommendation below is subject to a satisfactory resolution of this matter</i> ).
WNC Ecology	No objection subject to conditions	I confirm the report is appropriate and on the whole fit for purpose. It follows the appropriate industry guidelines and best practice, there are however some limitations to the survey results which I have detailed in my comments ( <i>Officer comment: these are assessed in the relevant section below and are capable of being dealt with by the recommended conditions</i> ).
Natural England	No objection	Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
Northamptonshire Wildlife Trust	Comment	Conditions should be used to retain wildlife connectivity and the protection of adjoining wildlife sites during construction.
Historic England	Object	Historic England considers that the scheme



		in its current form would harm the significance that the scheduled Monument derives from its setting. We have strong concerns about the proposal on heritage grounds and recommend amendment to the scheme prior to determination to reduce the level of harm. ( <i>Officer comment: the scheme has been amended in a manner that reflects Historic England's concerns. No further comment has been received. HE did however clarify that the level of harm identified is less than substantial in their opinion</i> ).
HS2 Ltd	No objection subject to condition	No objection subject condition requiring further details regarding southern parcel of land within HS2 safeguarding area.
Marston St Lawrence Parish Council	No comment	No comment
Greatworth & Halse Parish Council	Object	Object on the grounds of further disruption in addition to HS2, visual impacts, and inefficiency of solar technology.
Helmdon Parish Council	Objection	The planning committee for Helmdon Parish Council have reviewed and considered the application as above and wish to object to the proposal. We believe the establishment of a solar farm near Greatworth will further blight the landscape which is already being affected by the building of HS2. The proposal will have a major visual impact on the surrounding countryside not just from local roads but also a number of footpaths. We believe there are alternative ways to create renewable/ sustainable energy without impacting such large swathes of the countryside.

## 7. RESPONSE TO PUBLICITY

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

7.1. There have two letters of objection and one letter of support. The following matters have been raised:

- Visual impacts (both positively and negatively);
- Construction traffic;
- Comments regarding the company details of the applicant (*Officer comment: NB. this is not material to the planning application*).

## 8. APPRAISAL

Principle of Development

## *Policy context*

- 8.1. National Planning Policy on renewable energy projects is encapsulated in one paragraph of the NPPF. Paragraph 158 explains that applicants should not be expected to demonstrate an overall need for renewable energy and that applications should be approved if their impacts can be made acceptable (other than in the case of wind turbines). This builds upon paragraph 152 (which is itself the opening paragraph in Chapter 14 concerning climate change more generally) that explicitly states “*the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.*”
- 8.2. The NPPF is consistent in this respect with various other national and international policies and legislation concerning decarbonisation. For example, the 2008 Climate Change Act sought to reduce greenhouse gas emissions by 80% of 1990 levels by 2050. Secondary legislation has been passed where the government exceeded their target to bring the greenhouse gas emissions to net zero by 2050.
- 8.3. Locally, Spatial Objective 1 (Climate Change) of the West Northants Joint Core Strategy, encourages renewable energy production in appropriate locations. Policies SA, S10 and S11 set out a presumption in favour of sustainable development and principles for sustainable development to facilitate assessment of development proposals.
- 8.4. Policy S11 refers to Low Carbon and Renewable Energy, this inter alia requires that proposals should be sensitively located and designed to minimise adverse effects on people, the natural environment, biodiversity, historic assets, and mitigate pollution. It specifically requires wind energy proposals (although it is generally applicable to solar proposals too) to have no significant adverse impact on amenity, landscape character and access; and to provide for the removal of the energy generation infrastructure and re-instatement of the land when the generation operation ceases.
- 8.5. The supporting text in ‘Climate Change and Sustainable Development Principles’ at paragraph 5.105 – 5.106 of the WNJCS acknowledges that:

*The deployment of larger scale low carbon and renewable energy schemes can have a range of positive or negative effects on nearby communities. They could provide landowners with the opportunity for rural diversification, deliver local jobs and opportunities for community based schemes and benefits. However, proposals can have a range of impacts that will vary depending on the scale of development, type of area where the development is proposed, and type of low carbon and renewable energy technology deployed. When considering planning applications for low carbon and renewable energy, an assessment will need to take account of impacts on landscape, townscape, natural, historical and cultural features and areas and nature conservation interests. Proposals should also use high quality design to minimise impacts on the amenity of the area, in respect of visual intrusion, noise, dust, and odour and traffic generation.’*

- 8.6. The Council’s adopted Supplementary Planning Document (SPD) (Part 2) on Low Carbon and Renewable Energy recognises that renewable energy, combined with energy efficiency, offers an opportunity to counter the effects of global warming. This general support for renewable energy is qualified in seeking to ensure that such development does not have a significant adverse effect on the natural environment, landscape character, cultural heritage and residential amenity. The SPD also advocates

community consultation and ownership along with the necessary EIA processes being followed.

- 8.7. The South Northamptonshire Local Plan Part 2 contains no additional policies that are directly applicable to the principle of renewable energy projects, although it includes various policies on specific matters that are relevant to assessing the overall impacts of proposals. For example, Policy SS2(1h) requires development to not result in the loss of best and most versatile soils.

#### *Assessment*

- 8.8. It is evident from the above policy context that the acceptability in principle of solar farm development is wholly supportable as a means of reducing carbon emissions. Whether or not the proposal is acceptable in this particular location will instead rest upon a consideration of the detailed visual, archaeological, ecological and highway matters that are each assessed in detail below. The respective conclusions in each of these sections are that the development is or can be made acceptable and as such there is no policy basis for resisting the principle of development. The NPPF is clear that even small-scale renewable projects should benefit from a presumption in favour although in this instance the benefits of the development are sizeable; renewable energy to power just under 10,000 homes and an annual displacement of CO<sub>2</sub> of 6,740 tonnes (equating to over a quarter of a million tonnes of CO<sub>2</sub> saved over the lifetime of the development). This is to be given very significant weight in the planning balance.
- 8.9. The application is accompanied by an Environmental Statement (ES) following a screening opinion being issued by the Council stating this would be required under the relevant Environmental Impact Assessment (EIA) regulations. Where an ES is submitted with an application there is a legal duty for the Local Planning Authority to have regard to it.
- 8.10. The ES considers the proposal in detail against various environmental criteria. Its detailed findings are too lengthy to summarise here but the following matters were 'scoped in' for specific assessment in the chapters of the ES: Landscape and Visual Amenity, Cultural Heritage, and Cumulative and Combined Effects (which included reference to HS2, proposed residential and sports-pitch development at Brackley, and another larger solar farm proposed between Greatworth and Halse). Other matters were scoped out for the purposes of EIA but were nevertheless considered in their own specialist reports that have been assessed in the relevant section below.
- 8.11. The ES has not identified any significant adverse effects either individually or cumulatively from the proposed development. Having considered the relevant chapters of the ES, Officers have no reason to disagree with this finding and consider that the appropriate methodology and process outlined by the EIA Regulations has been followed. The term 'significant' is important. It does not mean that no effects whatsoever will occur as a result of the development; where impacts still need to be weighed in the planning balance these are noted in the relevant sections below. The absence of significant environmental effects in EIA terms does not necessarily imply that a development is acceptable in planning terms.
- 8.12. The acceptability in principle of development for the southern parcel should also be considered in the context of the delivery of HS2, as this area of the site lies within the statutory safeguarding area. HS2 Ltd were therefore consulted on the application and have confirmed they have no objection subject to a condition restricting work within the southern parcels until further details have been provided to demonstrate the works necessary to install solar panels in this area would not impede the delivery of HS2. It should be noted that the exact wording of HS2's requested condition required further

liaison with them over the submitted details as well confirmation that costs of the project would not be increased. These aspects of the condition are considered by Officers to fail the statutory tests of planning conditions in terms of being necessary and relevant to planning. The Council would consult HS2 by default on any such details whilst the increasing of costs is not planning consideration but would nevertheless be implicitly addressed in confirming HS2 work is not harmed or delayed. The requested condition has accordingly been amended slightly but is not fundamentally different in substance. Therefore, in light of there being no objection from HS2, it is considered that the above conclusions on the principle of development are not altered by the southern parcels' proximity to the forthcoming line.

- 8.13. The only other matter relevant to the principle of development that does not fall into any of the other key issues is agricultural land quality. This has been assessed by the applicant by way of a total of 78 sample points across the different parts of the site. The assessment concludes that the entirety of the site is subgrade 3b, which is not best and most versatile land. The proposal therefore complies with Policy SS2(1h) in this respect. It should also be noted that whilst presently mostly in arable use, the land will still be capable of being used for the purposes of grazing during the development and therefore will retain a degree of agricultural value.
- 8.14. The operational aspects of how the development will connect into the national grid are not strictly speaking a material planning consideration. National Grid and Western Power Distribution were nevertheless consulted on the application with no response being received. The applicant has, however, provided information demonstrating agreement with Western Power that there is capacity at the Radstone Road substation just outside of Brackley, 2.6km to the south of the site. The substation has been upgraded as a result of expansion in the town. The necessary cabling from the site to the substation will be underground and would either be delivered as a statutory undertaking (i.e. under permitted development rights afforded to regulated bodies) or would be sought via a separate planning application if necessary. This matter therefore does not prevent the determination of the current proposal and does not weigh against its acceptability in principle.

#### *Conclusion*

- 8.15. Having regard to the national and local policy context, the principle of development is acceptable subject to satisfactory impacts on the detailed matters assessed below. The application is also not considered to have significant environmental effects in EIA terms.

#### Landscape and visual impact

##### *Policy context*

- 8.16. In respect of visual impacts, the NPPF at paragraph 158(b) explains that in determining applications for renewable energy development Local Planning Authorities should approve applications if impacts are (or can be made) acceptable. The exception to this is for projects relating to wind energy, which does not apply here. Paragraph 174 concerns all developments and explains that decisions should recognise the intrinsic character and beauty of the countryside.
- 8.17. The Joint Core Strategy encourages renewable energy production in appropriate locations (Spatial Objective 1). Policies SA, S10 and S11 set out a presumption in favour of sustainable development with Policy S11 in particular referring to low carbon and renewable energy projects, requiring them to (inter alia) be sensitively located and designed to minimise adverse effects.

8.18. The South Northamptonshire Local Plan Part 2 does not include any specific policy on renewable energy projects but does include in Policy SS2 various criteria concerning visual impacts, most notably the first five criteria of the policy:

*a. maintains the individual identity of towns and villages and their distinct parts, does not result in physical coalescence that would harm this identity and does not result in the unacceptable loss of undeveloped land, open spaces and locally important views of particular significance to the form and character of a settlement; and*

*b. uses a design-led approach to demonstrate compatibility and integration with its surroundings and the distinctive local character of the area in terms of type, scale, massing, siting, form, design, materials and details; and*

*c. is designed to provide an accessible, safe and inclusive environment which maximises opportunities to increase personal safety and security through preventative or mitigation measures; and*

*d. incorporates suitable landscape treatment as an integral part of the planning of the development; and*

*e. incorporates sensitive lighting schemes that respects the surrounding area and reduce harmful impacts on wildlife and neighbours.*

8.19. It is also relevant to note that the application is not within a Special Landscape Area nor was it considered for inclusion as one in the Local Plan Part 2. Policy NE2 therefore does not apply. Policy EMP6 concerning farm diversification would, however, technically apply to the proposal although in respect of visual impacts largely reiterates the provisions of Policy SS2 above in terms of projects being of a character, scale and type that is compatible with the site's location and landscape setting.

8.20. Policy NE4 of the Part 2 Local Plan concerns trees and seeks (inter alia) to avoid the loss of high quality specimens, the integration of existing trees and hedgerows where possible, and replacement planting where necessary.

#### *Assessment*

8.21. The site is currently open countryside with an agricultural appearance that has no built form on it. The introduction of solar panels and associated infrastructure will therefore change the appearance of the land to a less natural and more developed state for the lifetime of the development (40 years).

8.22. The impacts of this have been considered by the applicant in an accompanying Landscape and Visual Impact Assessment that considered the sensitivity and views in and around the site from a number of different viewpoints including a theoretical zone of visibility based on prevailing topography (but ignoring intervening vegetation). The Council subsequently appointed an independent consultant (Askew Nelson) to review the LVIA and advise on its methodology and conclusions.

8.23. The independent review confirms that the LVIA was undertaken in accordance with the relevant guidance. It should however have considered how the development would affect the immediate vicinity of the site, particularly in terms of users of the adjoining byway that traverses the northern part of the site with the northernmost area being particularly sensitive due to the undulating topography making new planting less effective as visual screening. It was agreed that those parts of the proposal south of Welsh Lane are less susceptible to harmful impacts with ongoing work concerning HS2 already having a significant visual impact and wider views contained by the adjoining woodland.

- 8.24. As a result of the LVIA review the applicant has removed two of the northernmost parcels of proposed development and reconfigured the proposed new planting to retain glimpses and views from the byway in and around the former railway cutting into areas that are now to be left open. This has an additional benefit of reducing the proposal's proximity and effect on the setting of the Scheduled Ancient Monument to the north (assessed separately below).
- 8.25. No significant wider landscape impacts have been identified with the only significant/major impacts being within or immediately adjoining the site itself. The principal visual harm to be weighed in the planning balance is therefore localised impacts for users of the byway through the north of the site, users of footpaths through the south of the site, and, to a lesser extent given the more transitory and less direct nature of the experience, for vehicular traffic using Welsh Lane past the site.
- 8.26. In considering the impacts in each of these locations, Officers have had regard to the differing context of the site and the visual experience of different 'receptors' (e.g. walkers as opposed to drivers). For users of the byway (which does not appear to be restricted but is highly unlikely to be used by motorised vehicles), a material consideration is that the views across the wider landscape to the west (when travelling north) are entirely preserved along its length until reaching the northern part of the site (Development Zone 1). To the east, views of the solar panels and infrastructure in Development Zones 2 and 3 will be glimpsed through and slightly over the top of the hedgerow although as principal views of the wider landscape are to the west, this is not considered to undermine the recreational experience of the byway to an unacceptable extent.
- 8.27. If users of the byway then turn east onto footpath AN10 that bisects Development Zones 2 and 3 there will be unavoidable distance of approximately 100m where the development is prominently visible on either side of the footpath. This is nevertheless considered acceptable by Officers given its relatively short distance and the fact that the AN10 soon passes into a larger more open field. This field is in fact where Development Zone 4 will be located although it is unlikely to be appreciable due to it being located over the brow of the hill closest to the road. The rear of this Development Zone will also be supplemented by new planting.
- 8.28. Continuing on the byway towards the northernmost part of the site, the area around the former railway cutting is a unique visual experience with an interesting rolling topography and unusual field patterns. It is considered by Officers that this character has now been mostly preserved as a result of the removal of two Development Zones. However, there is still a degree of visual harm from what is now Development Zone 1, which will be prominently visible to the west from the byway despite having also been set further back. It is considered by Officers that this remains the most harmful aspect of the proposal. However, given its isolation and the preservation of the wider character in and around this site (including on the setting of the Scheduled Ancient Monument to the north), this is not a level of harm that would warrant refusal in its own right, especially when weighed against the wider benefits of the development in the planning balance section below.
- 8.29. As outlined above, the southern part of the site (Development Zones 5-7) has a fundamentally different character to the north. Two footpaths (AN19 and AN20) bisect this part of the site with the junction between them lying between all three of the development zones. Therefore, similar to the footpath through the northern parcel, there will be an unavoidable and immediate visual effect for walkers along the footpath between these development zones. However, the fields in question are relatively small, flat and generally unremarkable. They are also contained by surrounding woodland and already adversely affected by work associated with HS2. It is therefore again considered that the harm to recreational amenity of users of the footpath is not sufficient to justify refusal.

- 8.30. There are two further material considerations supporting the above assessment that the localised visual harm from the development is not sufficient to warrant refusal. Firstly, the site is part of an area that was not even considered for Special Landscape Area designation when the Local Plan Part 2 was prepared in recent years. Therefore whilst its overall size means its contribution to the local character of the countryside is important, there is nothing to indicate it is especially valued or that moderate localised effects would be particularly damaging. Secondly, it is notable that the application has generated very few public objections on visual grounds despite having been publicised twice and supported by 8no. site notices erected on rights of way through/around the site during the summer months when recreational walkers would be most likely to use them. Just one individual objection on visual grounds has been received (with one in support on these grounds) although it should be noted that surrounding Parish Councils do consider the development to represent further blight to the area over and above HS2.
- 8.31. The infrastructure associated with the development is shown on the submitted drawings. The most significant structures (i.e. the DNO substation buildings) are located to the extreme south-east of the site, which is by far the least prominent part of the whole site. Throughout the rest of the site there are a number of containerised inverters. These are generally located within the arrays of panels themselves and, given they will be of similar height, are not considered to be of specific visual concern. There are three exceptions that are located along the edge of Development Zone 3 in close proximity to the byway. However, these will be located behind hedgerows and subject to further conditions regarding their elevational treatment are also not considered to be harmful to visual amenity to any greater extent than the panels themselves. Other fencing/access tracks are to be of an appearance that are functional in appearance and not out of keeping in a rural context (i.e. they appear agricultural in nature). The interspersing of 2.3m tall CCTV poles every 50m around the perimeter of the site would be somewhat more conspicuous within a rural setting but is a necessary part of the development and is preferable in visual terms to taller more fortified fencing or actual security compounds within the site.
- 8.32. New planting is shown on the proposed drawings and the recommendation is subject to a condition that requires further details of the heights, species etc. of this, as recommended by the independent landscape review and the Council's ecologist. In respect of existing trees, only four individual specimens are proposed to be removed to facilitate the development, all of which are Category C or U (i.e. the least quality). A total of twelve category A and B trees will require specific protection during construction, which is again to be secured by condition. In summary the proposal is considered to comply with Policy NE4 of the Local Plan regarding the integration of existing trees, the loss of trees, and replacement planting.

#### *Conclusion*

- 8.33. Officers are of the view that the localised impacts identified above do not prejudice the intrinsic beauty of the countryside under the terms of Paragraph 174 of the NPPF and, as such, the impacts are acceptable and the application should be approved in accordance with Paragraph 158(b).
- 8.34. The committee will have the advantage of being able to consider first-hand the level of visual harm in these respects during its pre-meeting site visit. Having viewed the site already and considered the LVIA, independent review, and amended plans, Officers consider that the level of visual harm does not represent a departure from Policies SS2 EMP6 and NE4 of the Local Plan, nor Policy S11 of the JCS. The proposals have been adequately amended to represent a more sensitive development (Policy S11) and whilst the development will be glimpsed through hedgerows or potentially be more prominent in places (e.g. from Welsh Lane, the byway in the one remaining location it bisects the site, and on the footpaths through the southern parcels), it is still generally compatible

with its surroundings (Policies SS2 and EMP6) by virtue of its limited scale and absence of any impacts on the wider landscape character. Officers are also satisfied that existing and proposed planting will be adequate, with this matter being further controlled by condition.

- 8.35. This conclusion notwithstanding, the residual visual impacts of the development should be weighed in the overall planning balance in the conclusion below.

#### Highway safety

##### *Policy context*

- 8.36. Paragraph 111 of the NPPF explains that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.37. Policy SS2 of the Part 2 Local Plan requires development to include a safe and suitable means of access for all people.

##### *Assessment*

- 8.38. The proposed development includes two points of access from the B4525 (Welsh Lane). The northern development zones will be accessed via an existing field access that will be upgraded to allow HGVs to enter the site during construction. Thereafter, a number of internal tracks through the various development zones will be constructed, which will be retained after construction for servicing purposes. The southern development parcels will be accessed via an existing waste facility that already accommodates HGVs. Thereafter existing farm tracks will be followed for a distance of around 1km to the west.
- 8.39. The Local Highway Authority have reviewed the access arrangements and have confirmed they are acceptable. Construction is expected to take 14 weeks and therefore it is considered that any disruption from additional HGVs using Welsh Lane cannot be regarded as 'severe' in terms of paragraph 111 of the NPPF. It is expected that up to four visits a week in vans/cars will be necessary to service the development after it is in operation. This is a negligible number of trips that will have no significant impact on existing highway conditions.
- 8.40. Having reviewed the submitted outline construction management plan, the Local Highway Authority have indicated to the applicant that they do not condone the use of banksmen as they have no statutory authority on the highway. The applicant has responded saying the reference to banksmen in the construction management plan is not strictly necessary and is simply an added measure to ensure the safety of HGVs entering and exiting the site during construction. Swept-path drawings have been provided demonstrating that vehicles can enter and exit in a forward gear.
- 8.41. Concerns have been expressed at the added disruption the development will produce given that HS2 works are also occurring close by. This is acknowledged but is unavoidable and the application could not be reasonably refused or delayed on the basis its 14-week construction period should not be allowed to overlap with the multi-year construction period of HS2. This matter is therefore given no weight in the planning balance and it remains the case that the development is considered acceptable in highway safety terms, subject to conditions requiring the implementation of a detailed construction management plan. This will specify the routing of vehicles (which in the outline version submitted indicates this will be from the A43 and A422 at either end of Welsh Lane), wheel-washing facilities, signage, and the detailed specification of the access.



- 8.42. For the avoidance of doubt, the proposed development does not require the diversion or stopping up of any right of way running through the site. All footpaths and byways will remain open and retained on their current alignment. An informative reminding the applicant of their statutory duties in this respect will be attached to the decision.

#### *Conclusion*

- 8.43. The development is acceptable in highway safety terms and complies with Policy SS2 of the Part 2 Local Plan.

#### Archaeology

##### *Legislative and policy context*

- 8.44. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.45. Likewise Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local *planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
- 8.46. The site does not affect either listed buildings or conservation areas but does lie to the immediate south of a Scheduled Ancient Monument (Stuchbury Deserted Medieval Village), which enjoy similar statutory protection and are deemed by the Secretary of State to be of national importance.
- 8.47. Scheduled Ancient Monuments are designated heritage assets, and Paragraph 199 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policy BN5 of the JCS 2014 echoes this guidance.
- 8.48. Policies HE1, HE5 and HE6 of the Part 2 Local Plan guide development affecting designated and non-designated heritage assets and their settings including conservation areas and listed buildings. Policy HE2 covers Scheduled Ancient Monuments and Archaeology. Policy BN5 of the West Northants Joint Core Strategy also explains that designated heritage assets and their settings and landscapes will be conserved and enhanced.

#### *Assessment*

- 8.49. Despite its size and extent, the site does not affect any designated conservation areas or listed buildings and their settings. The Scheduled Ancient Monument to the north of the site has however been identified by Historic England as having a setting that extends over part of the application site, with Drovers Lane itself (i.e. the byway running through the site) having been the historic route to and from the former medieval village. The significance of the village is outlined in a detailed description prepared when first scheduled by Historic England in 2015 for the following reasons:

*\* Survival: for the exceptional earthworks and waterlogged deposits depicting the form and plan of the settlement and the fish ponds to the south of it; \**

*Potential: for the stratified archaeological deposits which retain considerable potential to increase our understanding of the physical characteristics of the buildings and settlement. Buried artefacts will also have the potential to increase our knowledge and understanding of the social and economic functioning of the settlement within the wider medieval landscape; \* Documentation: for the high level of historical and archaeological documentation pertaining to the settlement's evolution; \* Diversity: for the range and complexity of features such as building platforms, crofts, trackways, evidence for the parish church and the fish ponds which, taken as a whole, provide a clear plan of the settlement and retain significant stratified deposits which serve to provide details of the continuity and change in the evolution of the settlement and status of its inhabitants.*

- 8.50. For the avoidance of doubt, the proposed development does not include any works within the Monument itself although by reasons of proximity to it, as well as the former railway cutting running through the site (itself an area of archaeological interest), is recognised to have high potential to contain non-designated archaeological remains. For this reason the Council's archaeologist has insisted that trial-trenching is carried out prior to permission being granted. The trial-trenching is underway with a Written Scheme of Investigation having been agreed between the applicant and the Council's archaeologist. The recommendation below is therefore subject to the resolution of this matter; a decision will not be issued until the Council's archaeologist is satisfied that archaeological remains have been properly investigated and recorded. Conditions may be added thereafter to further control this.
- 8.51. Returning to Scheduled Ancient Monument itself and Historic England's objection, this does not concern the physical disturbance of archaeological remains but relates to concerns about how the proposed solar development would encroach into the rural setting of the Deserted Medieval Village, dominating its approach along Drovers Lane and adversely affecting how the Monument has been historically appreciated. Historic England have confirmed that they regard this harm to the setting of the Monument as 'less than substantial'. They further recommended the removal of the two northernmost development parcels closest to the Scheduled Ancient Monument although note there would still be impacts from other development zones lining the route to/from the Monument.
- 8.52. Officers regard the application as having an acceptable impact on the setting of the Scheduled Ancient Monument for two reasons. Firstly, the two northernmost development parcels have indeed been removed from the development resulting in less immediate impacts on the setting of the Monument in line with Historic England's advice. Secondly, paragraph 202 of the NPPF is clear that less than substantial harm to designated heritage assets or their setting should be weighed against the public benefits of the proposal. The removal of the two northernmost development parcels means that the identified harm is now potentially beneath even 'less than substantial' but, nevertheless, the public benefits of a large renewable energy project that will provide enough power for nearly 10,000 homes and reduce carbon emissions are considered by Officers to outweigh less than substantial harm in this instance.
- 8.53. Policy HE2 of the Part 2 Local Plan is stricter than paragraph 202 and states that harm to Scheduled Ancient Monuments or their setting will only be permitted in wholly exceptional circumstances where a clear and convincing justification can be demonstrated. In this instance, it is considered that the removal of the two northernmost development parcels is such that the harm the setting of the Monument is sufficiently diminished for the exceptional threshold in Policy HE2 to not be applicable, i.e. the level of harm does not warrant exceptional circumstances. The public benefits required by

paragraph 202 are demonstrated and therefore the development is considered acceptable in archaeological terms.

### *Conclusion*

- 8.54. The proposal is considered to comply in principle with paragraph 202 of the NPPF, Policy HE2 of the Part 2 Local Plan, and Policy BN5 of the Joint Core Strategy. Matters concerning archaeological remains are the subject of an agreed Written Scheme of Investigation and the recommendation is therefore subject to the final resolution of this with the Council's archaeologist.

### Ecology Impact

#### *Legislative context*

- 8.55. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the Regulations, competent authorities such as the Council have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.
- 8.56. In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:
- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
  - b. That there is no satisfactory alternative.
  - c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

#### *Policy Context*

- 8.57. Paragraph 174 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 180 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 8.58. Paragraph 185 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.

- 8.59. National Planning Practice Guidance (PPG) states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.60. Policy NE3 of the Part 2 LP seeks to conserve and wherever possible enhance green infrastructure . Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.
- 8.61. Policy BN2 of the JCS 2014 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

#### *Assessment*

- 8.62. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site is a sizeable tract of open countryside with a variety of habitats and a number of mature trees and hedgerows within and adjacent. It therefore has the potential to be suitable habitat for a variety of species including EPS; such as bats, breeding birds, badgers, reptiles, great crested newts, water voles and invertebrates.
- 8.63. In order to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.
- 8.64. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.
- 8.65. The application is supported by a detailed protected species survey which concluded that the habitats affected on site will be largely arable fields (84%) with limited ecological value. The majority of boundary features including hedgerows, woodland and watercourses will be retained and protected throughout. The documents also detail that

the boundary features will have appropriate buffers/standoffs between them and the solar farm infrastructure e.g. fencing. There is anticipated to be some minor losses of hedgerow (e.g. for access routes), but this is not considered to be significant. In respect of protected species, a large active badger sett was identified near the southern section of the site and as such mitigation measures in the form of protecting foraging and commuting routes are also recommended.

- 8.66. The Council's ecologist has reviewed the application and confirmed the ecological reports are appropriate and fit for purpose. Some limitations to the survey results were identified, mostly due to access constraints over what is an exceptionally large site. However, they are satisfied that these limitations are capable of being overcome by way of conditions, including those covering construction environmental management and landscape and ecology management. There will be no permanent lighting associated with the proposal and therefore no impacts in this regard.

#### *Conclusion*

- 8.67. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, and subject to conditions, that the welfare of any EPS found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. The development is not liable for CIL as no residential or retail floorspace is proposed.
- 9.2. The Council's Low Carbon and Renewable Energy (Part 2) Supplementary Planning Document adopted in July 2013 advocates community gain from renewable energy projects, which could include contributions made under a s106 agreement. This has been largely superseded by amendments to the CIL regulations though, which only allow the Council to seek contributions where they are directly related to the development and necessary to make it acceptable in planning terms. Given the isolation of the proposed development and the fact it does not place direct pressure on local infrastructure or facilities, it is not considered that a contribution to community facilities or projects could be reasonably be sought under a s106 agreement.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. Matters weighing in favour of the proposed development may be summarised as:

- National and local policy (most notably paragraph 158 of the NPPF and Policy S11 of the West Northants Joint Core Strategy) both emphasise a presumption in favour of sustainable development, including renewable energy projects that reduce carbon emissions. The proposed development will make a significant contribution to this, producing enough renewable power for 10,000 homes annually and reducing the area's carbon footprint by 6,740 tonnes per year. This is to be given very significant weight.
- The proposal has been amended to omit those areas of the site that contribute most significantly to landscape and archaeological value and is therefore now

more sensitive to its context. The wider site is also not identified as being for any particular landscape value.

- No other significant environmental effects or technical issues have been identified (it should be noted though that the recommendation is subject to resolution of archaeological matters).

10.2. Matters weighing against the proposed development may be summarised as:

- It is not possible to completely mitigate the localised visual impacts of the proposed development. In particular, the development will be immediately apparent and prominent on certain stretches of rights of way that run through the site.
- Similarly, there remains a degree of harm to the setting of the Scheduled Ancient Monument to the north of the site, as Drovers Lane itself was the historic route to and from the Deserted Medieval Village and will in places be in close proximity to remaining Development Zones.

10.3. In conclusion, Officers consider that the planning balance lies in favour of granting permission. The benefits of the proposed development are very significant and are considered to outweigh the harm that has been identified, particularly taking into account that harm can be further mitigated by conditions relating to landscape management and the visual details of equipment associated with the development.

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

**RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION SUBJECT TO:**

- 1. NO OBJECTIONS BEING RECEIVED BY THE COUNTY ARCHAEOLOGIST FOLLOWING THE COMPLETION OF TRIAL-TRENCHING**
- 2. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)**

### CONDITIONS

#### **Time limits**

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 planning permission hereby granted shall cease to have effect no later than 40 years from the date when electricity is first exported from any of the solar panels to the electricity grid ('First Export Date'). Written notification of the First Export Date shall be given to the Local Planning Authority within 14 days of its occurrence.

Reason: This is a time limited permission only given the nature and lifespan of the development proposed and to ensure the long term protection of the character and

appearance of the countryside in accordance with Policy SA of the West Northamptonshire Joint Core strategy and Policies SS1 and SS2 of the South Northamptonshire Local Plan (Part 2).

### **Restoration**

3. Within 12 months of the date of expiry of the permission hereby granted a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months from the end of the 12 month period for the removal of the solar panel(s) and associated equipment and the restoration of (that part of) the site to agricultural use. The approved scheme of restoration shall then be fully implemented within the timescale set out in the scheme. If any part of the solar array ceases to be used to generate electricity for a continuous period of 12 months, a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months from the end of the 12 month period for the removal of the solar panel(s) and associated equipment and the restoration of (that part of) the site to agricultural use. The approved scheme of restoration shall then be fully implemented within the timescale set out in the scheme.

Reason To ensure the removal of unnecessary panels that are no longer generating electricity and the satisfactory restoration of the land to preserve the character and appearance of the countryside in accordance with Policies SS1 and SS2 of the South Northamptonshire Local Plan

### **Approved details**

4. 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:

- LCS018-SP-01\_rev03 Site Location Plan
- LCS-SD-17\_rev01 Panel Cross Section
- LCS-SD-01\_rev02 DNO Substation Elevations and Dimensions Plan
- LCS-SD-02\_rev-2 Customer Substation Elevations and Dimensions Plan
- LCS-SD-03\_rev01 CCTV and Light Post Detail
- LCS-SD-04\_rev01 Stock Fence and CCTV Elevation
- LCS-SD-08\_rev02 Inverter Elevations and Dimensions Plan
- LCS-SD-14\_rev01 DNO Substation Floor Plan
- LCS-SD-15\_rev01 Customer Substation Floor Plan
- LCS-SD-16\_rev01 Inverter Floor Plan
- Figures DLSF\_SPA1R, DLSF\_SPA1ER, DLSF\_SPA1, DLSF\_SPA1E, DLSF\_SPA2R, DLSF\_SPA2ER, DLSF\_SPA2, and DLSF\_SPA2E, all contained within Appendix G of the Transport Statement prepared by AECOM

All received by the Local Planning Authority on 30th April 2021

- LCS018-PLE-01\_rev15 Indicative Site Layout Plan
- LCS018-DZ-01\_rev17 Zoning Layout Plan

Both received by the Local Planning Authority on 7th September 2021

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

### **Ecology**

5. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation measures and enhancements set out in Preliminary Ecological Appraisal, by AECOM, dated 23rd April 2021 and section 3 & 6 of the Environmental Statement Volume 1: Main Text, by AECOM, dated April 2021, 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.

## **HS2**

6. None of the development hereby permitted within the area subject to formal HS2 Safeguarding Directions shall be commenced until details of that part of the scheme to be constructed within that area together with a construction method statement for that part of the scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall not be implemented other than in accordance with the approved details. Attention is also drawn to the informative below concerning HS2.

Reason: To safeguard the HS2 Phase One programme.

## **Ecology**

7. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to establish any changes in the presence, abundance and impact on protected species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

8. Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats and great crested newts until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

## **Construction management**

9. No development shall take place including any site preparation or clearance until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. The statement shall be based upon



the template provided in Appendix 3B of the submitted Environmental Statement and the submitted Transport Statement and shall include at a minimum:

- a) The parking of vehicles of site operatives and visitors;
- b) The routeing of HGVs to and from the site;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials used in constructing the development;
- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- g) Measures to control the emission of dust and dirt during construction;
- h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- i) Delivery, demolition and construction working hours;
- j) The mitigation measures recommended in chapters 6, 7 and 8 of the submitted Environmental Statement

The approved CEMP shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

10. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of 'Biodiversity Protection Zones';
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy

Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

## **Landscaping**

11. Prior to commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason : To protect the visual amenities of the area and habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

12. Notwithstanding the approved drawings, a detailed scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

(a) further details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) further details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including access tracks within the development

Such details shall be provided prior to the development commencing. The approved scheme shall be implemented by the end of the first planting season following commencement of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

## **Drainage**

13. Before construction commences a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to the local planning authority for approval in writing. The scheme shall subsequently be implemented in accordance with the approved details. These shall include:

- a) 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 swales and attenuation basins.
- b) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations that demonstrate the discharge to watercourses from the individual drainage catchments is at  $Q_{bar}$  for all events.

- c) Infiltration test results to BRE 365
- d) Demonstration that any flooding for the 1 in 100yr plus 40% climate change storm event remains on site.

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.

14. 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.

Reason : In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system.

### **Tree protection**

15. No development within each of the Development Zones shown on the approved drawings shall take place until the existing trees to be retained in and around that Development Zone have been protected in accordance with the Tree Protection Plan and Protection Measures contained within Appendices E, F & G of the Arboricultural Impact Assessment prepared by AECOM and received 30th April 2021. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development within each Development Zone and shall be maintained until all construction equipment, machinery and surplus material have been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason : To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies SS2 and NE5 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Materials**

16. Prior to the erection of any substations, inverters, or other plant structures, further details of the colour and finish of the buildings' external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 of the South Northamptonshire Local Plan Policy.

### **CCTV**

17. Prior to being brought into operation, further details shall be submitted to and approved in writing by the Local Planning Authority regarding the operation of the proposed CCTV system. This shall include as a minimum:

- Details of the proposed camera specification;
- Details of the local contractor who will monitor security of the site and their proposed methods for responding to alerts.

Reason : In the interests of crime prevention and security and to comply with Policy SS2 of the South Northamptonshire Local Plan (Part 2).

### **Drainage monitoring**

18. The development shall not be brought into operation until a Verification Report for the installed surface water drainage system for the site based on the Flood Risk Assessment and Drainage Strategy Drover's Lane Solar Farm ver 2 dated 13th April 2021 prepared by Aecom 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) As-Built Drawings and accompanying photos
- c) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

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

### **Landscape maintenance**

19. 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 commencement of the development, and shall be maintained for a period of ten years from the completion of the development. Any trees and/or shrubs which within a period of ten 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.

20. All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason : To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

### **Permitted development**

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), no CCTV cameras, fencing, outbuildings or other structures shall be erected (aside from those shown

on the approved plans), without prior planning permission from the Local Planning Authority.

Reason: to protect the character of the area and amenity in accordance with Policy SS2 of the South Northamptonshire Local Plan.

### **Contamination**

22. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

### **Lighting**

23. No external lights/floodlights shall be erected on the land without the prior express planning permission of the Local Planning Authority.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government advice in The National Planning Policy Framework.

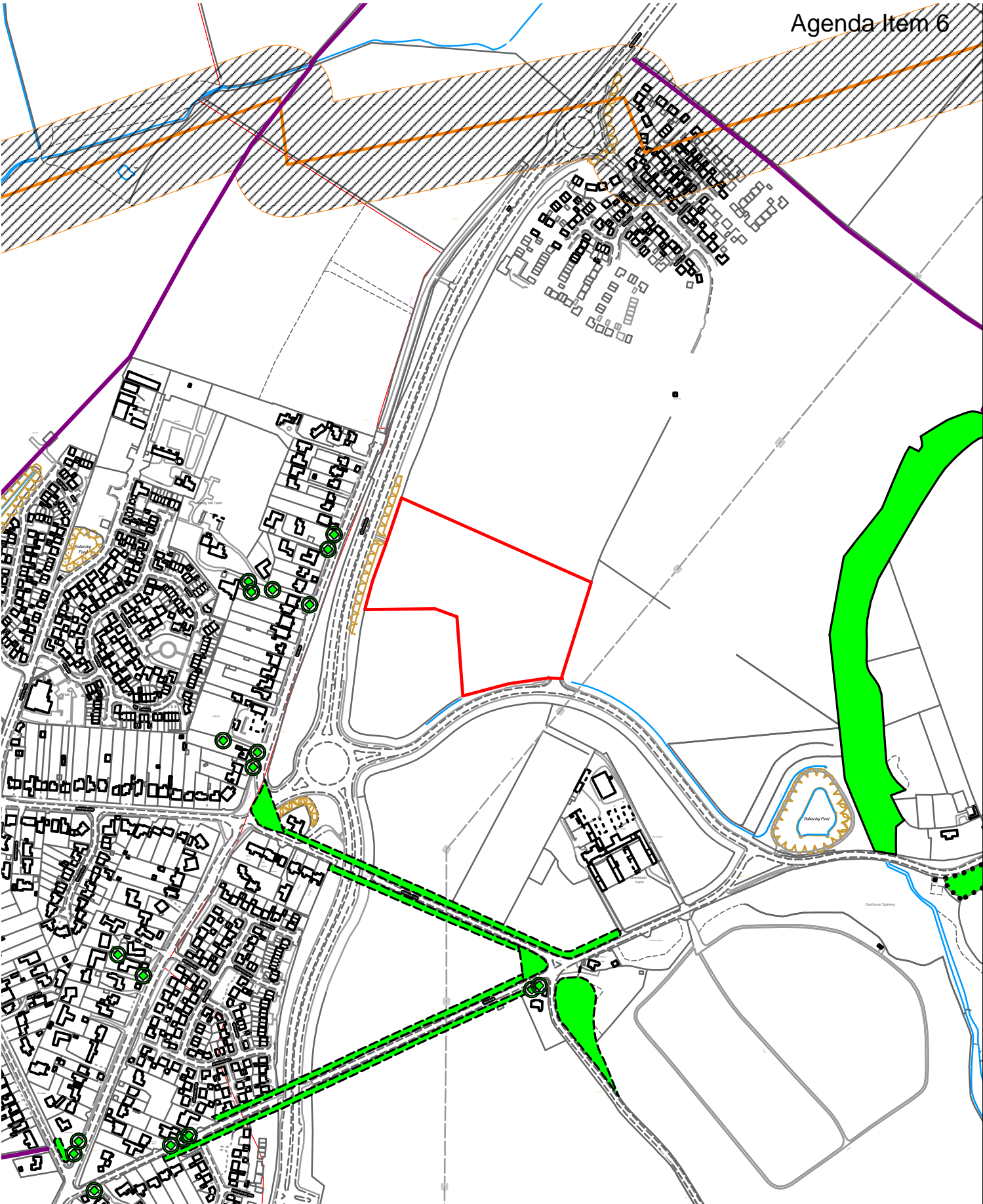
### **INFORMATIVES:-**

1. The applicant is advised that part of the application site falls within land that may be required to construct and/or operate the high speed rail line between London and the West Midlands, known as High Speed Two'. Powers to construct and operate High Speed Two were secured on 23 February 2017 when Royal Assent was granted for the 'London to West Midlands High Speed Railway Act 2017'.

For the avoidance of doubt the details and construction method statement require by Condition (6) should demonstrate the scheme to be constructed within the safeguarded area will not impede, delay, or otherwise cause harm to works to construct the London to West Midlands High Speed Railway.

2. It is understood that no stopping up or diversion of rights of way through the site will be necessary to deliver the development. Nevertheless, no works affecting any existing public right of way may commence without the express written permission of the local highway authority's Rights of Way or Definitive Map Teams. An application should be made under Section 257 of the Town and Country Planning act 1990 if a diversion is in fact required to facilitate this development. The alternative route for such a diversion must be agreed with the local highway authority's Area Rights of Way Officer and be available for public use prior to the closure of any existing route.

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Planning Department  
 Economic Growth and Regeneration  
 West Northamptonshire Council  
 Daventry Area Office  
 Lodge Road, Daventry  
 Northamptonshire, NN114FP



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**Application Number:** DA/2020/1178

**Location:** Overstone Leys, Overstone Lane, Overstone

**Proposal:** Reserved matters application (access, appearance, landscaping, layout and scale) for 129 dwellings pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 16 (tree protection details), Condition 26 (acoustic report), Condition 37 (travel plan), Condition 39 (arrangements for management and maintenance of proposed streets), Condition 42 (soil management plan) and Condition 43 (compensatory habitat creation and management scheme).

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**Applicant:** Barratts

**Agent:** N/A

**Case Officer:** Rebecca Grant

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**Ward:** Moulton

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**Reason for Referral:** Relates to a Sustainable Urban Extension

**Committee Date:** 18/10/2021

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

#### **Proposal**

The application is a reserved matters application for Zone 5 of Overstone Leys Sustainable Urban Extension.

Outline planning permission was granted in 2015 (planning reference DA/2013/0850). A number of reserved matters applications have since been approved for Zones 1, 2 and 3 and a food store within the local centre. A full application was recently approved for a care home within the local centre.

Following negotiations, the application now proposes 129 dwellings and takes access from Sywell Road. A pedestrian link is provided to the local centre.

The site proposes a total of 39 (31%) affordable units. The S106 requires 15% of dwellings to be affordable. A higher percentage is proposed for this phase due to its position adjacent to the local centre.

The application is considered to be in accordance with the Design Code approved by a

discharge of condition application.

### **Consultations**

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

- Overstone Parish Council

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

- Moulton Parish Council, WNC Highways, WNC Ecology, WNC Environmental Health, WNC Landscape Officer, WNC Policy Team, Crime Prevention Officer.

Six letters of **objection** were received in response to the first consultation exercise. One letter objecting to the application has been submitted in response to the second consultation exercise.

### **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:

- Principle of Development
- Highway Safety
- Character of Development
- Landscape and Open Space
- Affordable Housing
- Noise
- Drainage

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 Overstone Leys is located to the north of Northampton. The site has direct access from the A43. The spine road travels through the site and links to Sywell Road. Whilst the infrastructure is in place, this link is not yet open.
- 1.2 Outline planning permission (ref DA/2013/0850) was approved in 2015 for the Sustainable Urban Extension (SUE) which comprises up to 2,000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings. This forms part of the West Northamptonshire Joint Core Strategy (WNJCS) policy N3.
- 1.3 The SUE application site is defined by the existing settlement edge of Northampton to the south, which includes the Round Spinney Industrial Estate. Immediately to the east

of the site is the A43, to the south is partly the local centre and partly Sywell Road, to the north and west are further residential phases of development.

- 1.4 The first phase was split into two sections phases 1A (104 dwellings) and 1B (96 dwellings). Construction of the approved Phase 1A development has commenced. Planning permission was granted in 2019 for the primary infrastructure to Zone 2 and 207 dwellings within Zone 2. Work has progressed on site and a number of dwellings are occupied. Planning permission has now been granted for Zone 3 of the residential element of the overall scheme.
- 1.5 The remainder of WNJCS policy N3 falls Overstone Green SUE (planning reference DA/2020/0001) which has not yet been determined. This is an outline application for an urban extension consisting circa 1600 dwellings, a new section of A43 dual carriageway, local centre, care home, community hub, employment, primary school and associated open space and infrastructure.
- 1.6 The application forms Zone 5 of the development. It is located partially fronting the A43 and is located to the north and east of the land allocated for the local centre. No planning application has been submitted for the local centre at the time of drafting this report however it is noted that the owners are currently consulting with local residents in relation to a proposal for the site.
- 1.7 Access to the site is taken from the spine road off Sywell Road.

## **2. CONSTRAINTS**

- 2.1. The application site falls within the Overstone Leys Sustainable Urban Extension. The development is positioned to the north and east of the local centre. The relationship between both sites is important to ensure that there are linkages between the sites.

## **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The application is a Reserved Matters Application for Zone 5 of the Overstone Leys Sustainable Urban Extension (SUE). The proposal is for 129 dwellings of which 40 units will be affordable. This equates to 31 % affordable units.

- 3.2. The scheme will deliver;

Affordable units;

One bed x 12 units

Two bed x 19 units

Three bed x 8 units

Four bed x 1 unit

Market units;

One bed x 3 units

Two bed x 19 units

Three bed x 31 units

Four bed x 36 units

The location of the affordable housing within Zone 5 has been positioned to be within close proximity to the local centre for good access to public transport links and local services.

9 of the units (22%) are to be shared ownership and 31 units (78%) are to be affordable rent.

#### 4. RELEVANT PLANNING HISTORY

4.1. The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
DA/2013/0850	Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access	Approved 28.08.2015
DA/2015/0263/NCC	Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	No objection
DA/2016/0082	Surface water attenuation scheme in relation to Phase 1A & B of Overstone Leys development, including re-profiling of existing ditch, construction of connection ditch and balancing pond	Approved 14.04.2016
NMA/2016/0084	Non material amendment to application to application DA/2013/0850 (Outline application for up to 2000 dwellings) Change of house types for Phase 1 – approved 20.02.17 DA/2013/0850 (Outline application for up to 2000 dwellings) Change to house types	Approved 20.02.2017
DA/2017/0010	Reserved matters application for 96 dwellings (including 14 affordable); open space; landscaping and infrastructure	Approved 26.10.2017
NMA/2017/0036	Non material amendment to application DA/2013/0850 (Outline application for up to 2000 dwellings) to revise house types (New Plot Nos 20-34 (inclusive) and 47-53 (inclusive)) and amend layout	Approved 14.06.2017
NMA/2017/0082	Non material amendment to application DA/2013/0850 (outline application for up to 2000 dwellings) to revise access	Approved 20.06.2018

	arrangement for Phase 1A – approved 12.10.17 DA/2017/1262 Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	
NMA/2018/0077	Non material amendment to planning consent 15/00022/CCDFUL for the replacement of acoustic bund – withdrawn DA/2019/0067 Reserved matters application (access – primary infrastructure or Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015 for outline application of up to 2000 dwellings	Approved 15.04.2019
DA/2019/0260	Reserved matters application (appearance, landscaping, layout and scale) for construction of 207 dwellings (Phase 2) pursuant to Condition 1 of outline planning permission DA/2013/0859 in addition to the discharge of Condition 19 (surface water drainage)	Approved 24.10.2019
DA/2020/0950	Construction of 66 bedroom care home with associated access, car parking and landscaping	Approved 26.04.2021
DA/2020/0490	Reserved matters application for 172 dwellings and supporting infrastructure including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approval of Condition 36 (bus stops), Condition 37 (Travel Plan) and Condition 38 (public rights of way)	Approved 17.03.2021
DA/2020/1034	Reserved matters application (access, appearance, landscaping, layout and scale) relating to application DA/2013/0850 for the erection of a food store within the local centre, including discharge of Condition 18 (foul water disposal), Condition 19 - partially discharged (surface water drainage), Condition 20 (ground investigation), Condition 23 (closure report), Condition 25 (ground gas) and Condition 43 (Compensatory Habitat Creation)	Approved 27.04.2021
WND/2021/0072	Reserved Matters application (Zone 8) (Appearance, landscaping, layout & scale) for 64 dwellings and supporting infrastructure pursuant to outline approval DA/2013/0850 and approval of Condition 36 (bus stops), Condition 37 (travel plan), Condition 38 (public right of way) and Condition 16 (tree protection).	To be determined
WND/2021/0132	Reserved matters application (access - primary infrastructure for Zone 9) pursuant	To be determined

	to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015.	
WND/2021/0152	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Phase 9) pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (details of open space), Condition 26 (internal noise levels), Condition 36 (Bus stops), Condition 37 (Travel Plan) and Condition 41 (external lighting)	To be determined
WND/2021/0172	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 18 (foul water drainage), Condition 19 (surface water drainage), Condition 26 (noise) and Condition 37 (travel plan)	To be determined

## 5. RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Daventry Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

#### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA Presumption in Favour of Sustainable Development
- S1 Distribution of Development
- S10 Sustainable Development Principles
- H1 Housing Density and Mix and Type of Dwellings
- H2 Affordable Housing
- N3 Northampton North Sustainable Urban Extension
- C1 Changing Behaviour and Achieving Modal Shift
- C2 New developments
- BN1 Green Infrastructure Connections
- BN2 Biodiversity

- BN9 Planning for Pollution Control

Daventry Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- H08 Housing Mix and Space Standards
- CW1 Health and Well Being
- CW2 Open Space Requirements
- ST1 Sustainable Transport Infrastructure
- EN1 Landscape
- ENV4 Green Infrastructure
- ENV5 Biodiversity
- ENV10 Design

Neighbourhood Plan (NHP)

5.5. Overstone have prepared a Neighbourhood Plan but at the time of drafting this report it has not been 'made'.

**Material Considerations**

5.6. Below is a list of the relevant Material Planning Considerations

Supplementary Planning Guidance e.g. SPG on house extensions etc.  
 National Policies the National Planning Policy Framework (NPPF)  
 Chapter 2 Achieving sustainable development  
 Chapter 5 Delivering a sufficient supply of homes  
 Chapter 8 Promoting healthy and safe communities  
 Chapter 12 Achieving well-designed places

Technical Housing Standards – Nationally Described Space Standard (NSS, 2015)  
 National Design Guide 2019  
 Northamptonshire Parking Standards 2016  
 Local Highway Authority Standing Advice 2016

**Daventry Supplementary Planning Documents**

Biodiversity Supplementary Planning Document (2017)  
 Housing Supplementary Planning Document (2017)  
 Planning Out Crime in Northamptonshire (2004)

**6. RESPONSE TO CONSULTATION**

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full via the online Planning Register.

<b>Consultee Name</b>	<b>Position</b>	<b>Comment</b>
Moulton Parish Council	No objection	No comments to make
Overstone Parish Council	Object	Clarification why the road has been removed from the outline masterplan. Materials palette does not accord with Design Code, for example with central frontage and A43 corridor.

		Density remains high. Noise is an issue. Wooden cladding is not durable and is combustible. Character approach not acceptable. Not consistent with principles of NPPF.
WNC Local Highway Authority	No objection	All matters relating to site have now be resolved and to the satisfaction of the LHA. Travel Plan has been approved
Northants Police	No objection	Footpath link details now acceptable
WNC Ecology	Approve	Happy to discharge Condition 43 relating to Compensatory Habitat Creation
WNC Environmental Health	Approve	No objection to revised noise report
WNC Landscape Officer	Comments	Comments on location and tree species proposed.
WNC Policy Team	No objection	The revised layout is considered to be acceptable with the inclusion of the footpath link to the local centre. The level of affordable and tenure is also considered to be acceptable.

## 7. RESPONSE TO PUBLICITY

- 7.1. Below is a summary of the third party and neighbour responses received at the time of writing this report.
- 7.2. One representation has been received raising an objection in relation to the second round of consultation.
- 7.3. The representation objects to the application on the following grounds; The design of the dwelling have no reference to local vernacular.

## 8. APPRAISAL

### Principle of Development

- 8.1. The application site falls within the policy N3 allocation of the WNJCS. Policy N3 states that the development will make provision for:
- In the region of 3,500 dwellings;
  - Primary school provision to cater for the needs of the development;
  - A total of approximately 10ha of land for local employment opportunities;
  - At least one local centre to include local retail facilities of an appropriate scale (including a convenience store), health care services and community facilities;
  - A contribution towards the provision of a high quality public transport corridor to Northampton town centre;
  - A local multi modal interchange;
  - A43 corridor mitigation measures



- An integrated transport network focused on sustainable transport;
- Structural greenspace and wildlife corridors
- Sports and leisure provision;
- Archaeological and ecological assessment of the site and required mitigation; and
- Flood risk management

8.2. The principle of the development on this site was established through the granting of outline planning permission in 2015 (planning application reference DA/2013/0850). Planning permission was granted for;

Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access.

- 8.3. 579 dwellings have been approved via reserved matters application and we currently have approximately 893 dwellings under determination in 4 reserved matters applications.
- 8.4. The application is in accordance with policy N3 of the WNJCS.
- 8.5. Other material considerations will now be discussed below, before all considerations are weighed in the planning balance towards the end of the report.

#### Impact on Highway Safety

- 8.6. Policy C1 of the WNJCS states that priority will be given to proposed transport schemes that will contribute towards behavioural change by, inter alia, providing access by walking, cycling and public transport, maximising the use of existing capacity within the transport infrastructure and managing the demand for car based travel within urban area.
- 8.7. Policy C2 of the WNJCS expects new development to achieve modal shift targets set out in the JCS by maximising travel choices from non-car modes.
- 8.8. A Transport Assessment was approved under the outline planning application. This reserved matters application is in accordance with the principles established under the outline consent and approved Transport Assessment.
- 8.9. WNC Highways have made a number of comments on the application and have been involved throughout the consultation process. A number of amendments have been made to take account of comments raised by Highways with regards to highways safety. WNC Highways have confirmed they have no objection to the application.
- 8.10. WNC Highways approve the submitted Travel Plan and are satisfied that the condition can be discharged.

- 8.11. Given that there are no highway reasons to warrant refusal of the application, the application is considered to be acceptable.

#### Impact on the Character of the Development

- 8.12. The design principles for the development were established through the Design and Access Statement submitted with the outline planning application and the discharging of Condition 12 attached to the outline planning permission (ref DA/13/0850). Condition 12 required a Design Code to be submitted and approved prior to any works commencing to the east of the A43.
- 8.13. The Design Code set parameters for the subsequent phases of development, for example, setting out different frontages e.g. A43 Corridor, Primary Streets, General Neighbourhood and Rural Edge. It also established street hierarchy and set out generic design principles. It is considered that the layout is in accordance with the approved Design Code and also follows the principles established with the approved scheme for Phase 1 and 2. A variety of house types are proposed in order to create an interesting residential environment and one which has character. The layout is designed around the spine road which leads off to further phases of the development.
- 8.14. The materials palette across the four character areas in Zone 5 has been updated to better accord with the Design Code. The following changes have been made:

**A43 Corridor** – A contemporary approach has been achieved by removing the glazing bars from the standard windows. The horizontal brick detailing above windows has been replaced with a soldier course. Grey windows are to be placed on all elevations and flat roof dormer windows will be situated on the 2.5 storey units. Timber cladding has been added to the apartment blocks to complement the red brick elevations. Overall, the materials palette will be limited as per the Design Code requirement with the use of red bricks and grey roofs.

**Primary Street Frontage** – The same principles have been applied, with the introduction of the occasional use of render of the gable elements of the Hesketh.

**Central Area** – Exclusive use of buff brick with grey roof tiles.

**General Neighbourhood** – Dormer windows on all 2.5 storey units, a more traditional character of design.

- 8.15. The site is located adjacent to the northern part of the local centre. Whilst no reserved matters application has been submitted for this site, there is an approved masterplan for the local centre. This masterplan illustrates a footpath link to Phase 5 of the development.
- 8.16. The application for Phase 5 was originally submitted without this linkage to the local centre and consequently did not have a positive relationship to the local centre. It should be noted that there are no conditions attached to the outline consent requiring details of linkages to be submitted.
- 8.17. Following negotiations with the applicant, a footpath to the local centre has been included. Positioning the footpath towards the centre of Zone 5 connects the local centre to the area of incidental open space provided. This assists with the sites legibility and

leads pedestrians further north and east to other residential parcels. It is actively overlooked by multiple properties.

- 8.18. Plot 47 is dual aspect, with a front door facing the footpath. The apartments opposite is 11m from plot 47, and has a ground floor habitable window fronting the footpath. The upper two floors have a tax window in the same position. This avoids direct overlooking between the bedrooms of plots 47 and the apartment block, yet still maintain visibility over the footpath for security purposes.
- 8.19. The apartment block has been moved east as far as possible. The footpath is visually open as railings are to be installed around the apartment block and parking court to provide a clear view through. The footpath is straight to ensure the pedestrian crossing is as far from the junction as possible.
- 8.20. Given that there is no condition on the outline permission requiring a link to be provided and given the approved masterplan for the local centre, it is considered that the link proposed is acceptable. The agents for the local centre are aware of the need for this pedestrian link and are aware of the proposals by Barratts. Any scheme for the local centre will need to be designed accordingly. The link will pull pedestrians from the wider site to the local centre and vice versa.
- 8.21. The Designing out Crime Officer originally made a number of comments on the layout. These have been discussed with the applicant and the layout amended accordingly. Ground floor windows have been included in the gable ends of dwellings where side parking is located to enable overlooking from a routinely inhabited room. However, on a handed Chester plot, the internal layout does not provide opportunity to add any side windows in active rooms and therefore a window has been added on the staircase. Given that there is the opportunity for surveillance and this the only example, it is considered to be acceptable. Also in accordance with comments raised, defensible spaces has been added around the blocks of flats.

#### Response to Overstone Parish Council design concerns

- 8.22. Overstone Parish Council have raised an objection to the proposal on a number of grounds. The report will now address their issues raised;

*The approved masterplan shows a road running between the local centre and the houses. This road has been removed*

- 8.23. The masterplan is a high level document which sets out the principles of development. It is acknowledged an access road is illustrated on the masterplan between the local centre and the blocks of dwellings. These block structures are only illustrative to provide an indication as to how the site can accommodate the number of dwellings proposed. The site has been split up between various land owners which is why the development parcels come forward as they have. There are no conditions attached to the outline consent which specifically requires a road to be in this location. Due to the built frontage along the A43 in order to minimise noise, the road structure is set and it is not possible to have dwellings fronting the local centre.

*Materials palette – Overstone Parish Council do not consider that the materials palette is consistent with the approved Design Code.*

- 8.24. A43 Corridor Frontage – This is proposed to be contemporary in design with a limited palette of materials. The primary material is red bricks with secondary buff bricks up to 40%. The dwellings along this frontage are proposed to be built in red brick. It is

acknowledged that timber cladding is not mentioned in the Design Code however it does allow for a more contemporary design which is consistent with the Code. The masterplan indicates tree planting along the frontage to the A43. This tree planting has already been installed and is outside of this reserved matters application.

- 8.25. Central Area – Unfortunately the Design Code is lacking in specific details in relation to this section however it does only relate to a relatively small number of dwellings. The Regulating Plan highlights the primary material to be buff brick with secondary being reconstituted stone. There are only 6 dwellings fronting Sywell Road. All of these dwellings are proposed in buff brick with white windows, grey roof tiles and all designed with traditional features. Given the limited number of dwellings, they are considered to be consistent with the Design Code.
- 8.26. Overstone Parish Council raised concern with the lack of green space within this phase of development. Following negotiations, the applicants have provided an incidental area pocket of open space. This is however not a requirement of the S106 Open Space provision for this phase of development.
- 8.27. For clarity, the legend on the external materials plan illustrates the brick colour for each dwelling. The specific brick type however is still to be agreed. This is due to a current shortage of bricks nationally. A condition is proposed requiring material sample to be submitted before works above slab level.
- 8.28. Timber cladding – Whilst the concerns raised by the Parish Council with regard to timber cladding are understood, we are guided by building regulations with regards to the safety aspect of cladding. The Parish Council also raised concerns with the durability of timber cladding. Rather than timber cladding, the applicants propose to use HardiePlank which is a weatherboard which offers the texture of timber while delivering maintenance-free durability of fibre cement. It withstands the toughest weather conditions without peeling or cracking and it also resists fire.

#### *Density Issues*

- 8.29. Policy H1 of the WNJCS requires development with SUE's to achieve a minimum average density of 35 dwellings per hectare. Zone 5 achieves an average density of 46 dwellings per hectare. The density varies between character areas;

A43 Frontage – 61dph (including 18 flats)

General Neighbourhood – 39 dph

Primary Street – 30 dph

Central Area – 28 dph

- 8.30. The overall density of 46dph is higher than the requirement of Policy H1 of the WNJCS of 35 dph however it is noted that this is a minimum density requirement. It is appreciated that the density with the different character areas will vary. The site does A43 where apartments are proposed and it is adjacent to the local centre where smaller units are proposed. On balance, it is considered that the density is appropriate for the location of this phase of development within the SUE.

#### Overall conclusion on Design and Visual Impact

- 8.31. Given the amendments that have been made, it is considered that the scheme now accords with the principles set out in the Design Code and as such is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

### Impact upon Residential Amenity

8.32. There are currently no existing dwellings surrounding the application site due to its location and with it being the fifth phase of development. The layout has been assessed to ensure that distances between habitable windows conform to our guidelines to prevent issues of overlooking.

### Landscape and Open Space

8.33. This reserved matters application includes landscaping for the site. It is however noted that there are no large expanses of public open space within this phase of the development.

8.34. Policy ENV1 is concerned with ensuring that the proposal maintains the distinctive character and quality of the District's landscapes. ENV4 also aims to protect, enhance and restore the District's green infrastructure network, again relating to the Spinney and ensuring that an appropriate network of green infrastructure leads from the Spinney through the development linking on-site greenspace.

8.35. The approved indicative Masterplan sets out the principles of development and provides an indication of where open space will be located. There is also a plan (Plan 2) attached to the S106 which outlines where open space will be provided.

8.36. Condition 15 of the outline planning consent requires details of proposed areas of open space, including any playing fields, green infrastructure, structural landscaping, play areas and equipment to be submitted prior to development commencing on any phase. The applicant has submitted information to discharge Condition 15 under this application.

8.37. An area of open space has been incorporated within the layout towards the centre of the site. This is in line with the outline indicative masterplan which shows an area of incidental open space in this location.

8.38. The applicants have applied the same principles that DWH applied to their scheme for Zone 3 and the incidental open space which they provided.

8.39. Given that the scheme complies with the parameters set in the outline planning approval and additional incidental open space has been provided, it is considered that the level of open space is sufficient for the development.

8.40. Our Landscape Officer has made a number of comments with regards to the species of planting and the proximity of trees to the footpath link. Updated landscape drawings have been submitted to address the concerns raised.

8.41. It is considered that the landscaping details are acceptable and as such in accordance with ENV1 of the Daventry Local Plan (Part 2).

### Affordable Housing

8.42. The site falls within West Northampton Joint Core Strategy (WNJCS) policy H2 (Affordable Housing) which states that on all housing development of five or more dwellings in Northampton Related Development Area (NRDA), 35% should be provided as affordable housing.

- 8.43. The applicants have previously submitted an affordable housing viability assessment stating that the Overstone Leys development will not be financially viable if they are required to provide 35% affordable housing. The Council employed an external consultant to verify the applicant's viability report. The conclusions of the report confirmed that the quantum should be reduced to 15%. Therefore, on a scheme of 130 dwellings we would expect 20 affordable housing units to be provided.
- 8.44. Plan submitted show that 39 units (31%) affordable dwellings within Phase 5. It has been agreed that there should be some flexibility allowed in the zones to allow for more affordable dwellings to be delivered near to the local centre. Zone 5 is over providing affordable dwellings and together with Phase 4 (which will be subject to a future application) will correct the under delivery in Zone 3.
- 8.45. The scheme will provide 31% affordable units which comprise;
- One bed x 12 units
  - Two bed x 19 units
  - Three bed x 8 units
  - Four bed x 1 unit
- 8.46. The applicants have submitted information to show how the overprovision in Phase 5 will be resolved in other phases (phase 3 for example where there is a lower number of affordable units) to make the numbers overall compliant with the viability case. 31% affordable housing provision is therefore acceptable.
- 8.47. Policy H04 of Daventry's Housing SPD specifies a housing tenure mix of 70% rented and 30% intermediate housing. Viability work undertaken for the outline application was based on this mix. The mix for the whole of the development has been agreed recently. It was agreed to take an overall development approach and to allow flexibility in the phases to allow more affordable to be delivered near the local centre. The tenure split for this zone is not policy compliant as more rented accommodation than required but this being corrected in other Zones and is due to a number of apartments being provided. In terms of clustering, there are two blocks of apartments so although one of the clusters is 21 this is considered to be acceptable.
- 8.48. The Affordable Housing Officer has confirmed acceptance of the approach and mix proposed. It is therefore considered the proposal is in accordance with the principles of Policy H2 of the WNJCS.

#### Noise

- 8.49. Policy S10 of the WNJCS requires new development to minimise pollution from noise. The NPPF, paragraph 180, states that planning policies and decisions should 'mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life'.
- 8.50. Condition 26 of the outline planning permission require an acoustic assessment to be submitted. It states that "prior to the commencement of development of each phase hereby approved, a scheme to demonstrate that the internal noise levels within the residential units of that phase will conform to the guidelines values for indoor ambient noise levels under background ventilation rates as identified within BS 8233 2014. External living area (gardens) noise levels shall conform to World Health Organisation's 1999 guideline -50-55dB LaeqA. The work specified in the approved scheme shall then

be carried out in accordance with the approved details prior to occupation and be retained thereafter”.

- 8.51. A number of concerns were raised with the original noise report and it highlighted that some of the garden areas did not conform to the approved guidelines. As such, a comprehensive noise report and site remodel has been undertaken to reflect the new layout which has been substantially changed since the original submission.
- 8.52. An options appraisal has also been included within the noise report which details how the western edge of the site was remodelled several times to best achieve the lowest external amenity noise levels. The report concludes how and why the current layout has been reached and displays the relative noise readings across the site.
- 8.53. Re-orientation and mitigation options have been considered and applied to the submitted layout to minimise high noise levels within rear gardens. Noise modelling showed that this had led to a reduction in rear garden noise levels. In accordance with the additional noise modelling, the height of fences and walls have been increased on plots which previously predicated garden noise levels in excess of the guidance. Current noise modelling now shows that all predicted noise levels in gardens meets adopted guidelines.
- 8.54. Glazing and ventilation acoustic performance requirements have been detailed to control internal noise levels in accordance with WHO guidelines.
- 8.55. Overstone Parish Council raised concern with noise levels within certain areas of the development. The applicant's noise consultant has been working with colleagues in Environment Health to ensure that noise levels are satisfactory and within recommended guidelines.
- 8.56. WNC Environmental Health Officers have advised that the revised report is now acceptable. Given that previous concerns raised by officers in relation to noise levels in gardens has now been addressed and all noise levels conform to adopted guidelines, it is considered that Condition 26 attached to the outline consent can be discharged in relation to Zone 5.
- 8.57. It is considered that the scheme will accord with Policy BN9 of the WNJCS (Part 1) and the overarching intentions of the NPPF.

#### Drainage

- 8.58. Condition 18 and 19 of the outline planning permission relate to foul and surface water drainage. No details have been submitted in order to discharge these conditions and therefore the developer will need to submit and agree these details prior to development commencing on site.

#### Other considerations

- 8.59. National Space Standards - Policy H08 part Ciii) requires that all dwellings should meet the national space standards. All of the dwellings meet the minimum national space standards for the minimum number of people for each dwelling type. For example, the affordable 1 bed person maisonette is 40sqm and whilst the minimum size for a one bed is 39sqm this is for a 1 bed, 1 person dwelling and not a two person. 40sqm is very small for a 1 bed, 2 person dwelling. We are however unable to require the applicant to increase the size of these units as there were no conditions attached to the outline planning permission requiring the development to adhere to these requirements. The

applicants sought legal advice which concluded that there is a plethora of case law and appeal decisions which supports and confirms the position that prescriptive details cannot be imposed as requirements at reserved matters stage unless details were first secured as part of the outline planning permission. The reserved matters can only properly deal with those requirements set out in the Order. Provided the reserved matters application falls within the principle of what was approved as part of an outline planning permission (together with any relevant planning condition detail requirements) there is no ability to seek to impose further restrictive details.

- 8.60. Ecology - The Compensatory Habitat Creation and Management Scheme has been updated to include measures to protect badgers. WNC Ecology have confirmed that the amendments are acceptable and that Condition 43 relating to Compensatory Habitat Creation can be discharged.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. CIL payments are not applicable to this site as the outline consent was approved prior to CIL being adopted.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The planning system is actively encouraged to assume a presumption in favour of sustainable development rather than being an impediment to sustainable growth. The site, being located with the Overstone Leys SUE will have a good level of accessibility and be within reasonable walking and cycling to the local centre. Taking the above into account, this development is considered to be acceptable.
- 10.2. The proposal has been designed in accordance with the parameter plans approved at outline stage and the Design Code which was approved via the discharge of Condition 12 attached to the outline approval. It is also considered that the scheme accords with the principles established at outline stage with regards to the levels of open space provided on site. The development must be viewed as part of the whole Sustainable Urban Extension and not in isolation.
- 10.3. There is a discrepancy in relation to not meeting the National Space Standards for 1 bedroom maisonettes in particular, however, as discussed, legal advice has been sought and officers are not able to attach further restrictions to reserved matters application if the details were not stipulated at the outline stage.
- 10.4. On balance, it is considered that the proposal is acceptable in planning terms and hence overall complies with policies SA, S1, S10, H1, H2, N3, C1, C2, BN2 and BN9 of the West Northamptonshire Joint Core Strategy and policies H08, CW1, CW2, ST1, ENV1, ENV4, ENV5 and ENV10 of the Settlements and Countryside Local Plan (Part 2) (February 2020).

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

**RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS OR ADDITIONAL CONDITIONS AS DEEMED NECESSARY)**



## CONDITIONS

### **Approved plans**

1. The development shall be carried out strictly in accordance with the following drawings;

OSLBH-MCB-ZZ-ZZ-DR-A-0230-D5-P5-Site Layout

OSLBH-MCB-ZZ-ZZ-DR-A-0231-D5-P4-External Materials Plan

OSLBH-MCB-ZZ-ZZ-DR-A-0232-D5-P7-External Boundaries and Surface Finishes Plan

OSLBH-MCB-ZZ-ZZ-DR-A-0233-D5-P4-Affordable Tenure Plan

OSLBH-MCB-ZZ-ZZ-DR-A-0234-D5-P4-Refuse Management Plan

OSLBH-MCB-ZZ-ZZ-DR-A-0235-D5-P4-Parking Strategy Plan

OSLBH-MCB-ZZ-ZZ-DR-A-0240-D5-P4-Illustrative Streetscenes A-A' – B-B'

OSLBH-MCB-ZZ-ZZ-DR-A-0241-D5-P4-Illustrative Streetscenes C-C – D-D' – E-E'

OSLBH-MCB-ZZ-ZZ-DR-A-0105-D5-P3-Chester

OSLBH-MCB-ZZ-ZZ-DR-A-0106-D5-P3-Denford ET

OSLBH-MCB-ZZ-ZZ-DR-A-0108-D5-P3-Denford Hipped

OSLBH-MCB-ZZ-ZZ-DR-A-0109-D5-P3-Hesketh

OSLBH-MCB-ZZ-ZZ-DR-A-0110-D5-P3-Kenley ET

OSLBH-MCB-ZZ-ZZ-DR-A-0111-D5-P3-Kenley MT

OSLBH-MCB-ZZ-ZZ-DR-A-0112-D5-P3-Kenley Hipped

OSLBH-MCB-ZZ-ZZ-DR-A-0115-D5-P3-Lutterworth

OSLBH-MCB-ZZ-ZZ-DR-A-0116-D5-P3-Lutterworth Elevations

OSLBH-MCB-ZZ-ZZ-DR-A-0117-D5-P3-Maidstone

OSLBH-MCB-ZZ-ZZ-DR-A-0118-D5-P3-Maidstone Hipped

OSLBH-MCB-ZZ-ZZ-DR-A-0121-D5-P3-Moresby Semi

OSLBH-MCB-ZZ-ZZ-DR-A-0122-D5-P3-Radleigh

OSLBH-MCB-ZZ-ZZ-DR-A-0123-D5-P3-Radleigh Elevations

OSLBH-MCB-ZZ-ZZ-DR-A-0124-D5-P3-Alnmouth

OSLBH-MCB-ZZ-ZZ-DR-A-0125-D5-P3-Alnmouth Elevations

OSLBH-MCB-ZZ-ZZ-DR-A-0129-D5-P2-Woodcroft

OSLBH-MCB-ZZ-ZZ-DR-A-0130-D5-P2-Norbury

OSLBH-MCB-ZZ-ZZ-DR-A-0131-D5-P2-Hesketh Brick

OSLBH-MCB-ZZ-ZZ-DR-A-0132-D5-P2-Hesketh Contemporary

OSLBH-MCB-ZZ-ZZ-DR-A-0133-D5-P2-Kenley ET Contemporary

OSLBH-MCB-ZZ-ZZ-DR-A-0134-D5-P2-Kenley MT Contemporary

OSLBH-MCB-ZZ-ZZ-DR-A-0135-D5-P2-Moresby Semi Contemporary

OSLBH-MCB-ZZ-ZZ-DR-A-0136-D5-P2-Woodcroft Contemporary

OSLBH-MCB-ZZ-ZZ-DR-A-0137-D5-P2-Norbury Contemporary

OSLBH-MCB-ZZ-ZZ-DR-A-0140-D5-P3-Type 9B GF

OSLBH-MCB-ZZ-ZZ-DR-A-0141-D5-P3-Type 9B FF

OSLBH-MCB-ZZ-ZZ-DR-A-0142-D5-P3-Type 9B SF

OSLBH-MCB-ZZ-ZZ-DR-A-0143-D5-P2-Type 9B Elevation FL

OSLBH-MCB-ZZ-ZZ-DR-A-0144-D5-P2-Type 9B Elevations RR

OSLBH-MCB-ZZ-ZZ-DR-A-0145-D5-P3-Type 50 ET

OSLBH-MCB-ZZ-ZZ-DR-A-0146-D5-P3-Type 50 MT

OSLBH-MCB-ZZ-ZZ-DR-A-0147-D5-P3-Type 50 Hipped

OSLBH-MCB-ZZ-ZZ-DR-A-0148-D5-P3-Type 52 ET

OSLBH-MCB-ZZ-ZZ-DR-A-0150-D5-P3-Type 52 Hipped

OSLBH-MCB-ZZ-ZZ-DR-A-0151-D5-P3-Type 54

OSLBH-MCB-ZZ-ZZ-DR-A-0152-D5-P3-Type 55

OSLBH-MCB-ZZ-ZZ-DR-A-0155-D5-P2-Type 52 ET Render

OSLBH-MCB-ZZ-ZZ-DR-A-0156-D5-P2-Type 55 Render  
OSLBH-MCB-ZZ-ZZ-DR-A-0157-D5-P2-Type 50 ET Contemporary  
OSLBH-MCB-ZZ-ZZ-DR-A-0158-D5-P2-Type 50 ET Contemporary  
OSLBH-MCB-ZZ-ZZ-DR-A-0159-D5-P1-Bikes and Bins  
OSLBH-MCB-ZZ-ZZ-DR-A-0160-D5-P2- Bikes and Bins  
OSLBH-MCB-ZZ-ZZ-DR-A-0161-D5-P2-Garages  
OSLBH-MCB-ZZ-ZZ-DR-A-0162-D5-P2-CHL GF  
OSLBH-MCB-ZZ-ZZ-DR-A-0163-D5-P2-CHL FF  
OSLBH-MCB-ZZ-ZZ-DR-A-0164-D5-P2-CHL SF  
OSLBH-MCB-ZZ-ZZ-DR-A-0165-D5-P1-CHL FR  
OSLBH-MCB-ZZ-ZZ-DR-A-0166-D5-P1-CHL RL  
OSLBH-MCB-ZZ-ZZ-DR-A-0167-D5-P1-Garages

GL1480 01C Soft Landscape Proposals  
GL1480 02C Soft Landscape Proposals

H0000-MRP-01 Rev C - Overstone Maintenance Plan  
H0000-PLAN-170-B-Proposed FFLs  
H0000-PLAN-180-B-Proposed Street Lighting  
H000-ENG510-Overstone-Refuse Vehicle Tracking

Reason: To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any change to the approved plans.

### **Hard Landscaping**

2. Notwithstanding Drawing OSLBH-MCB-ZZ-ZZ-DR-A-0232-D5-P7 prior to construction of the dwellings above slab/foundation level details of hard landscaping works shall be submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatments, including full details of the proposed boundary walls, fences, railings and gates to be erected, specifying the colour of the railings and gates; footpaths. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of each dwelling hereby permitted.

Reason: Drawing OSLBH-MCB-ZZ-ZZ-DR-A-0232-D5-P7-External Boundaries and Surface Finishes Plan is not acceptable in its current form as elements of enclosures are missing.

Reason: In the interest of residential amenity further details are required in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Means of Enclosure**

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no alterations shall be made to any means of enclosure hereby approved that front a highway, footpath or private drive, and no new means of enclosure shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts on to a highway, footpath or private drive, in either case without the prior written consent of the Local Planning Authority. For the avoidance of doubt, 'means of enclosure' shall include fences, gates, railings, walls or hedges. Any gates shall be set back 5.5m from the highway boundary.

Reason: In the interests of the visual amenity of the area and of highway safety and in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Materials**

4. Notwithstanding OSLBH-MCB-ZZ-ZZ-DR-A-0231-D5-P4-External Materials Plan prior to construction of the dwellings above slab/foundation level samples (including photographs) of the materials to be used for the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered. In the interests of visual amenity of the area in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Soft Landscaping**

5. The submitted and approved landscaping scheme shall be implemented prior to the development, or any phase of the development, being first occupied/used, or in accordance with a programme submitted to and approved in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of the visual amenity of the area and in accordance with Policy ENV1 of the Settlements and Countryside Local Plan (Part 2).

### **Approved Plans**

6. The garages, parking spaces and turning areas shown on the approved plan(s) shall be constructed/laid out and surfaced in accordance with the approved drawings before the dwelling is first occupied and shall not thereafter be used for any purpose other than garaging/parking of private motor vehicles.

Reason: In the interests of residential amenity and the safety and convenience of users of the adjoining highway in accordance with Policies ENV10 and SP1 of the Settlements and Countryside Local Plan (Part 2).

### **Affordable Housing**

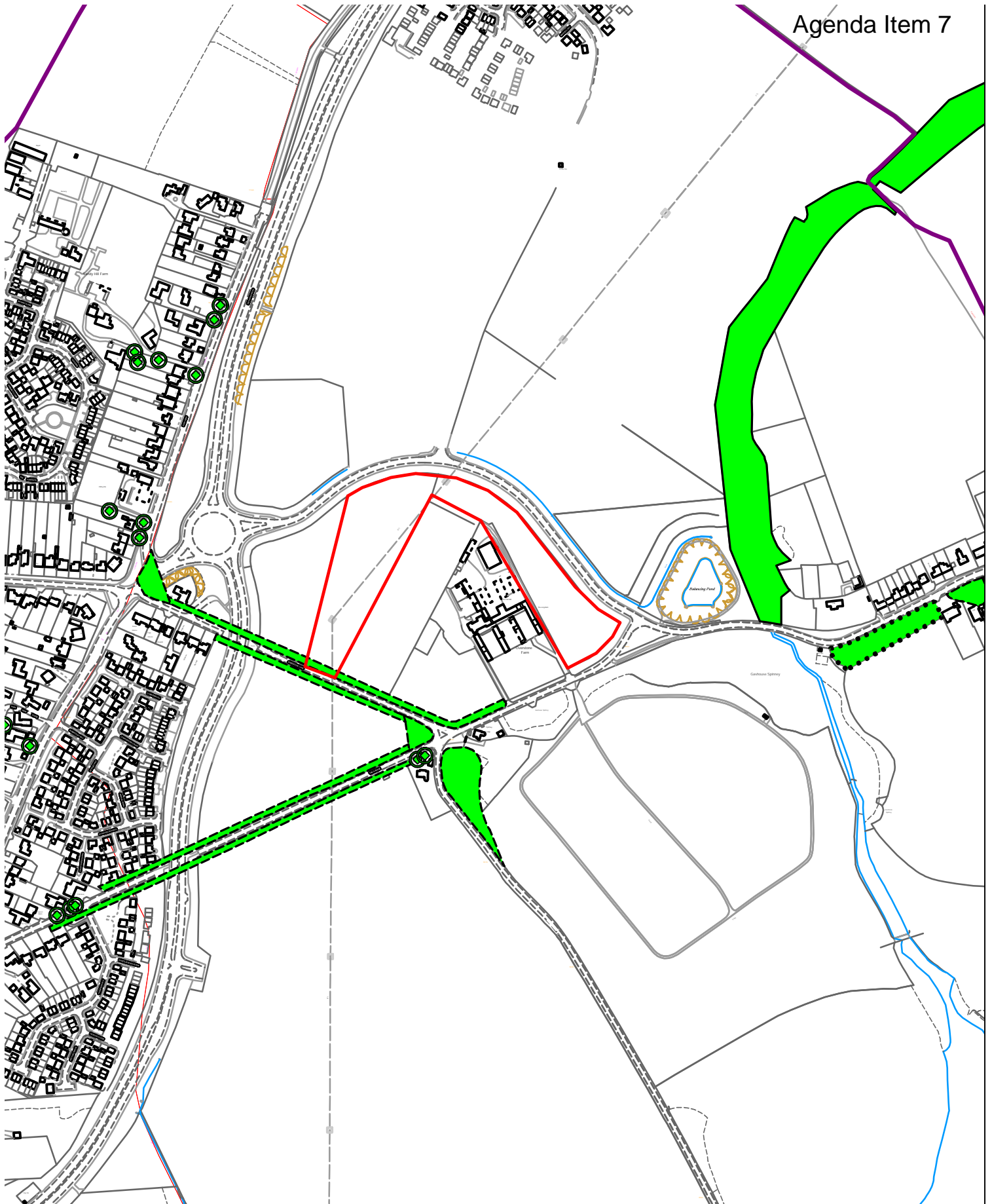
7. The quantum, disposition and type of affordable housing within the site shall as shown on the Affordable Tenure Plan D5-P4 and the tenure and phasing of the affordable housing shall be as set out in the existing Section 106 agreement for the

site, in all cases, unless otherwise agreed in writing by the Local Planning Authority, in the context of a viability assessment for the site.

Reason: In the interests of providing an appropriate level and standard of affordable housing.

**INFORMATIVES:-**

As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies: In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.



Planning Department  
Economic Growth and Regeneration  
West Northamptonshire Council

Daventry Area Office  
Lodge Road, Daventry  
Northamptonshire, NN114FP



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**Application Number:** WND/2021/0072

**Location:** Overstone Leys, Overstone Lane, Overstone

**Development:** Reserved Matters application (Zone 8) (Appearance, landscaping, layout & scale) for 59 dwellings and supporting infrastructure pursuant to outline approval DA/2013/0850 and approval of Condition 36 (bus stops), Condition 37 (travel plan), Condition 38 (public right of way) and Condition 16 (tree protection).

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**Applicant:** David Wilson Homes

**Agent:** N/A

**Case Officer:** Rebecca Grant

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**Ward:** Moulton

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**Reason for Referral:** Relates to a Sustainable Urban Extension

**Committee Date:** 18/10/2021

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

#### **Proposal**

The application is a reserved matters application for Zone 8 of Overstone Leys Sustainable Urban Extension.

Outline planning permission was granted in 2015. A number of reserved matters applications have since been approved for Zones 1, 2 and 3 and a food store within the local centre. A full application was recently approved for a care home within the local centre.

Following negotiations, the application now proposes 59 dwellings (originally 64 dwellings) and a larger area of open space. Access is from Sywell Road and the internal spine road. The site wraps around Overstone Farm.

The site proposes a total of 9 affordable units which is 15% of the units. The S106 requires 15% of dwellings to be affordable and therefore the application is in accordance with the S105 agreement.

The application is considered to be in accordance with the Design Code approved by a discharge of condition application.

#### **Consultations**

No consultees have raised **objections** to the application.

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

- *Planning Policy, Moulton Parish Council, WND Highways, WND Ecology, WND Environmental Health*

The following consultees have not objected but raised concerns with the application:

- *Overstone Parish Council*

Three representations have been received which objects to the application as it is not considered the proposed dwellings are in accordance with the Design Code for the Central Area.

## **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:

- Principle of Development
- Highway Safety
- Character of Development
- Landscape and Open Space
- Affordable Housing
- Noise
- Drainage

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 Overstone Leys is located to the north of Northampton. The site has direct access from Sywell Road and the internal spine road which links onto Sywell Road.
- 1.2 Outline planning permission (ref DA/2013/0850) was approved in 2015 for the Sustainable Urban Extension (SUE) which comprises up to 2,000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings.
- 1.3 The overall SUE application site is defined by the existing settlement edge of Northampton to the south, which includes the Round Spinney Industrial Estate. To the west is the A43, to the east is Overstone and to the north are currently open fields however this land is allocated for further residential development and is known as Overstone Green. An outline planning application (reference DA/2020/0001) has been submitted but no decision made as yet.
- 1.4 The first phase of the SUE was split into two sections phases 1A (104 dwellings) and 1B (96 dwellings). Construction of the approved Phase 1A development has commenced.



Planning permission was granted in 2019 for the primary infrastructure to Zone 2 and 207 dwellings within Zone 2. Work has progressed on site and a number of dwellings are occupied. Planning permission has now been granted for Zone 3 of the residential element of the overall scheme.

- 1.5 The application forms Zone 8 of the development. The site wraps around Overstone Farm. Overstone Farm has planning permission (reference DA/2019/0001) for conversion of barns to residential, a care home, retirement apartments and 31 additional dwellings (hybrid application, both outline and full). This consent has not yet been implemented.
- 1.6 The land to the north of the application site forms part of the SUE however no reserved matters have been submitted for this zone as yet. To the east of the application, beyond Sywell Road and open countryside is Overstone village. To the west of the application is the area allocated for the local centre and applications have been approved for the retail store and care home.

## **2. CONSTRAINTS**

- 2.1. There is a substantial belt of trees forming the boundary with Overstone Farm however these are not protected.
- 2.2. Pytchley Gates which are Grade II listed are located to the south east of the application site.

## **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The application is a Reserved Matters Application for Zone 8 of the Overstone Leys Sustainable Urban Extension (SUE). The proposal is for 59 dwellings of which 9 units will be affordable. This equates to 15 % affordable units.
- 3.2. The scheme will deliver;  
Affordable units;  
Two bed x 2 units  
Three bed x 17 units  
Four bed x 19 unit  
Five bed x 12 units  
  
Affordable units;  
Two bed x 3 units  
Three bed x 6 units

The location of the affordable housing within Zone 8 has been positioned to be within close proximity to the local centre for good access to public transport links and local services.

3 of the units (33%) are to be shared ownership and 6 units (67%) are to be affordable rent.

## **4. RELEVANT PLANNING HISTORY**

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

<b>Application Ref.</b>	<b>Proposal</b>	<b>Decision</b>
DA/2013/0850	Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access	Approved 28.08.2015
DA/2015/0263/NCC	Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	No objection
DA/2016/0082	Surface water attenuation scheme in relation to Phase 1A & B of Overstone Leys development, including re-profiling of existing ditch, construction of connection ditch and balancing pond	Approved 14.04.2016
NMA/2016/0084	Non material amendment to application to application DA/2013/0850 (Outline application for up to 2000 dwellings) Change of house types for Phase 1 – approved 20.02.17 DA/2013/0850 (Outline application for up to 2000 dwellings) Change to house types	Approved 20.02.2017
DA/2017/0010	Reserved matters application for 96 dwellings (including 14 affordable); open space; landscaping and infrastructure	Approved 26.10.2017
NMA/2017/0036	Non material amendment to application DA/2013/0850 (Outline application for up to 2000 dwellings) to revise house types (New Plot Nos 20-34 (inclusive) and 47-53 (inclusive)) and amend layout	Approved 14.06.2017
NMA/2017/0082	Non material amendment to application DA/2013/0850 (outline application for up to 2000 dwellings) to revise access arrangement for Phase 1A – approved 12.10.17 DA/2017/1262 Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	Approved 20.06.2018

NMA/2018/0077	Non material amendment to planning consent 15/00022/CCDFUL for the replacement of acoustic bund – withdrawn DA/2019/0067 Reserved matters application (access – primary infrastructure or Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015 for outline application of up to 2000 dwellings	Approved 15.04.2019
DA/2019/0067	Reserved matters application (access – primary infrastructure for Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015	Approved 04.07.2019
DA/2019/0260	Reserved matters application (appearance, landscaping, layout and scale) for construction of 207 dwellings (Phase 2) pursuant to Condition 1 of outline planning permission DA/2013/0859 in addition to the discharge of Condition 19 (surface water drainage)	Approved 24.10.2019
DA/2020/0950	Construction of 66 bedroom care home with associated access, car parking and landscaping	Approved 26.04.2021
DA/2020/1034	Reserved matters application (access, appearance, landscaping, layout and scale) relating to application DA/2013/0850 for the erection of a food store within the local centre, including discharge of Condition 18 (foul water disposal), Condition 19 - partially discharged (surface water drainage), Condition 20 (ground investigation), Condition 23 (closure report), Condition 25 (ground gas) and Condition 43 (Compensatory Habitat Creation)	Approved 27.04.2021
DA/2020/1178	Reserved matters application (access, appearance, landscaping, layout and scale) for 129 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 18 (foul water drainage), Condition 26 (acoustic report), Condition 30 (fire hydrants), Condition 37 (travel plan), Condition 39 (arrangements for management and maintenance of proposed streets), Condition 41 (external lighting plan), Condition 42 (soil management plan) and Condition 43 (compensatory habitat creation and management scheme).	To be determined
WND/2021/0132	Reserved matters application (access - primary infrastructure for Zone 9) pursuant to Condition 1 of outline planning approval	To be determined

	DA/2013/0850 granted approval on 27.08.2015.	
WND/2021/0152	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Phase 9) pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (details of open space), Condition 26 (internal noise levels), Condition 36 (Bus stops), Condition 37 (Travel Plan) and Condition 41 (external lighting)	To be determined
WND/2021/0172	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 18 (foul water drainage), Condition 19 (surface water drainage), Condition 26 (noise) and Condition 37 (travel plan)	To be determined

## 5. RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Daventry Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

#### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA Presumption in Favour of Sustainable Development
- S1 Distribution of Development
- S10 Sustainable Development Principles
- H1 Housing Density and Mix and Type of Dwellings
- H2 Affordable Housing
- N3 Northampton North Sustainable Urban Extension
- C1 Changing Behaviour and Achieving Modal Shift
- C2 New developments
- BN1 Green Infrastructure Connections
- BN2 Biodiversity
- BN7 Flood Risk

- BN9 Planning for Pollution Control

Daventry Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- H08 Housing Mix and Space Standards
- CW1 Health and Well Being
- CW2 Open Space Requirements
- ST1 Sustainable Transport Infrastructure
- EN1 Landscape
- ENV4 Green Infrastructure
- ENV5 Biodiversity
- ENV10 Design

Neighbourhood Plan (NHP)

5.5. Overstone have prepared a Neighbourhood Plan but at the time of drafting this report it has not been 'made'.

**Material Considerations**

5.6. Below is a list of the relevant Material Planning Considerations

Supplementary Planning Guidance e.g. SPG on house extensions etc.  
 National Policies the National Planning Policy Framework (NPPF)  
 Chapter 2 Achieving sustainable development  
 Chapter 5 Delivering a sufficient supply of homes  
 Chapter 8 Promoting healthy and safe communities  
 Chapter 12 Achieving well-designed places

Technical Housing Standards – Nationally Described Space Standard (NSS, 2015)  
 National Design Guide 2019  
 Northamptonshire Parking Standards 2016  
 Local Highway Authority Standing Advice 2016

**Daventry Supplementary Planning Documents**

Biodiversity Supplementary Planning Document (2017)  
 Housing Supplementary Planning Document (2017)  
 Planning Out Crime in Northamptonshire (2004)

**6. RESPONSE TO CONSULTATION**

Below is a summary of the consultation responses in regards to the second round of consultation received at the time of writing this report. Responses are available to view in full via the online Planning Register.

Consultee Name	Position	Comment
Moulton Parish Council	No objection	No comments to make on the application.
Overstone Parish Council	Concerns	Previous concerns have been incorporated, namely addition of reconstituted stone to 6 dwellings and increase in open space in line with masterplan. The materials however do not reflect the Design Code for

		the central area. There is an emphasis on red bricks which is not highlighted in the Design Code for the central area.
WNC Local Highway Authority		Wishes to reiterate its last point contained within initial formal response regarding the approve plan for the care home resulting in parking bays on the east side of the spine road. These conflict with at least one of the access points for the dwellings. Travel plan has been approved.
Lead Local Flood Authority	No objection	Surface water drainage has been addressed.
Northants Police	No comments received	
WNC Ecology	No objection	Soft landscaping has been updated to required standard
WNC Environmental Health	No objection	No comments to make
WNC Landscape Officer	No objection	Comments made in relation to proximity of trees along the boundary with Overstone Farm.
WNC Policy Team	No objection	Tenure split has been confirmed and is acceptable
Natural England	No comments to make	

## 7. RESPONSE TO PUBLICITY

- 7.1. Three representations have been received in relation to the second round of consultation raising an objection to the development on the following grounds;  
The dwellings in this application are not consistent with the Design Code for the Central Area.

## 8. APPRAISAL

### Principle of Development

- 8.1. The application site falls within the policy N3 allocation of the WNJCS. Policy N3 states that the development will make provision for:
- In the region of 3,500 dwellings;
  - Primary school provision to cater for the needs of the development;
  - A total of approximately 10ha of land for local employment opportunities;
  - At least one local centre to include local retail facilities of an appropriate scale (including a convenience store), health care services and community facilities;
  - A contribution towards the provision of a high quality public transport corridor to Northampton town centre;
  - A local multi modal interchange;
  - A43 corridor mitigation measures
  - An integrated transport network focused on sustainable transport;
  - Structural greenspace and wildlife corridors
  - Sports and leisure provision;

- Archaeological and ecological assessment of the site and required mitigation; and
- Flood risk management

8.2. The principle of the development on this site was established through the granting of outline planning permission in 2015 (planning application reference DA/2013/0850). Planning permission was granted for;

*Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access.*

8.3. 579 dwellings have been approved via reserved matters application and we currently have approximately 893 dwellings under determination in 4 reserved matters applications.

8.4. The application is in accordance with policy N3 of the WNJCS.

8.5. Other material considerations will now be discussed below, before all considerations are weighed in the planning balance towards the end of the report.

#### Impact on Highway Safety

8.6. Policy C1 of the WNJCS states that priority will be given to proposed transport schemes that will contribute towards behavioural change by, inter alia, providing access by walking, cycling and public transport, maximising the use of existing capacity within the transport infrastructure and managing the demand for car based travel within urban area.

8.7. Policy C2 of the WNJCS expects new development to achieve modal shift targets set out in the JCS by maximising travel choices from non-car modes.

8.8. A Transport Assessment was approved under the outline planning application. This reserved matters application is in accordance with the principles established under the outline consent and approved Transport Assessment.

8.9. WNC Highways have made a number of comments on the application and have been involved throughout the consultation process. A number of amendments have been made to take account of comments raised by Highways with regards to highways safety. The provision of shared accesses to serve the dwellings is noted and supported by the LHA.

8.10. The LHA have raised concern with a parking court on the corner of the site with Sywell Road and the internal spine road. Whilst this is not ideal, the aim is to create a landmark building on this corner location. Rather than increase the height of the dwellings on this corner which could potentially have an adverse impact on the surrounding area, the idea is to create a key building using reconstituted stone to enhance its appearance. The use

of flats over garages (FOGS) will create a block structure giving dominance within the street scene. The majority of the other dwellings are all detached properties. The FOGS result in a rear parking court however the parking spaces will be overlooked by the FOGS and also dwellings within the surrounding area. On balance, it is therefore considered that the parking court is acceptable in this location.

- 8.11. The LHA have raised an issue with regards to the approved plan for the care home which is positioned on the opposite side of the spine road. The layout for the care home results in parking bays on the east side of the spine road conflicting with at least one of the access points for the dwellings. This issue has been raised with the applicants. At the time of drafting this report no response has been received. An update will be provided at committee.
- 8.12. WNC Highways approve the submitted Travel Plan and satisfied that the condition can be discharged.
- 8.13. Given that there are no highway reasons to warrant refusal of the application, the application is considered to be acceptable.

#### Impact on the Character of the Development

- 8.14. The principal of the layout was established through discharging Condition 12 attached to the outline planning permission (ref DA/13/0850). Condition 12 required a Design Code to be submitted and approved prior to any works commencing to the east of the A43.
- 8.15. The Design Code set parameters for the subsequent phases of development, for example, setting out different frontages e.g. A43 Corridor, Primary Streets, General Neighbourhood and Rural Edge. It also established street hierarchy and sets out generic design principles.
- 8.16. The Design Code Regulating Plan indicates that the application site falls within two character areas, the central frontage and the general neighbourhood. The Regulating Plan (Figure 29) appears to illustrate that frontage development will fall into the central frontage whilst the development to the rear will fall within the general neighbourhood. Figure 17: The General Neighbourhood Location Plan however illustrates that the land parcel all falls within the general neighbourhood. The issue is that due to the limited width of the parcel of land, there is only depth for one linear row of dwellings which front onto Sywell Road or the spine road and then back on to the existing Overstone Farm site. This issue did not come to our attention when the master plan was drawn up as it would not have been possible to understand what the depth of the land parcel would have been.
- 8.17. A further complication is that the Design Code does not provide the same level of design information for the Central Area as it does for the other character areas. This issue has only been highlighted following the submission of applications for such areas.
- 8.18. The Central Area is characterised by;
  - Large detached dwellings
  - Larger regular gaps between buildings
  - Formal arrangement
  - Detached garages
  - Traditional design
  - Limited materials palette (Primary buff/Secondary reconstituted stone)
- 8.19. The General Neighbourhood is characterised by;
  - Detached/semi, limited terraces



- Varied gaps between dwellings
- More informal setback
- Varied parking arrangement
- Traditional design
- Broad materials palette (buff/timber/weatherboard/red/render)

8.20. Given this discrepancy with the Design Code, the approach taken is for the design principles associated with the Central Area to be applied to dwellings fronting Sywell Road. Sywell Road does split the SUE into the north and south components and as such is characterised by being a central part of the development. Sywell Road links directly from the A43, passing via the local centre and then out towards Overstone. This is considered to be a logical approach given the dwellings on the opposite side of Sywell Road also fall under the Central Area (application still to be submitted) and therefore this creates a consistent approach.

8.21. The dwellings along the Sywell Road are characterised by being large detached dwellings, set in substantial plots. These dwellings do have regular gaps between properties as each dwelling has a detached garage set back from the frontage. These dwellings are of traditional design and should be either buff brick or reconstituted stone. The concerns raised by Overstone Parish Council in respect of materials within this area are noted and do not follow the principles of the Central Area. As such, officers have advised the applicants that the materials proposed are not acceptable. A condition is proposed to ensure that materials are agreed with the Local Planning Authority prior to works above slab level.

8.22. Following on from this, the dwellings fronting the spine road are considered to be characterised by the General Neighbourhood character area. This is reflected by way of the land parcel being set back from the main road and linking the northern and southern parts of the SUE together.

8.23. The dwellings along the spine road are predominately detached but due to the restricted depth of the site there are also a number of semi-detached properties and limited use of terraces. These dwellings front onto the southern section of the local area and as such a variety of house types are proposed with varied gaps between dwellings and varied parking arrangements but still being traditional in design due to its proximity to Overstone Farm. This approach allows for a mix of unit types close to the local centre and primary school where residents could be close to essential facilities and could rely on alternative modes of transport than a car.

8.24. Whilst it is accepted that the development is not precisely in accordance with the approved Design Code, due to the discrepancies with the Code, on balance, it is considered that the design approach is acceptable. The dwellings fronting Sywell Road, would create a traditional frontage with large detached dwellings fronting the highway. This provides a natural transition from Overstone to the east when travelling along Sywell Road to the A43. The dwellings fronting the spine road then create a further transition between character areas travelling south to the local centre, primary school or further south into the residential area south of The Avenue.

8.25. As such, it is considered the design of the layout is acceptable. It will provide a variety of house types in order to create an interesting residential environment and one which has character. The layout is designed around Sywell Road and the spine road which leads off to further phases of the development.

8.26. In order to ensure that the materials palette is acceptable, a condition is proposed to require details and samples of materials to be submitted.

8.27. It is considered that the scheme now accords with the principles set out in the Design Code and as such is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

#### Impact upon Residential Amenity

8.28. The layout has been assessed to ensure that distances between habitable windows conform to our guidelines to prevent issues of overlooking. To the north of the application is a further zone of development however no reserved matters have been submitted for this site as yet.

8.29. To the west of the application site is the southern part of the local centre comprising Aldi retail store and the care home. Both of which have been granted planning permission.

8.30. The application wraps around Overstone Farm which has planning permission (DA/2019/0001) for retention and conversion of the farmhouse into apartments and new build dwellings together with retirement apartments and a care home. Whilst the majority of this scheme has outline consent only, back to back distances are acceptable.

#### Landscape and Open Space

8.31. Policy ENV1 is concerned with ensuring that the proposal maintains the distinctive character and quality of the District's landscapes. ENV4 also aims to protect, enhance and restore the District's green infrastructure network, again relating to the Spinney and ensuring that an appropriate network of green infrastructure leads from the Spinney through the development linking on-site greenspace.

8.32. The approved indicative Masterplan sets out the principles of development and provides an indication of where open space will be located. There is also a plan (Plan 2) attached to the S106 which outlines where open space will be provided. Unfortunately there are no figures in the S106 or conditions attached to the planning permission which set out the precise level of open space however an indication is provided within the committee report and within the plans in the S106.

8.33. Condition 15 of the outline planning consent requires details of proposed areas of open space, including any playing fields, green infrastructure, structural landscaping, play areas and equipment to be submitted prior to development commencing on any phase. The applicant has submitted information to discharge Condition 15 under this application.

8.34. An area of open space is proposed to the east of the site on the corner of Sywell Road/Billing Lane. This is in line with the outline indicative masterplan which illustrates how the open space links to the north and to the south west fronting the Overstone Farm approved development. Following negotiations with the applicants, this area of open space has been increased in line with the approved Masterplan. This has resulted in the loss of 5 units and will result in a more open and sensitive feel to the rural edge. This open space will also accommodate public art in accordance with the Design Code. A condition is attached to secure the details of this.

8.35. Given that the scheme complies with the parameters set in the outline planning approval and additional incidental open space has been provided, it is considered that the level of open space is sufficient for the development.

8.36. The landscape plans have been updated to include EM2 which is more ecologically appropriate and as such our Ecology Officer is satisfied with the plans submitted. EM2

is a standard meadow mix containing the core meadow wild flower species which grow across a range of soils and is a good mix for landscaping and habitat creation.

- 8.37. There is a row of large trees, comprising a mixture of pine, cedar and leylandi, along the boundary of the application site with Overstone Farm. 95% of the trees are evergreen. These trees are within the ownership of the applicant. As a result of concerns with the proximity of the dwellings to these trees, the applicants have pulled relevant dwellings away from the trees as much as possible. The loss of units within this area has helped this situation. Plots 51 and 52 are the closest dwelling to the tree canopies however this relationship is considered to be acceptable and it is not considered that conditions are required for specific foundations to these dwellings. If future owners wish to remove the trees, it would not simply be a case of removing individual trees due the size of the trees along the boundary, a number of trees would need to be removed in potentially different ownerships. Our Landscape Officer investigated the possibility of placing a TPO on these trees when the outline planning application was submitted however the trees were not considered worthy of a TPO as a number of individual trees were not in a good condition. It would not be possible to place a TPO on individual trees as the character is their context forming a backdrop to Overstone Farm.
- 8.38. The comments of the Landscape Officer on the tree protection measures are not available at the time of drafting the report. Any updates will be provided as a late item.
- 8.39. It is considered that the landscaping details are acceptable and as such in accordance with ENV1 of the Daventry Local Plan (Part 2).

#### Affordable Housing

- 8.40. The site falls within West Northampton Joint Core Strategy (WNJCS) policy H2 (Affordable Housing) which states that on all housing development of five or more dwellings in Northampton Related Development Area (NRDA), 35% should be provided as affordable housing.
- 8.41. The applicants have previously submitted an affordable housing viability assessment stating that the Overstone Leys development will not be financially viable if they are required to provide 35% affordable housing. The Council employed an external consultant to verify the applicant's viability report. The conclusions of the report confirmed that the quantum should be reduced to 15%. Therefore, on a scheme of 130 dwellings we would expect 20 affordable housing units to be provided.
- 8.42. The scheme will provide 15% affordable units which comprise;  
Two bed x 3 units  
Three bed x 9 units
- 8.43. Policy H04 of Daventry's Housing SPD specifies a housing tenure mix of 70% rented and 30% intermediate housing. Viability work undertaken for the outline application was based on this mix. The mix for the whole of the development has been agreed recently. It was agreed to take an overall development approach and to allow flexibility in the phases to allow more affordable to be delivered near the local centre.
- 8.44. 3 of the units (33%) are to be shared ownership and 6 units (67%) are to be affordable rent.
- 8.45. The Affordable Housing Officer has confirmed acceptance of the approach and mix proposed. It is therefore considered the proposal is in accordance with the principles of Policy H2 of the WNJCS.

### Drainage

- 8.46. Condition 19 of the outline planning permission relates to surface water drainage. Details have been submitted and the Lead Local Flood Authority have confirmed that the details submitted are acceptable.
- 8.47. It is therefore considered that the proposal is in accordance with the principles of Policy BN7 of the WNJCS.

### Other considerations

- 8.48. National Space Standards - Policy H08 part Ciii) requires that all dwellings should meet the national space standards. All of the dwellings meet the minimum national space standards for the minimum number of people for each dwelling type. We are however unable to require the applicant to increase the size of these units as there were no conditions attached to the outline planning permission requiring the development to adhere to these requirements. The applicants sought legal advice which concluded that there is a plethora of case law and appeal decisions which supports and confirms the position that prescriptive details cannot be imposed as requirements at reserved matters stage unless details were first secured as part of the outline planning permission. The reserved matters can only properly deal with those requirements set out in the Order. Provided the reserved matters application falls within the principle of what was approved as part of an outline planning permission (together with any relevant planning condition detail requirements) there is no ability to seek to impose further restrictive details.
- 8.49. Noise – There is a condition on the outline consent requiring a noise report to be submitted prior to work commencing on site. The application does not propose to discharge this condition under this application. Given the position of the site away from the A43 where noise has been an issue, it is not considered to be a problem not discharging this condition at this stage. WNC Environmental Health Officer has confirmed this approach.
- 8.50. Ecology – There is a condition on the outline consent requiring ecological mitigation measures to be submitted. The application does not propose to discharge this condition under this application. Given that the plans have been amended to reflect the open space indicated on the masterplan, it is not considered to be an issue discharging the ecology condition at a later stage.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. CIL payments are not applicable to this site as the outline consent was approved prior to CIL being adopted.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The planning system is actively encouraged to assume a presumption in favour of sustainable development rather than being an impediment to sustainable growth. The site, being located with the Overstone Leys SUE will have a good level of accessibility and be within reasonable walking and cycling to the local centre. Taking the above into account, this development is considered to be acceptable.
- 10.2. The proposal has been designed in accordance with the parameter plans approved at outline stage and the Design Code which was approved via the discharge of Condition

12 attached to the outline approval. It is also considered that the scheme accords with the principles established at outline stage with regards to the levels of open space provided on site. The development must be viewed as part of the whole Sustainable Urban Extension and not in isolation.

- 10.3. There is a discrepancy in relation to not meeting the National Space Standards for 1 bedroom maisonettes in particular, however, as discussed, legal advice has been sought and officers are not able to attach further restrictions to reserved matters application if the details were not stipulated at the outline stage.
- 10.4. On balance, it is considered that the proposal is acceptable in planning terms and hence overall complies with policies S1, S3, H1, H2, BN2 and N3 of the West Northamptonshire Joint Core Strategy and policies H08, ENV1, ENV4, ENV5, ENV10, CW1 and PA1 of the Settlements and Countryside Local Plan (Part 2) (February 2020).

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

11.1. The application is recommended for **APPROVAL**

### **Conditions**

1. The development shall be carried out strictly in accordance with the following drawings;

1012\_002 (Rev B) Site Layout

1012\_003 (Rev B) Enclosures Plan

1012\_004 (Rev B) Materials Layout

1012\_005 (Rev B) Parking Layout

1012\_006 (Rev B) Refuse Strategy

1012\_008 (Rev B) Storey Heights Plan

H5557-AH-Z8 Affordable Housing Tenure Plan

Z8\_TTE\_00\_ZZ\_DR\_C\_SK01 P01 Zone 8 Exceedance Flow Rates

Z8\_TTE\_00\_ZZ\_DR\_C\_SK01 P02 Zone 8 Drainage Strategy

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DWH23241-11A 3 of 6

DWH23241-11A 4 of 6

DWH23241-11A 5 of 6

DWH23241-11A 6 of 6

House Type Pack

Reason: To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any change to the approved plans.

### **2. Hard landscaping**

Notwithstanding Drawing 1012\_003 (Rev B) Enclosures Plan prior to construction of the dwellings above slab/foundation level details of hard landscaping works shall be submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatments, including full details of the proposed boundary walls, fences, railings and gates to be erected, specifying the colour of the railings and gates; footpaths. The hard landscaping works shall be

completed in full accordance with the approved details within three months of the first occupation of each dwelling hereby permitted.

Reason: Drawing 1012\_003 (Rev B) Enclosures Plan is not acceptable in its current form as elements of enclosures are missing. In the interest of residential amenity further details are required in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Means of enclosure**

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no alterations shall be made to any means of enclosure hereby approved that front a highway, footpath or private drive, and no new means of enclosure shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts on to a highway, footpath or private drive, in either case without the prior written consent of the Local Planning Authority. For the avoidance of doubt, 'means of enclosure' shall include fences, gates, railings, walls or hedges. Any gates shall be set back 5.5m from the highway boundary.

Reason: In the interests of the visual amenity of the area and of highway safety and in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Materials**

4. Notwithstanding Drawing 1012\_004 (Rev B) Materials Layout prior to construction of the dwellings above slab/foundation level samples (including photographs) of the materials to be used for the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered. In the interests of visual amenity of the area in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Soft landscaping**

5. The submitted and approved landscaping scheme shall be implemented prior to the development, or any phase of the development, being first occupied/used, or in accordance with a programme submitted to and approved in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of the visual amenity of the area and in accordance with Policy ENV1 of the Settlements and Countryside Local Plan (Part 2).

### **Garages, parking spaces and turning areas**

6. The garages, parking spaces and turning areas shown on the approved plan(s) shall be constructed/laid out and surfaced in accordance with the approved drawings before the dwelling is first occupied and shall not thereafter be used for any purpose other than garaging/parking of private motor vehicles.

Reason: In the interests of residential amenity and the safety and convenience of users of the adjoining highway in accordance with Policies ENV10 and SP1 of the Settlements and Countryside Local Plan (Part 2).

### **Affordable housing**

7. The quantum, disposition and type of affordable housing within the site shall as shown on the Affordable Tenure Plan H5557-AH-Z8 and the tenure and phasing of the affordable housing shall be as set out in the existing Section 106 agreement for the site, in all cases, unless otherwise agreed in writing by the Local Planning Authority, in the context of a viability assessment for the site.

Reason: In the interests of providing an appropriate level and standard of affordable housing.

### **Levels**

8. Prior to the commencement of any highways works to be adopted, or requiring the approval of the Local Highway Authority, technical drawings detailing the agreed site layout, the site ground levels (both existing and proposed) shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full.

Reason: To ensure a satisfactory form of development and in the interests of amenity of residents in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Public Art**

9. The development shall proceed in accordance with details for the provision of public art which has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the design, appearance and siting of the artwork (in consultation with the Parish Council) and a programme for its installation and subsequent retention. The works shall be installed and retained in accordance with the approved details.

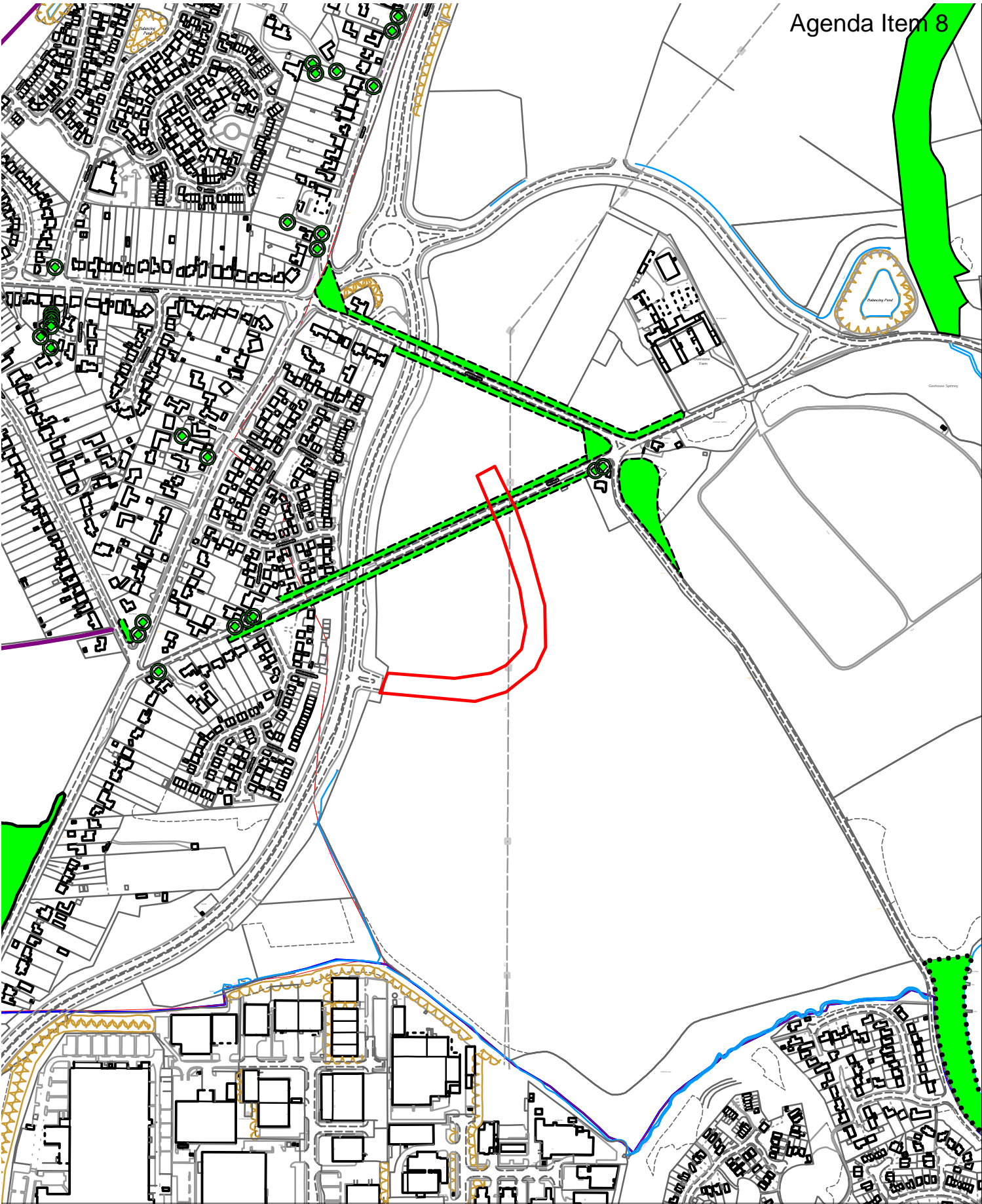
Reason: To ensure the development is carried out in accordance with the approved Masterplan and the interests of visual amenity in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Informatives**

As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies: In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.







Planning Department  
 Economic Growth and Regeneration  
 West Northamptonshire Council  
 Daventry Area Office  
 Lodge Road, Daventry  
 Northamptonshire, NN114FP



Email: [plancare.ddc@westnorthants.gov.uk](mailto:plancare.ddc@westnorthants.gov.uk)  
 Web: [www.westnorthants.gov.uk](http://www.westnorthants.gov.uk)

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**Application Number:** WND/2021/0132  
**Location:** Overstone Leys, Overstone Lane, Overstone  
**Development:** Reserved Matters (access – primary infrastructure for Zone 9) pursuant to Condition 1 of the outline planning approval DA/2013/0850 granted approval on 27.08.2015

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**Applicant:** Taylor Wimpey South Midlands  
**Agent:** CC Town Planning  
**Case Officer:** Rebecca Grant

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**Ward:** Moulton

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**Reason for Referral:** Relates to a Sustainable Urban Extension  
**Committee Date:** 18/10/2021

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

#### **Proposal**

The application is a reserved matters application for primary infrastructure (spine road) within the southern part of the Overstone Leys Sustainable Urban Extension.

Following negotiations with the Local Highway Authority, a scheme has been submitted for the spine road linking from the A43 to The Avenue.

The application is considered to be in accordance with the Masterplan approved under the outline consent.

#### **Consultations**

The following consultee has raised an **objection** to the application:

- *Overstone Parish Council*

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

- *WNC Highways, WNC Environmental Health (Daventry Area), Moulton Parish Council*

One representation has been received with concerns relating to existing tree belt to the south of the application site.

#### **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:

- Principle of Development
- Highway Safety
- Landscape

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 Overstone Leys is located to the north of Northampton.
- 1.2 Outline planning permission (ref DA/2013/0850) was approved in 2015 for the Sustainable Urban Extension (SUE) which comprises up to 2,000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings.
- 1.3 The SUE application site is defined by the existing settlement edge of Northampton to the south, which includes the Round Spinney Industrial Estate. Immediately to the west of the SUE is the A43 and to the north is the extension to the SUE referred to as Overstone Green (DA/2020/0001). This application has not yet been presented to the Strategic Planning Committee.
- 1.4 The first phase of the SUE was split into two sections phases 1A (104 dwellings) and 1B (96 dwellings). Construction of the approved Phase 1A development has commenced. Planning permission was granted in 2019 for the primary infrastructure to Zone 2 and 207 dwellings within Zone 2. Work has progressed on site and a number of dwellings are occupied. Planning permission has also been granted for Zone 3 of the residential element of the overall scheme and work has commenced.
- 1.5 The application forms the primary infrastructure for the southern part of the SUE (south of The Avenue). This section of development will comprise up to 700 dwellings. Two reserved matter applications have been submitted, each with 350 dwellings.

### **2. CONSTRAINTS**

- 2.1. There is row of trees with Tree Preservation Orders attached to them along The Avenue.

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The application is a Reserved Matters Application within Zones 9 and 10 of the SUE. The application is for primary infrastructure in the form of a spine road linking from the A43 to north of The Avenue. The spine road then links to the spine road within the northern section on the SUE.

- 3.2. The spine road will be 6.5m in width with a 2m footpath on west side and a 3m footpath on the east side.
- 3.3. The spine road will provide a bus route through the development which will link to the wider Overstone Leys SUE. A number of bus stops are proposed along the route. The spine road will link into the spine road which has been approved and partly constructed from the northern part of the site (planning application reference DA/2019/0067).

#### 4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
DA/2013/0850	Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access	Approved 28.08.2015
DA/2015/0263/NCC	Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	No objection
DA/2016/0082	Surface water attenuation scheme in relation to Phase 1A & B of Overstone Leys development, including re-profiling of existing ditch, construction of connection ditch and balancing pond	Approved 14.04.2016
NMA/2016/0084	Non material amendment to application to application DA/2013/0850 (Outline application for up to 2000 dwellings) Change of house types for Phase 1 – approved 20.02.17 DA/2013/0850 (Outline application for up to 2000 dwellings) Change to house types	Approved 20.02.2017
DA/2017/0010	Reserved matters application for 96 dwellings (including 14 affordable); open space; landscaping and infrastructure	Approved 26.10.2017
NMA/2017/0036	Non material amendment to application DA/2013/0850 (Outline application for up to	Approved 14.06.2017

	2000 dwellings) to revise house types (New Plot Nos 20-34 (inclusive) and 47-53 (inclusive)) and amend layout	
NMA/2017/0082	Non material amendment to application DA/2013/0850 (outline application for up to 2000 dwellings) to revise access arrangement for Phase 1A – approved 12.10.17 DA/2017/1262 Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	Approved 20.06.2018
NMA/2018/0077	Non material amendment to planning consent 15/00022/CCDFUL for the replacement of acoustic bund – withdrawn DA/2019/0067 Reserved matters application (access – primary infrastructure or Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015 for outline application of up to 2000 dwellings	Approved 15.04.2019
DA/2019/0067	Reserved matters application (access – primary infrastructure for Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015	Approved 04.07.2019
DA/2019/0260	Reserved matters application (appearance, landscaping, layout and scale) for construction of 207 dwellings (Phase 2) pursuant to Condition 1 of outline planning permission DA/2013/0859 in addition to the discharge of Condition 19 (surface water drainage)	Approved 24.10.2019
DA/2020/0950	Construction of 66 bedroom care home with associated access, car parking and landscaping	Approved 26.04.2021
DA/2020/1034	Reserved matters application (access, appearance, landscaping, layout and scale) relating to application DA/2013/0850 for the erection of a food store within the local centre, including discharge of Condition 18 (foul water disposal), Condition 19 - partially discharged (surface water drainage), Condition 20 (ground investigation), Condition 23 (closure report), Condition 25 (ground gas) and Condition 43 (Compensatory Habitat Creation)	Approved 27.04.2021
DA/2020/1178	Reserved matters application (access, appearance, landscaping, layout and scale) for 129 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 18 (foul water drainage), Condition 26 (acoustic report),	To be determined

	Condition 30 (fire hydrants), Condition 37 (travel plan), Condition 39 (arrangements for management and maintenance of proposed streets), Condition 41 (external lighting plan), Condition 42 (soil management plan) and Condition 43 (compensatory habitat creation and management scheme).	
WND/2021/0132	Reserved matters application (access - primary infrastructure for Zone 9) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015.	To be determined
WND/2021/0152	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Phase 9) pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (details of open space), Condition 26 (internal noise levels), Condition 36 (Bus stops), Condition 37 (Travel Plan) and Condition 41 (external lighting)	To be determined
WND/2021/0172	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 18 (foul water drainage), Condition 19 (surface water drainage), Condition 26 (noise) and Condition 37 (travel plan)	To be determined

## 5. RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Daventry Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

#### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA Presumption in Favour of Sustainable Development

- S1 Distribution of Development
- S10 Sustainable Development Principles
- N3 Northampton North Sustainable Urban Extension
- C1 Changing Behaviour and Achieving Modal Shift
- C2 New developments
- BN9 Planning for Pollution Control

Daventry Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- ST1 Sustainable Transport Infrastructure
- EN1 Landscape
- ENV4 Green Infrastructure
- ENV5 Biodiversity
- ENV10 Design

Neighbourhood Plan (NHP)

5.5. Overstone have prepared a Neighbourhood Plan but at the time of drafting this report it has not been 'made'.

**Material Considerations**

5.6. Below is a list of the relevant Material Planning Considerations

Supplementary Planning Guidance e.g. SPG on house extensions etc.  
 National Policies the National Planning Policy Framework (NPPF)  
 Chapter 2 Achieving sustainable development  
 Chapter 12 Achieving well-designed places

National Design Guide 2019  
 Local Highway Authority Standing Advice 2016

**6. RESPONSE TO CONSULTATION**

Below is a summary of the consultation responses in regards to the second round of consultation received at the time of writing this report. Responses are available to view in full via the online Planning Register.

Consultee Name	Position	Comment
Moulton Parish Council		No comments received at time of drafting report.
Overstone Parish Council	Concerns/objection	Would like The Avenue to the West reopened one way for traffic so that the A43 can be accessed going south, directly from the Spine Road. This would alleviate traffic congestion onto Sywell Road and subsequently Moulton Roundabout from the Spine Road, Aldi and other numerous entrances/exits.
WNC Local	Support	Previous comments have been addressed.



Highway Authority		The spine road will be subject to Stage 1/2 Road Safety Audit and will require the approval of the Speed Limit Review Panel in respect of setting the speed limit for the road.
WNC Environmental Health	Support	No comments to make.
WNC Landscape Officer		No comments received at time of drafting the report.

## 7. RESPONSE TO PUBLICITY

- 7.1. One representation has been received who raised concern with any works to the trees which form a boundary with the application site to the south of the site. The comments are related to who owns the trees, not the proposal itself.

## 8. APPRAISAL

### Principle of Development

- 8.1. The application site falls within policy N3 allocation on the WNJCS. Policy N3 states that the development will make provision for:

- In the region of 3,500 dwellings;
- Primary school provision to cater for the needs of the development;
- A total of approximately 10ha of land for local employment opportunities;
- At least one local centre to include local retail facilities for an appropriate scale (including a convenience store, health care services and community facilities);
- A contribution towards the provision of a high quality public transport corridor to Northampton town centre;
- A local multi modal interchange;
- A43 corridor mitigation measures;
- An integrated transport network focussed on sustainable transport;
- Structural greenspace and wildlife corridors;
- Sports and leisure provision;
- Archaeological and ecological assessment of the site and required mitigation; and
- Flood risk management.

- 8.2. The principle of the development on this site was established through the granting of outline planning permission in 2015 (planning application reference DA/2013/0850). Planning permission was granted for;

*Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to*

*465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access.*

- 8.3. The application is in accordance with policy N3 of the WNJCS.
- 8.4. Other material considerations will now be discussed below, before all considerations are weighed in the planning balance towards the end of the report.

#### Impact on Highway Safety

- 8.5. A Transport Assessment was approved under the outline planning application. An indicative masterplan was also approved under the outline planning application. The indicative masterplan illustrates a spine road for the southern part of the SUE running from the A43 to the north east and linking to the northern spine road which is to the east of the local centre.
- 8.6. The spine road runs east from the A43 and then heads north across The Avenue and links into the approved spine road to the north (planning application reference DA/2019/0067).
- 8.7. WNC Highways have made a number of comments on the application and have been involved throughout the consultation process. A number of amendments have been made to take account of comments raised by Highways with regards to highways safety. The spine road will be subject to Stage 1/2 Road Safety Audit and will require the approval of the Speed Limit Review Panel in respect of setting the speed limit for the road. These matters will require addressing prior to Section 38 approval being granted.
- 8.8. The carriageway of the spine road measures 6.5m in width with a 2m footway to one side and a 3m cycle/footway to the other. There are a number of visitor parking spaces allocated within the spine road. This will help to prevent unsafe parking within the development and in particular along the spine road. There a number of bus shelters provided along the spine road as this will be the bus route through the development to the south.
- 8.9. Given that there are no highway reasons to warrant refusal of the application, the application is considered to be acceptable.

#### Landscape and Open Space

- 8.10. Policy ENV1 is concerned with ensuring that the proposal maintains the distinctive character and quality of the District's landscapes. ENV4 also aims to protect, enhance and restore the District's green infrastructure network.
- 8.11. The approved indicative Masterplan sets out the principles of development and provides an indication of where open space will be located. There is also a plan (Plan 2) attached to the S106 which outlines where open space will be provided.
- 8.12. This reserved matters application is for the spine road only. The spine road does not intercept any area of mature landscaping. The spine road does however cross over The Avenue where there is a group Tree Preservation Order for the trees on both sides of

The Avenue. The principle of this route was established through the granting of outline planning permission and approval of the indicative masterplan for the SUE.

- 8.13. Our Landscape Officer has been involved with the application however at the time of drafting the report, formal comments have not been received. An update will be provided as a late item.
- 8.14. Given that the scheme complies with the parameters set in the outline planning approval, it is considered that the routing for the spine road is acceptable and will have no significant adverse impact upon existing landscaping.

#### Other considerations

- 8.15. Overstone Parish Council note that the crossover road is shown on the outline planning permission. They would however like The Avenue to the West reopened one way for traffic so that the A43 can be accessed going south, directly from the Spine Road. They believe that this would alleviate traffic congestion onto Sywell Road and subsequently Moulton Roundabout from the Spine Road, Aldi and other numerous entrances/exits. The Parish Council suggest that the one-way road should have at least 3m of pavement and a cycle track. The Parish Council also suggest that a toucan be installed to facilitate crossing the spine road together with good landscaping and street lights/CCTV around the junction.
- 8.16. The principle of closing The Avenue to vehicular traffic was agreed during the outline planning application process. The Avenue is now closed to the east of the A43 to vehicular traffic and is for the sole use of pedestrians and cyclists. It was permanently closed as part of the A43 Moulton bypass scheme. The Local Highway Authority have advised that 'all transport modelling work has been carried out based upon the previously consented applications (both Overstone Leys SUE and the A43 bypass applications). All preparatory work for the new junction where the spine road will emerge was built as part of the A43 scheme and there is no allowance for opening The Avenue again. It will serve little purpose as a much higher standard road will curve round and join the A43 just 100m south of The Avenue. This will be an all movements junction under signal control. Additionally, opening this short section The Avenue to one way traffic to join the A43 southbound could have the effect of creating an attractive rat run passing directly in-front of the proposed primary school which would not be desirable'.
- 8.17. It would not be reasonable to now suggest that The Avenue is reopened to vehicular traffic and this was not part of the outline approval and would involve reassessing the highway implications of reopening The Avenue upon the SUE. This is not part of this reserved matters application.
- 8.18. The Avenue also in lined with an area Tree Preservation Order and any upgrading of The Avenue is likely to involve increasing its width which could have an adverse impact upon the protected trees.
- 8.19. The reopening of The Avenue to vehicular traffic is not something that would be supported as part of this reserved matters application.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. CIL payments are not applicable to this site as the outline consent was approved prior to CIL being adopted.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The planning system is actively encouraged to assume a presumption in favour of sustainable development rather than being an impediment to sustainable growth. The site, being located with the Overstone Leys SUE will have a good level of accessibility and be within reasonable walking and cycling to the local centre. Taking the above into account, this development is considered to be acceptable.
- 10.2. The proposal has been designed in accordance with the parameter plans approved at outline stage and the indicative masterplan.
- 10.3. On balance, it is considered that the proposal is acceptable in planning terms and hence overall complies with policies S1, S10, N3, C1, C2 and BN9 of the West Northamptonshire Joint Core Strategy and policies ST1, EN1, ENV4, ENV5 and ENV10 of the Settlements and Countryside Local Plan (Part 2) (February 2020).

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

- 11.1. The application is recommended for **APPROVAL**

### **Conditions**

1. The development shall be carried out strictly in accordance with the following drawings;  
18865-OVER-5-SK017 A  
18865-OVER-5-SK016 C  
P19-2289\_017 Sheet 1 Rev E

Reason: To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any change to the approved plans.

NOTES As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies: In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.



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**Application Number:** WND/2021/0152

**Location:** Overstone Leys, Overstone Lane, Overstone

**Development:** Reserved Matters (access, appearance, landscaping, layout and scale) for 350 dwellings (Phase 9) pursuant to Condition 1 of the outline planning approval DA/2013/0850 granted approval on 27.08.2015 and approval of Condition 14 (finished floor levels), Condition 15 (details of open space), Condition 26 (internal noise levels), Condition 36 (bus stops), Condition 37 (travel plan) and Condition 41 (lighting).

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**Applicant:** Taylor Wimpey South Midlands

**Agent:** CC Town Planning

**Case Officer:** Rebecca Grant

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**Ward:** Moulton

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**Reason for Referral:** Relates to a Sustainable Urban Extension

**Committee Date:** 18/10/2021

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

#### **Proposal**

The application is a reserved matters application for 350 dwellings (phase 9) within the southern part of the Overstone Leys Sustainable Urban Extension (SUE).

Outline planning permission was granted in 2015 for the SUE. A number of reserved matters applications have since been approved for Zones 1, 2 and 3 and a food store within the local centre. A full application was recently approved for a care home within the local centre.

The principal access to the site is taken from the A43 and the spine road runs east through Zones 10 and 9 and then heads north to link in with the northern section of the spine road.

The application is considered to be in accordance with the Masterplan approved under the outline consent.

Part of the site fronts the A43 to the west, The Avenue to the north and then Billing Lane to the east.

The site proposes a total of 93 affordable units which is 27% of the units of which 70% will be affordable rent and 30% will be shared ownership.

The application is considered to be in accordance with the Design Code approved by a

discharge of condition application.

### **Consultations**

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

*Overstone Parish Council*

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

*WNC Highways, WNC Archaeology, WNC Policy Team, WNC Environmental Health, Crime Prevention Advisor, Moulton Parish Council*

One representation has been received with concerns relating to existing tree belt to the south of the application site. A further representation has been received objecting to the proposal on grounds of use of materials due to the proximity of Pytchley Gates.

### **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:

- Principle of Development
- Character of Development
- Highway Safety
- Impact upon Residential Amenity
- Landscape and Open Space
- Affordable Housing
- Noise
- Discharge of Conditions

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 Overstone Leys is located to the north of Northampton.
- 1.2 Outline planning permission (ref DA/2013/0850) was approved in 2015 for the Sustainable Urban Extension (SUE) which comprises up to 2,000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings.
- 1.3 The SUE application site is defined by the existing settlement edge of Northampton to the south, which includes the Round Spinney Industrial Estate. Immediately to the west of the SUE is the A43 and to the north is the extension to the SUE referred to as Overstone Green (DA/2020/0001). This application has not been presented to the Strategic Planning Committee.



- 1.4 The first phase was split into two sections phases 1A (104 dwellings) and 1B (96 dwellings). Construction of the approved Phase 1A development has commenced. Planning permission was granted in 2019 for the primary infrastructure to Zone 2 and 207 dwellings within Zone 2. Work has progressed on site and a number of dwellings are occupied. Planning permission has also been granted for Zone 3 of the residential element of the overall scheme and work has commenced.
- 1.5 The application forms Zone 9 of the overall SUE. The site lies to the south of The Avenue. The A43 forms the western boundary of the site, The Avenue is to the north and Billing Lane forms the eastern boundary. To the south is a large, mature tree belt beyond which is the established residential area of Crabb Tree Drive and Pine Ridge. Land levels fall considerably in the southern section of the application site. An industrial estate lies to the south west of the application site.

## **2. CONSTRAINTS**

- 2.1. There is a row of trees with Tree Preservation Orders attached to them along The Avenue.
- 2.2. Pytchley Gates are positioned to the north east of the application site on the junction of Billing Lane, Overstone Lane and Sywell Road. Pytchley Gates are Grade II listed (formerly listed as Gateway to Overstone Park, originally of Pytchley Old Hall).

## **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The application is a Reserved Matters Application within Zones 9 of the SUE. The proposal is for 350 dwellings of which 93 units will be affordable. This equates to 27% affordable units.
- 3.2. The scheme will deliver:
  - Market dwellings;
    - 2 bed x 9 units
    - 3 bed x 93 units
    - 4 bed x 126 units
    - 5 bed x 29 units
  - Affordable rent;
    - One bed x 14 units
    - Two bed x 41 units
    - Three bed x 33 units
    - Four bed x 5unit
- 3.3. Access to the site will be from the A43 to the west. This spine road links to the spine road within the northern section of the SUE which already has planning permission and has been constructed, although not yet fully opened (planning application reference DA/2019/0067). The spine road will provide a bus route through the development which will link to the wider Overstone Leys SUE. A number of bus stops are proposed along the route.
- 3.4. Secondary routes are taken off the main spine road. There is clear hierarchy of road typologies across the site, down to private driveways.

- 3.5. The site contains an area of open space in the northern part of the site, a smaller parcel in the western part of the site and a larger area of open space to the south of the application site together with a drainage basin.

#### 4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
DA/2013/0850	Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access	Approved 28.08.2015
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DA/2016/0082	Surface water attenuation scheme in relation to Phase 1A & B of Overstone Leys development, including re-profiling of existing ditch, construction of connection ditch and balancing pond	Approved 14.04.2016
NMA/2016/0084	Non material amendment to application to application DA/2013/0850 (Outline application for up to 2000 dwellings) Change of house types for Phase 1 – approved 20.02.17 DA/2013/0850 (Outline application for up to 2000 dwellings) Change to house types	Approved 20.02.2017
DA/2017/0010	Reserved matters application for 96 dwellings (including 14 affordable); open space; landscaping and infrastructure	Approved 26.10.2017
NMA/2017/0036	Non material amendment to application DA/2013/0850 (Outline application for up to 2000 dwellings) to revise house types (New Plot Nos 20-34 (inclusive) and 47-53 (inclusive)) and amend layout	Approved 14.06.2017

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DA/2020/0950	Construction of 66 bedroom care home with associated access, car parking and landscaping	Approved 26.04.2021
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DA/2020/1178	Reserved matters application (access, appearance, landscaping, layout and scale) for 129 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 18 (foul water drainage), Condition 26 (acoustic report), Condition 30 (fire hydrants), Condition 37 (travel plan), Condition 39 (arrangements for management and maintenance of	To be determined

	proposed streets), Condition 41 (external lighting plan), Condition 42 (soil management plan) and Condition 43 (compensatory habitat creation and management scheme).	
WND/2021/0132	Reserved matters application (access - primary infrastructure for Zone 9) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015.	To be determined
WND/2021/0152	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Phase 9) pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (details of open space), Condition 26 (internal noise levels), Condition 36 (Bus stops), Condition 37 (Travel Plan) and Condition 41 (external lighting)	To be determined
WND/2021/0172	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 18 (foul water drainage), Condition 19 (surface water drainage), Condition 26 (noise) and Condition 37 (travel plan)	To be determined

## 5. RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Daventry Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

#### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA Presumption in Favour of Sustainable Development
- S1 Distribution of Development
- S10 Sustainable Development Principles
- H1 Housing Density and Mix and Type of Dwellings

- H2 Affordable Housing
- N3 Northampton North Sustainable Urban Extension
- C1 Changing Behaviour and Achieving Modal Shift
- C2 New developments
- BN1 Green Infrastructure Connections
- BN2 Biodiversity
- BN7 Flood Risk
- BN9 Planning for Pollution Control

Daventry Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- H08 Housing Mix and Space Standards
- CW1 Health and Well Being
- CW2 Open Space Requirements
- ST1 Sustainable Transport Infrastructure
- EN1 Landscape
- ENV4 Green Infrastructure
- ENV5 Biodiversity
- ENV10 Design

Neighbourhood Plan (NHP)

5.5. Overstone have prepared a Neighbourhood Plan but at the time of drafting this report it has not been 'made'.

**Material Considerations**

5.6. Below is a list of the relevant Material Planning Considerations

Supplementary Planning Guidance e.g. SPG on house extensions etc.  
 National Policies the National Planning Policy Framework (NPPF)  
 Chapter 2 Achieving sustainable development  
 Chapter 5 Delivering a sufficient supply of homes  
 Chapter 8 Promoting healthy and safe communities  
 Chapter 12 Achieving well-designed places

Technical Housing Standards – Nationally Described Space Standard (NSS, 2015)  
 National Design Guide 2019  
 Northamptonshire Parking Standards 2016  
 Local Highway Authority Standing Advice 2016

**Daventry Supplementary Planning Documents**

Biodiversity Supplementary Planning Document (2017)  
 Housing Supplementary Planning Document (2017)  
 Planning Out Crime in Northamptonshire (2004)

**6. RESPONSE TO CONSULTATION**

Below is a summary of the consultation responses in regards to the second round of consultation received at the time of writing this report. Responses are available to view in full via the online Planning Register.

Consultee Name	Position	Comment
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Moulton Parish Council	No objection	
Overstone Parish Council	Object	Building materials – harsh red/orange brick and dark timber boarding is not suitable. Design compliance – no chimney stacks Green space – limited as attenuation ponds cannot be used for leisure Effect on setting of Pytchley Gates.
WNC Local Highway Authority	No objection	Revised layout is acceptable. Travel Plan is acceptable.
WNC Environmental Health	No objection	The updated noise report is considered to be acceptable subject to a condition ensuring the approved mitigation measures are installed.
Lead Local Flood Authority	Unable to discharge the condition	Insufficient information to discharge the condition attached to the outline planning approval.
WNC Landscape Officer	No objection in principle	No objection in principle but awaiting detailed feedback on updated plans.
WNC Policy Team	No objection	Level of affordable housing and tenure mix is acceptable. Not all house types meet the National Space Standards

## 7. RESPONSE TO PUBLICITY

- 7.1. One representation has been received raising concern with any works to the trees which form a boundary with the application site to the south of the site. The comments are related to who owns the trees, not the proposal itself.
- 7.2. One representation has been received objecting to the proposed materials due to the proximity of Pytchley Gates.

## 8. APPRAISAL

### Principle of Development

- 8.1. The application site falls within the policy N3 allocation of the WNJCS. Policy N3 states that the development will make provision for:
- In the region of 3,500 dwellings;
  - Primary school provision to cater for the needs of the development;
  - A total of approximately 10ha of land for local employment opportunities;
  - At least one local centre to include local retail facilities of an appropriate scale (including a convenience store), health care services and community facilities;
  - A contribution towards the provision of a high quality public transport corridor to Northampton town centre;
  - A local multi modal interchange;
  - A43 corridor mitigation measures

- An integrated transport network focused on sustainable transport;
- Structural greenspace and wildlife corridors
- Sports and leisure provision;
- Archaeological and ecological assessment of the site and required mitigation; and
- Flood risk management

8.2. The principle of the development on this site was established through the granting of outline planning permission in 2015 (planning application reference DA/2013/0850). Planning permission was granted for;

Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access.

8.3. 579 dwellings have been approved via reserved matters application and we currently have approximately 893 dwellings under determination in four separate reserved matters applications.

8.4. The application is considered to be in accordance with Policy N3 of the WNJCS.

8.5. Other material considerations will now be discussed below, before all considerations are weighed in the planning balance towards the end of the report.

#### Impact upon character of the area

8.6. The principal of the layout was established through discharging Condition 12 attached to the outline planning permission (ref DA/13/0850). Condition 12 required a Design Code to be submitted and approved prior to any works commencing to the east of the A43.

8.7. The Design Code set parameters for the subsequent phases of development, for example, setting out different frontages e.g. A43 Corridor, Primary Streets, General Neighbourhood and Rural Edge. It also established street hierarchy and sets out generic design principles.

8.8. The Design Code Regulating Plan indicates that the application site falls within four character areas, A43 frontage, Primary frontage, General neighbourhood and Rural Edge

8.9. The A43 is characterised by;

- Higher proportion of terraces/semi-detached
- Predominately front gardens
- Small gaps between buildings
- Contemporary design
- Consistent detailing

- Limited materials palette (Primary red/Secondary up to 40% buff – grey/red roof tiles)

8.10. The Primary Street is characterised by;

- Semi-detached/terraces/some large detached
- Symmetry and formality
- Regular set backs
- Boulevard trees with regular spacing
- More contemporary design
- Limited materials palette (Primary red/Secondary up to 20% buff, up to 20% render – grey/red roof tiles)

8.11. The General Neighbourhood is characterised by;

- Detached/semi, limited terraces
- Varied gaps between dwellings
- More informal setback
- Varied parking arrangement
- Traditional design
- Broad materials palette (buff/timber/weatherboard/red/render)

8.12. The Rural Edge is characterised by;

- Large detached
- Informal arrangement
- Shared drives
- Detached garages
- Traditional design
- Varied detailing
- Broad materials palette (recon stone, buff, red, timber/weather board – red/grey roof tiles)

8.13. The overall layout for the site is largely in accordance with the approved Design Code. The design approach creates distinct character zones across the site, each with different features and characteristics which help to break up the mass of the development and help with wayfinding across the site.

8.14. Along the A43 corridor there is a higher density and more contemporary form of development with a strong building line to create a more formal character. The dwellings along the A43 are all red brick (only a relatively small portion of the site fronts the A43). These dwellings are modern in design, with grey windows including grey soffits and eaves. The detailing of the dwellings is consistent with flat roof canopies over the doors and flat roofed dormer windows. The majority of parking is to the front of properties.

8.15. The Primary Route runs along the spine road to the east and then heads north to link to the school and local centre. Along the Primary Route, the dwellings here begin to be more spaces apart, with parking set back to ensure the street scene is not dominated by car parking. The design approach is still contemporary, again with grey windows and flat roof canopies and dormer windows. The principle material is red brick with a small number of units being rendered adjacent to a side access road or where forming the end of a row of dwellings. Where the dwellings are set back from the spine road and front the open space, a different approach has been taken and dwellings are predominately buff brick but still with grey windows and the same design approach. This allows an incremental change in the character of the area where the outlook for the dwellings is adjacent to the open space. Boundary treatment along the primary route is metal railings which is consistent with other areas of the SUE. Timber bollards/knee rail is proposed



adjacent to the open space. Trees are proposed along the spine road to create an attractive boulevard and entrance into the development.

- 8.16. Within the General Neighbourhood, there is a greater mix of housing types and forms with a traditional design approach. The majority of the dwellings in this area are semi-detached with limited terraces. The dwellings are more traditional in design with a broad palette of materials proposed (red and buff brick, timber boarding and render). Overstone Parish Council have raised an issue with the use of dark weatherboard however this is now only proposed on a relatively small number of properties (15 out of 350 units and all within the General Neighbourhood). This material type is approved within the Design Code and given the limited number of properties it is proposed on, this is considered to be acceptable. A condition is proposed to ensure a sample of the weatherboard is agreed prior to use.
- 8.17. Finally, the Rural Edge, development is of a more informal arrangement with more detached dwellings, all overlooking and addressing the adjacent green space. A discrepancy has occurred with the materials palette within the rural edge character area. The Design Code highlights that weatherboard is potential material type however our Conservation Officer has raised concerns with this and advises that render would be more in keeping with the character of Overstone. The applicants have revised the units to ensure that render is used along the rural edge opposed to weatherboard.
- 8.18. With regards to density, Policy H1 of the WNJCS requires development within SUE's to achieve a minimum average density of 35 dwellings per hectare. The density varies between character areas with the area fronting the A43 having the greatest density however this is only 33 dwellings per hectare. Due to the difference in levels on site and the level of open space, an overall density of 31.9 dwellings per hectare is achieved through the layout. Whilst this is slightly less than the policy requirement of Policy H1 of the WNJCS of 35dph, the level of density is considered to be appropriate for the development area given the constraints of the site.
- 8.19. Overstone Parish Council have raised a concern with the lack of chimney stacks on properties. Chimney stacks are not picked up in the Design Code and therefore are not a feature that we can insist on within the development.
- 8.20. Whilst it is accepted that the development is not precisely in accordance with the approved Design Code in relation to the use of render along the rural edge, WNC Conservation Officer recommends the use of render over weatherboard in this location. On balance, it is therefore considered that the use of materials proposed is acceptable.
- 8.21. It is considered the design of the layout is acceptable. It will provide a variety of house types in order to create an interesting residential environment and one which has character and should provide legibility.
- 8.22. In order to ensure that the materials palette is acceptable, a condition is proposed to require details and samples of materials to be submitted.
- 8.23. It is considered that the scheme now accords with the principles set out in the Design Code and as such is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

#### Impact on Highway Safety

- 8.24. Policy C1 of the WNJCS states that priority will be given to proposed transport schemes that will contribute towards behavioural change by, inter alia, providing access by

walking, cycling and public transport, maximising the use of existing capacity within the transport infrastructure and managing the demand for car based travel within urban area.

- 8.25. Policy C2 of the WNJCS expects new development to achieve modal shift targets set out in the JCS by maximising travel choices from non-car modes.
- 8.26. A Transport Assessment was approved under the outline planning application. This reserved matters application is in accordance with the principles established under the outline consent and approved Transport Assessment.
- 8.27. An access link to Billing Road to the east has not been provided on the advice of the LHA in order to avoid creating a cut through which would likely be heavily used and not designed for this level of traffic.
- 8.28. A bus gate was also suggested during the outline stage and indicated in the Design Code. This has also been removed from the scheme at the advice of the LHA. As a result, the road design here has been downgraded as it will no longer need to meet the requirements for a bus route. The bus route serving the development will therefore follow the spine road.
- 8.29. The LHA have also noted that the bus stops locations as laid out in the S106 Agreement mean that all of the development is located within 400m of a bus stop and therefore the bus route also no longer has to go around the primary road loop through the southern part of the development.
- 8.30. WNC Highways have made a number of comments on the application and have been involved throughout the consultation process. A number of amendments have been made to take account of comments raised by Highways with regards to highways safety.
- 8.31. WNC Highways approve the submitted Travel Plan and satisfied that the condition can be discharged.
- 8.32. WNC Highways have confirmed that the revised layout has addressed all previous comments raised and as such is acceptable.
- 8.33. Subject to final approval of WNC Highways, given that there are no highway reasons to warrant refusal of the application, the application is considered to be acceptable.

#### Impact upon residential amenity

- 8.34. The layout has been assessed to ensure that distances between habitable windows conform to our guidelines to prevent issues of overlooking. The nearest existing residential property is to the north east of the application site and is positioned adjacent to the primary school developable area. From the rear elevation of this property to the rear boundary of the plot is in excess of 50m. There are therefore no issues of overlooking from this property with the application site.
- 8.35. The application forms part of the southern development area for Phase 9 and 10. A reserved matters application has been submitted for Phase 10 (WND/2021/0172) which is also for 350 dwellings. This application is yet to be determined. The dwellings within this application form the closest properties to the application site. There are no issues of overlooking between phases 9 and 10 as minimum separate distances are complied with.

- 8.36. A significant constraint on the site is the difference in levels. The ground levels fall away to the existing tree belt to the south of the site and also west to east. The site has been designed to take account of the levels with dwellings being offset from each other, having tiered gardens and pushing back distances between properties as far as possible. Sections have been provided to illustrate the relationship between dwellings. For example, there is 30m (back to back distance) between plots 356 and 344. These dwellings have tiered gardens with retaining wall and close boarded fence along the joint boundary. This area of the site is where the issue of levels is most significant. There is likely to be a maximum 3m retaining wall together with 1.8m close boarded fence. A condition is proposed to ensure that these details. Whilst this is a significant boundary screen, due to the distances between properties it is not considered that it will appear overbearing or oppressive. This is only likely to impact 3 dwellings out of the 350 dwellings proposed. Towards the south of the site, whilst there is still a need for a retaining wall, this is not as high and there is still between 24m-26m between the backs of dwellings in this location.
- 8.37. On balance, it is considered the layout has been designed to take account of levels and how dwellings will relate to each other in terms of overlooking and overshadowing. It is therefore considered that the proposal is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

#### Landscape and Open Space

- 8.38. Policy ENV1 is concerned with ensuring that the proposal maintains the distinctive character and quality of the District's landscapes. ENV4 also aims to protect, enhance and restore the District's green infrastructure network, again relating to the Spinney and ensuring that an appropriate network of green infrastructure leads from the Spinney through the development linking on-site greenspace.
- 8.39. The approved indicative Masterplan sets out the principles of development and provides an indication of where open space will be located. There is also a plan (Plan 2) attached to the S106 which outlines where open space will be provided. Unfortunately there are no figures in the S106 or conditions attached to the planning permission which set out the precise level of open space however an indication is provided within the committee report and within the plans in the S106.
- 8.40. Condition 15 of the outline planning consent requires details of proposed areas of open space, including any playing fields, green infrastructure, structural landscaping, play areas and equipment to be submitted prior to development commencing on any phase. The applicant has submitted information to discharge Condition 15 under this application.
- 8.41. Overstone Parish Council has raised concern with the level of open space as large areas of open space are ponds for attenuation and cannot be used for leisure. The proposed layout does follow the principles of the indicative masterplan however where some changes have occurred the resultant other incidental areas of open space are shown as larger than indicated on the masterplan. The current open space provides some 117,00sqm of public open space which is above that indicated on the masterplan (108,101sqm).
- 8.42. To the south of the site three drainage ponds are proposed, one is existing. The existing pond will be the only wet pond (as is currently). The other two ponds will be dry for the majority of the time and will only be wet in extreme weather conditions. Due to the level differences, the dry ponds may not be easily accessible for play, they will however provide an attractive environment for residents and can be used for leisure activities.

- 8.43. The hedgerow and boundary planting along Billing Lane partly falls within the application site and is under the control of the applicant. This boundary screening forms an important screen in Billing Lane and forms part of the character of the area. This boundary screening is to be retained. A condition is proposed to ensure details of the retention, enhancement and management of this screening.
- 8.44. Given that the scheme complies with the parameters set in the outline planning approval and additional incidental open space has been provided, it is considered that the level of open space is sufficient for the development.
- 8.45. To the south of the application site, the Design Code and masterplan indicate a pedestrian link to Southfields playing field. The applicants are providing a pedestrian link to the site boundary (i.e. all within their site boundary). There are desire lines through the site and woodland that connect into the site. A formal footpath (with lighting) provides a connection to Crabb Tree Drive. Residents can then make their way using the existing footpath network to the playing fields.
- 8.46. Our Landscape Officer has been involved with the application and has no objection in principle to the proposals however at the time of drafting the report, formal comments have not been received. An update will be provided as a late item.
- 8.47. Subject to formal comments from WNC Landscape Officer, given that the scheme complies with the parameters set in the outline planning approval with regards to open space and landscaping, it is considered that the landscaping details are acceptable and as such in accordance with ENV1 of the Daventry Local Plan (Part 2).

#### Affordable Housing

- 8.48. The site falls within West Northampton Joint Core Strategy (WNJCS) policy H2 (Affordable Housing) which states that on all housing development of five or more dwellings in Northampton Related Development Area (NRDA), 35% should be provided as affordable housing.
- 8.49. The applicants have previously submitted an affordable housing viability assessment stating that the Overstone Leys development will not be financially viable if they are required to provide 35% affordable housing. The Council employed an external consultant to verify the applicant's viability report. The conclusions of the report confirmed that the quantum should be reduced to 15%. Therefore, on a scheme of 130 dwellings we would expect 20 affordable housing units to be provided.
- 8.50. The scheme will provide 93 affordable units which comprise;

Type	Affordable Rent	Shared Ownership	Total
1 bed house	14	0	14
2 bed house	28	13	41
3 bed house (84.5sqm)	10	8	18
3 bed house (93.6sqm)	10	5	15
4 bed house	3	2	5
Total	65	28	93

- 8.51. The proposed mix aligns with the latest housing needs evidence which indicates the greatest need is for 2 bed and 3 bed dwellings, followed by 1 bed dwellings and a lesser number of 4 bed dwellings.
- 8.52. Policy H04 of Daventry's Housing SPD specifies a housing tenure mix of 70% rented and 30% intermediate housing. Viability work undertaken for the outline application was based on this mix. The mix for the whole of the development has been agreed recently. It was agreed to take an overall development approach and to allow flexibility in the phases to allow more affordable to be delivered near the local centre.
- 8.53. 65 of the units are to be shared ownership and 28 units are to be affordable rent.
- 8.54. The Affordable Housing Officer has confirmed acceptance of the approach and mix proposed. It is therefore considered the proposal is in accordance with the principles of Policy H2 of the WNJCS.

#### Internal noise levels – Condition 26

- 8.55. Policy S10 of the JCS requires new development to minimise pollution from noise.
- 8.56. The NPPF, paragraph 180, states that planning policies and decisions should 'mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life'.
- 8.57. Noise was assessed through the outline planning application in the Environmental Statement. Condition 26 on the outline planning permission states;
- "Prior to the commencement of the development of each phase hereby approved, a scheme to demonstrate that the internal noise levels within the residential units of that phase will conform to the guideline values for indoor ambient noise levels under background ventilation rates as identified within BS 8233 2014 - Guidance on Sound Insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. External living area (gardens) noise levels shall conform to World Health Organisation (W.H.O):1999 guidelines – 50-55dB LAeq,16hr. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation and be retained thereafter".
- 8.58. WNC Environmental Health Officer raised a number of concerns with the original noise report submitted in order to discharge the condition. The applicant's noise consultant has liaised with WNC Environmental Health Officer in order to address these concerns.
- 8.59. A CadnaA noise model has been constructed to predict road noise across the site. This has been used to determine the noise levels incident upon the proposed residential dwellings from vehicles using the A43 and Billing Lane. The noise impact assessment has found that the following mitigation measures are required to ensure a commensurate level of protection against road noise on site:

1.8m barriers around the garden areas associated with plots 22, 24, 163, 285 and 307;  
A 2m barrier around the garden area associated with plot 34;  
The orientations of these barriers are displayed in figure 4 of Appendix III;  
Higher specification glazing of 32dB Rw+Ctr in western-most daytime amenity overlooking the A43. These facades are highlighted in orange in figure 5 of Appendix III;  
and

Alternative ventilation is required for many of habitable rooms on site. These facades are highlighted in blue in figures 5 and 6 of Appendix III.

Additionally, an assessment of commercial noise associated with the Round Spinney Industrial Estate that borders the south west of the site has been undertaken. It has been found that there is a slight/negligible likelihood of impact at the proposed Taylor Wimpey plots. As such, no mitigation is required on behalf of commercial noise. The assessment is based upon robust and worst-case assumptions and demonstrates that, in principle, and following the incorporation of the specified mitigation, there should not be any adverse impact upon the proposed residential dwellings

- 8.60. WND Environmental Health Officer has reviewed the amended report and confirmed that it has addressed previous concerns. The report does not rely on the adjacent Vistry report/homes. A condition is proposed to ensure that the noise mitigation measures suggested in the report are installed before first occupation of the homes, and such measures are verified. On this basis, our Environmental Health Officer does not raise any objections to the proposal.
- 8.61. Subject to conditions, it is considered that the scheme will accord with Policy BN9 of the JCS and the overarching intentions of the NPPF and as such the condition can be discharged as part of this reserved matters application.

#### Other considerations

- 8.62. National Space Standards - Policy H08 part Ciii) requires that all dwellings should meet the national space standards. The majority of the dwellings meet the minimum national space standards for the minimum number of people for each dwelling type. Unfortunately the one bed and two bed units do not meet the minimum national space standards (one bed units are under by only 2sqm and the two beds by 6 sqm). We are however unable to require the applicant to increase the size of these units as there were no conditions attached to the outline planning permission requiring the development to adhere to these requirements. Legal advice has been sought which concluded that there is a plethora of case law and appeal decisions which supports and confirms the position that prescriptive details cannot be imposed as requirements at reserved matters stage unless details were first secured as part of the outline planning permission. The reserved matters can only properly deal with those requirements set out in the Order. Provided the reserved matters application falls within the principle of what was approved as part of an outline planning permission (together with any relevant planning condition detail requirements) there is no ability to seek to impose further restrictive details.

#### Discharge of Conditions relating to original outline planning approval

- 8.63. The applicants propose to discharge a number of conditions attached to the outline planning approval. These are discussed below;
- 8.64. Finished floor levels – The detailed level drawings submitted are considered to be acceptable as discussed in the section above.
- 8.65. Open Space – The quantum and location of open space is fixed and is considered to be acceptable. Details have been submitted of the play areas. Feedback has not yet been received on these details. An update will be provided as a late item.
- 8.66. Internal noise – This is addressed in the above section and the WNC Environmental Health Officer has confirmed that the condition can be discharged.

- 8.67. Bus stops - The LHA have also noted that the bus stops locations as laid out in the S106 Agreement mean that all of the development is located within 400m of a bus stop and therefore the bus route also no longer has to go around the primary road loop through the southern part of the development.
- 8.68. Travel Plan- The LHA have approved the details of the Travel Plan.
- 8.69. Lighting – Details of street lighting have been submitted. WNC have not yet received a S38 submission for the street lighting and as such they are unable to comment on the details submitted to discharge the condition. An update will be provided as a late item.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. CIL payments are not applicable to this site as the outline consent was approved prior to CIL being adopted.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The planning system is actively encouraged to assume a presumption in favour of sustainable development rather than being an impediment to sustainable growth. The site, being located with the Overstone Leys SUE will have a good level of accessibility and be within reasonable walking and cycling to the local centre. Taking the above into account, this development is considered to be acceptable.
- 10.2. The proposal has been designed in accordance with the parameter plans approved at outline stage and the indicative masterplan.
- 10.3. On balance, it is considered that the proposal is acceptable in planning terms and hence overall complies with policies S1, S10, N3, C1, C2 and BN9 of the West Northamptonshire Joint Core Strategy and policies ST1, EN1, ENV4, ENV5 and ENV10 of the Settlements and Countryside Local Plan (Part 2) (February 2020).

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

- 11.1. The application is recommended for **APPROVAL**

### **Conditions**

#### **Drawing Numbers**

1.The development shall be carried out strictly in accordance with the following drawings;

- P19-2289\_005-1 Planning Layout (1 of 2) AK
- P19-2289\_005-2 Planning Layout (2 of 2) AK
- P19-2289\_005-3 Planning Layout (1:1000) AK
- P19-2289\_005-4 Coloured Layout (1:1000) AK
- P19-2289\_009 Street Scenes B
- P19-2289\_017 Site Location Plan: Infrastructure E
- P19-2289\_018 Site Location Plan G
- P19-2289\_020 Affordable Tenure Plan E
- P19-2289\_021 Boundary Treatments Plan D
- P19-2289\_022 Refuse Plan E
- P19-2289\_023 Parking Plan E

P19-2289\_024 Materials Plan E  
P19-2289\_025 Hard Surfaces Plan C  
P19-2289\_033 Site Sections A  
P19-2289\_034 Southern Site Sections  
P19-2289\_201 House Type Pack C

Landscaping/Arboriculture:

7463.LMP.001 Landscape Management Plan – April 2021  
7463.Land.Spec.001 Specification for Landscape & Horticultural Works – April 2021  
7463.PP.1.0 – 7463.PP.1.23 Rev C Planting Plans  
7463. PSD.2.0 LEAP Playspace Plan Rev. C  
10909\_AIA.001 Rev. A Arboricultural Impact Assessment  
1090 TCP 01 Tree Constraints plan

Engineering:

18865 – FRA-C Rev. A  
18865-OVER-5-200 E – Levels & Drainage Strategy 1 of 2  
18865-OVER-5-201 E – Levels & Drainage Strategy 2 of 2  
18865-OVER-5- SK010 G – Refuse Vehicle Tracking 1 of 2  
18865-OVER-5-SK011 D – Refuse Vehicle Tracking 2 of 2  
18865-OVER-5- SK012 E Fire Tracking 1 of 2  
18865-OVER-5-SK013 E Fire Tracking 2 of 2  
18865-OVER-5- SK014 C Visibility Splays Layout  
Green Travel Plan – March 2021

Noise:

Noise Impact Assessment N4084-1R3 (Ensafe) - September 2021

Reason: To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any change to the approved plans.

**Hard landscaping**

2. Notwithstanding Drawing P19-2289\_021 Rev D Boundary Treatment Plan prior to construction of the dwellings above slab/foundation level details of hard landscaping works shall be submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatments (including hedgehog holes), including full details of the proposed boundary walls, fences, railings and gates to be erected, specifying the colour of the railings and gates; footpaths. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the dwellings hereby permitted.

Reason: Drawing P19-2289\_021 Rev D is not acceptable in its current form as elements of enclosures are missing and in the interest of residential amenity further details are required in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

**Removing Permitted Development Rights**

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no alterations shall be made to any means of enclosure hereby approved that front a highway, footpath or private drive,



and no new means of enclosure shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts on to a highway, footpath or private drive, in either case without the prior written consent of the Local Planning Authority. For the avoidance of doubt, 'means of enclosure' shall include fences, gates, railings, walls or hedges. Any gates shall be set back 5.5m from the highway boundary.

Reason: In the interests of the visual amenity of the area and of highway safety and in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Materials**

4. Notwithstanding Drawing P19-2289\_024 Rev E Materials Plan prior to construction of the dwellings above slab/foundation level samples (including photographs) of the materials to be used for the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered. In the interests of visual amenity of the area in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Landscaping**

5. The submitted and approved landscaping scheme shall be implemented prior to the development, or any phase of the development, being first occupied/used, or in accordance with a programme submitted to and approved in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of the visual amenity of the area and in accordance with Policy ENV1 of the Settlements and Countryside Local Plan (Part 2).

### **Use of garages**

6. The garages, parking spaces and turning areas shown on the approved plan(s) shall be constructed/laid out and surfaced in accordance with the approved drawings before the dwelling is first occupied and shall not thereafter be used for any purpose other than garaging/parking of private motor vehicles.

Reason: In the interests of residential amenity and the safety and convenience of users of the adjoining highway in accordance with Policies ENV10 and SP1 of the Settlements and Countryside Local Plan (Part 2).

### **Affordable Housing**

7. The quantum, disposition and type of affordable housing within the site shall be set out on the Affordable Tenure Plan P19-2289\_020 Rev E and the Affordable Housing Statement prepared by Pioneer Property Services Ltd and the tenure and phasing of the affordable housing shall be as set out in the existing Section 106 agreement for the site, in all cases, unless otherwise agreed in writing by the Local Planning Authority, in the context of a viability assessment for the site.

Reason: In the interests of providing an appropriate level and standard of affordable housing.

### **Retaining walls**

8. Notwithstanding Drawing 18865-OVER-5-200 E (Sheet 1 of 2) and Drawing 18865-OVER-5-201 E (Sheet 2 of 2) prior to construction of the dwellings above slab/foundation level, details of any retaining walls proposed shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and in accordance with Policy ENV1 of the Settlements and Countryside Local Plan (Part 2).

### **Boundary to Billing Lane**

9. Notwithstanding Drawings 7463.PP1.3C, 7463.PP1.7C, 7463.PP1.12C, 7463.PP1.17C and 7463.PP1.22C prior to the construction of the dwellings above slab/foundation level, details of the landscaping strategy to Billing Lane including the retention, enhancement and management of the existing hedgerow shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory landscape treatment of this important boundary to Billing Lane in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Noise Mitigation**

10. Prior to the first occupation of any dwellings, the noise mitigation measures outlined in the Noise Impact Assessment N4084-1R3 prepared by Ensaf - September 2021 shall have been installed and a verification report submitted and approved in writing by the Local Planning Authority to detail evidence of the mitigation measures installed. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory residential environment for future occupiers in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1).

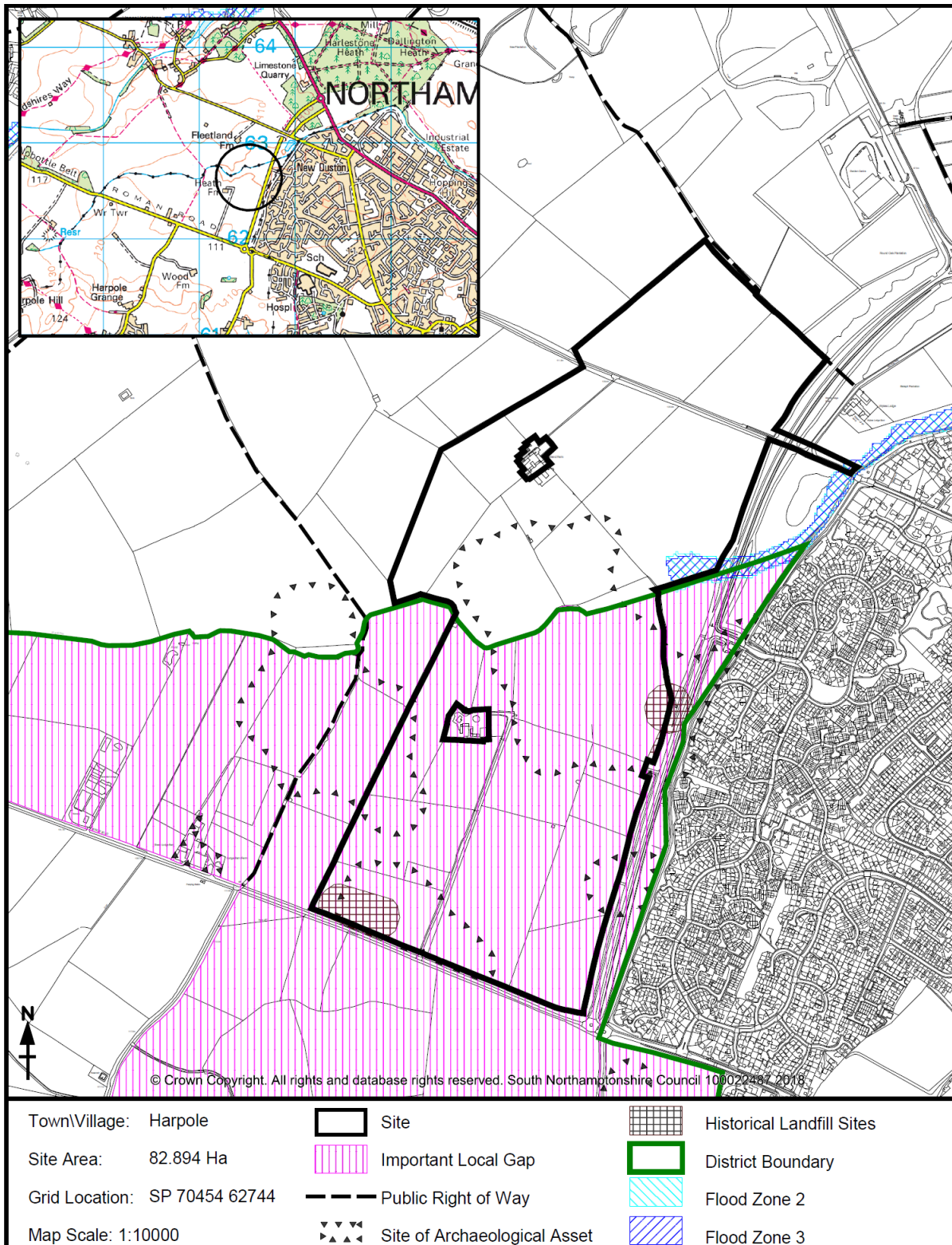
NOTES As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies: In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a

view to seeking solutions to problems arising in relation to the consideration of this planning application.

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**Application Numbers: WNS/2021/0366/COND and C/2017/0899**

**Parishes: Harpole and Harlestone Manor**



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**Application Numbers: WNS/2021/0366/COND and C/2017/0899**

**Parishes: Harpole and Harlestone Manor**

**Application Numbers:** WNS/2021/0366/COND and C/2017/0899

**Location:** Land Bounded by New Sandy Lane to the East

**Proposal:** Condition 7 [Design Code] Application for approval of details submitted pursuant to condition 7 of dual planning permissions S/2017/2270/EIA and DA/2017/0889 [Outline application for the demolition of existing barns and the erection of up to 1750 dwellings, a primary school, A mixed use Local Centre (Uses A1-A5, D1), together with associated public open space, landscaping, highways sustainable drainage systems, and all ancillary infrastructure works, including a new primary sub-station. (Application accompanied by an Environmental Statement)

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**Applicant:** Bloor Homes

**Agent:**

**Case Officer:** Suzanne Taylor

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**Wards:** Bugbrooke AND Moulton

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**Reason for Referral:** **Affects Sustainable Urban Extension**

**Committee Date:** 18/10/2021

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: AGREE TO DISCHARGE THE DESIGN CODE CONDITION**

#### **Proposal**

Application to discharge condition 7 of the outline planning permission for Northampton West Sustainable Urban Extension (SUE) which seeks to agree the Design Code for the development.

#### **Consultations**

No consultees have raised **objections** to the application.

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

- Harpole Parish Council, Harlestone Manor Parish Council, Local Highways Authority, Education, Surface Water Drainage, Building Control, Strategic Housing, Economic Development, Northants Police Crime Prevention Design Advisor, Stagecoach Buses

No consultees are **in support** of the application.

No letters of objection or support have been received.

### **Conclusion**

The proposed Northampton West Design Code is consistent with the outline planning permission and represents a logical progression from the associated Masterplan and Design and Access Statement. The applicants have worked with officers to amend and revise the code to produce a set of guidelines which should enable developers to design appropriate, detailed, reserved matters planning applications for this SUE. Condition 7 of the planning permissions should be discharged.

**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 application site is circa 83 hectares that lies on the western edge of Northampton adjacent to the communities of Duston and New Duston and some 6km from Northampton town centre. The village of Harpole lies approximately 1.7km to the south and Harlestone (in Daventry) approximately 2km to the north. The site is primarily comprised of arable and grazing agricultural land and straddles the former district boundaries of Daventry and South Northants; split almost 50:50 between the two areas. This boundary is demarcated by the Dallington Brook watercourse which runs roughly east to west across the middle of the site and provides a green corridor of existing vegetation through the site.
- 1.2 The New Sandy Lane runs along the eastern site boundary with Roman Road to the south. Port Road to Harlestone bisects the northern part of the site and the north of the site is bounded by Round Oak plantation and a restored section of Harlestone Quarry inert landfill. To the west is predominantly agricultural land and the easternmost extent of the Althorp Estate. The site is mainly large arable fields contained by hedgerows, fence lines and trees and includes smaller pockets of woodland and scrub and two small farm estates; Fleetlands Farm to the north and Heath Farm to the south.
- 1.3 To the east of the application sites is New Sandy Lane, a single carriageway relief road connecting Harlestone Road at the north to Roman Road at the south. To the east of that is a surface water balancing pond that receives run off from New Sandy Lane and to the north-east of the site boundary is New Duston which forms the urban edge of Northampton and is comprised of late 20th Century two storey housing. There is a landscape buffer, cycleway and footpath between the western edge of the residential area and New Sandy Lane, meaning that apart from Fleetlands Farm and Heath Farm, the closest existing housing is over 60m from the site.
- 1.4 To the south of the site is Roman Road, a single carriageway road that connects Northampton with Nobottle to the west. Roman Road meets New Sandy Lane at a double mini roundabout on the south-eastern corner of the site. Beyond Roman Road to the south, the land remains relatively flat before rising up to a ridgeline south of which the land slopes back down to the village of Harpole.



- 1.5 To the west and north west of the site are agricultural fields, with the land rising to a ridge, before dropping down to Upper Harlestone and Harlestone. To the west, south of Dallington Brook, is a Public Right of Way (PROW) (CU11 and KP1) bridleway which connects Upper Harlestone and Roman Road. A footpath also borders the north boundary of the site (CU27) which also links to Upper Harlestone.
- 1.6 The site is visually contained and screened from the villages of Harpole, Upper Harlestone and Harlestone by the existing topography and areas of woodland and sits within a 'bowl' of land.
- 1.7 The site comprises a significant proportion of the Policy N4 allocation for the Northampton West Sustainable Urban Extension (SUE) contained in the West Northamptonshire Joint Core Strategy. A small section of the south-eastern corner of the N4 allocation (lying to the south of Roman Road) forms part of the Norwood Farm SUE hybrid planning permission (ref: S/2016/1324/EIA).

## **2. CONSTRAINTS**

- 2.1. The site lies within an Important Local Gap as defined in saved policy EV8 of the South Northamptonshire Local Plan (SNLP).
- 2.2. The site lies within a Special Landscape Area as defined in saved policy EV7 of the SNLP; iii) The Hemplow Hills, Cottesbrook and Brington Area.
- 2.3. Parts of the site (adjacent to the watercourse running roughly east-west through the centre and marking the district boundary between South Northants and Daventry) of the site lie within Flood Zones 2 and 3.
- 2.4. It's within 2km of the following SSSIs: Nobottle Belt; Oldfield Thicket; Nobottle Short Wood; Nobottle Wood; Church Brampton Golf Course; Harlestone Firs; Broadgow Spinney; Heath Spinney and Brook; Berry Wood; Dallington Heath; Sowditch Thicket; Dallington Brook Grassland; Upton Pasture.
- 2.5. The site lies within 1 km of Harlestone Quarry.
- 2.6. There are two historical landfill sites within the area.
- 2.7. The following archaeological assets lie within the site:
  - Lodge Barn Farm; Possible Iron Age/Romano-British Settlement;
  - Possible Iron Age/Romano-British Settlement;
  - Possible Prehistoric Settlement.
- 2.8. There is an area of ridge and furrow to the north-west of the site (within the Daventry area).

## **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. In December 2020 outline planning permission was granted for up to 1,750 dwellings, a primary school, a mixed use Local Centre (Uses A1-A5, D1), together with associated public open space, landscaping, highways, sustainable drainage systems, and all ancillary infrastructure works. The current application seeks to discharge condition 7 of this permission which requires the submission and approval of a Design Code before any development commences. The applicant has submitted a site-wide Design Code which will cover all future phases of the permission.

3.2. The condition requires that the Design Code should be broadly in accordance with the submitted Design and Access Statement and should include, where relevant, details and guidance in respect of the following matters:

- (a) Residential Areas: Including information on character areas, densities, block types, building types, clustering of affordable housing, the palette of materials, architectural details, building heights, building lines and boundary treatments;
- (b) Local Centre: Including Information on design, form, character, scale, public realm and palette of materials;
- (c) Streets: including information on the hierarchy, nature and form of streets, cycleways and footways; cross sections; character; materials, permeability and street landscaping where possible;
- (d) Non-Vehicular Movement: Including information on the framework and hierarchy for pedestrians, cyclists and horse riders, rights of way, desire lines, and connectivity, materials, landscaping and surveillance;
- (f) Parking: Information on car, lorry and cycle parking standards for residential, employment, commercial, leisure and schools;
- (g) Landscape: including information on landscaped areas and green infrastructure including: amenity spaces; public open space; parks and play areas, street furniture; conservation of flora and fauna; and biodiversity mitigation measures;
- (h) Drainage: details of surface and foul water drainage;
- (i) Crime Prevention: Information on all residential, commercial, employment, leisure and public areas;
- (j) Fire Hydrants: A scheme for the location of (on average) one fire hydrant for every 50 dwellings;
- (k) Electricity Sub Stations: A scheme for the location of electricity sub stations where necessary.

The conditions states that the development should be carried out in accordance with the principles of the approved Design Code. Therefore, it is anticipated that all future applications for phases within this development should follow the guidance and rules set out in the approved Design Code.

**4. RELEVANT PLANNING HISTORY**

4.1. The following planning history is considered relevant to the current proposal:

<b>Application Ref.</b>	<b>Proposal</b>	<b>Decision</b>
S/2017/2270/EIA and DA/2017/0889	Outline application for the demolition of existing barns and the erection of up to 1750 dwellings, a primary school, A mixed use Local Centre (Uses A1-A5, D1), together with associated public open space, landscaping, highways sustainable drainage systems, and all ancillary infrastructure works, including a new	APPROVED

	primary sub-station. (Application accompanied by an Environmental Statement). Dual application.	
S/2016/1324/EIA	Norwood Farm SUE - Hybrid planning application seeking both full and outline planning permission for: Part A: Outline planning permission for a sustainable urban extension comprising: Up to 1,900 dwellings (use class C3); Public open space and children's play areas; Landscape areas, new landscape planting and hydrological attenuation features and sustainable drainage systems; Primary school (use class D1); and Mixed use local centre which may include residential (use class C3), retail (use classes A1, A2, A3, A4 and A5), and health and community facilities (use class D1). Part B: Full planning permission for: Demolition of any on site buildings or structures; and Routing of Sandy Lane Relief Road and associated vehicular access points. Application is accompanied by an Environmental Impact Assessment.	APPROVED
S/2020/2107/COND	Condition 6 (Design Code) – Application for approval of details submitted pursuant to condition 6 of planning permission S/2016/1324/EIA	APPROVED

## 5. RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northants and Daventry Local Plans (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

#### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S3 - Scale and Distribution of Development
- S4 – Northampton Related Development Area
- S5 – Sustainable Urban Extensions
- S6 – Monitoring and Review
- S7 – Provision of Jobs

- S8 – Distribution of Jobs
- S9 – Distribution of Retail Development
- S10 – Sustainable Development Principles
- S11 – Low Carbon and Renewable Energy
- C1 – Changing Behaviour and Modal Shift
- C2 – New Developments
- C3 – Strategic Connections
- C5 – Enhancing Local and Neighbourhood Connections
- RC2 – Community Needs
- H1 – Housing Density and Mix and Type of Dwellings
- H2 – Affordable Housing
- H4 – Sustainable Housing
- BN1 – Green Infrastructure Connections
- BN2 – Biodiversity
- BN3 – Woodland Enhancement
- BN5 – The Historic Environment and Landscape
- BN7a – Water Supply, Quality and Wastewater Infrastructure
- BN7 – Flood Risk
- BN8 – The River Nene Strategic River Corridor
- BN9 – Planning for Pollution Control
- BN10 – Ground Instability
- INF1 – Approach to Infrastructure Delivery
- INF2 – Contributions to Infrastructure Requirements
- N4 – Northampton West Sustainable Urban Extension

South Northants Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the SNLPP2 are:

- LH8 – Affordable Housing
- EMP3 – New Employment development
- SDP1 – Design principles
- SDP3 – Health facilities and wellbeing
- INF1 – Infrastructure delivery and funding
- INF2 – Community facilities
- INF3 – Education facilities
- INF4 – Electric vehicle charging points
- GS1 – Open space, sport and recreation
- GS2 – Local green spaces
- HE1 – Significance of heritage assets
- HE2 – Scheduled ancient monuments
- HE5 – Listed Buildings
- HE6 – Conservation Areas
- HE7 – Non designated heritage assets
- NE2 – Special landscape areas
- NE3 – Green infrastructure corridors
- NE4 – Trees, woodlands and hedgerows
- NE5 – Biodiversity and geodiversity

Settlements and Countryside Local Plan (Part 2) for Daventry (LPP2)

5.5. The relevant policies of the Daventry LPP2 are:

- HO8 - Housing Mix and Type
- ST1 - Sustainable Transport Infrastructure
- EN1 - Landscape

- ENV3 - Green Wedge
- ENV4 - Green Infrastructure
- ENV5 - Biodiversity
- ENV7 - Historic Environment
- ENV9 - Renewable Energy and Low Carbon Development
- ENV10 - Design
- ENV11 - Local Flood Risk Management
- CW1 - Health and Wellbeing
- CW2 - Open Space Requirements

#### Harpole Neighbourhood Plan (NHP)

5.6. The relevant policies of the NHP are:

- H2 – Integrated tenures
- H3 – Design Principles
- H6 – Green Wedges
- H9 – Green Infrastructure and Biodiversity
- H10 – Protecting and Enhancing Local Landscape Character in Harpole Parish
- H11 – Traffic Management and Transport Improvements
- H12 – Footpaths/cycleways/connectivity

#### **Material Considerations**

5.7. Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)
- Nortoft Study: Planning for the Future of Open Space, Sport and Recreation in West Northamptonshire
- Strategic Development Framework (SDF) - a document produced as a technical guide/evidence base to inform the master planning process and as a tool to guide and co-ordinate future development in West Northamptonshire. It does not constitute planning policy, but it is consistent with and amplifies the JCS strategic policy framework of providing a ‘planled’ approach to guide development of the SUE’s.
- South Northamptonshire Supplementary Planning Guidance/Documents (SPDs and SPGs): Energy Efficiency, Developer Contributions, Parking, Air Quality and Emissions Mitigation: Guidance for Developers
- South Northamptonshire Design Guide

## **6. RESPONSE TO CONSULTATION**

Below is a summary of the consultation responses received at the time of writing this report.

Consultee Name	Position	Comment
Harpole Parish Council	Comments	<p>A joint response was provided by Harpole and Harlestone Manor Parish Councils which made comments on the following matters:</p> <p>1) Unequal density of housing across the development. <i>(Officer Note: This was approved under the outline permission).</i></p> <p>2) Lack of permeability of housing in Heath and Central core areas. <i>(Officer Note: Pedestrian and cycle linkages are to be provided throughout the development to ensure sustainable modes of transport including a Primary Footpath (cycle/walking/running) alongside the Primary Spine Rd. The green/blue corridor of the brook should not be broken-up by too many connections which could adversely affect its ecological function).</i></p> <p>3) Concentration of play and leisure facilities to north of Dallington Brook. <i>(Officer Note: The play areas and leisure facilities are located in the areas approved by the Indicative Masterplan which was submitted as part of the outline application. These areas of play are dispersed around the development to ensure that all residents are within a certain distance from a play area depending on the typology of the play area.)</i></p> <p>4) Isolation of and unsuitability of land for sports pitches. <i>(Officer Note: The siting of the sports fields accords with the approved Masterplan for the site and have always been in this location.</i></p> <p><i>The S106 agreement requires a specification of the sports pitches to be submitted and approved prior to any works taking place so there will be control over the design of the sports pitches to ensure they are useable and fit for purpose.</i></p> <p><i>A car park will be provided for the sports pitches. The impact of this and any</i></p>

		<p><i>access upon nearby properties in relation to parking and potential 'nuisance' will be considered at the detailed planning stage).</i></p> <p>5) Location of Commercial Centre (to include Community Centre)  <i>(Officer Note: Accords with the approved masterplan. A Transport Assessment (TA) was submitted with the outline application and supported by the Local Highways Authority.</i></p> <p><i>Having the local centre adjacent to the school will allow linked/shared trips in the interests of sustainability.</i></p> <p><i>The local centre will have sufficient car parking in accordance with current guidance and will be accessible via walking or cycling.</i></p> <p><i>Being sited adjacent to the principal spine road and access into the development will encourage the use of the local centre by passing trade which will improve its viability).</i></p> <p>6) Significant reduction in green space from Masterplan (SK11)  <i>(Officer Note: The proposals accord with the outline permission and Masterplan and there is no reduction in green space).</i></p> <p>7) Proposed changes to alignment of Port Road will create local 'rat runs'.  <i>(Officer Note: The re-alignment of Port Rd was approved under the outline permission an took account of the comments of Harlestone PC and the Local Highway Authority to reduce potential rat running through the village).</i></p> <p><i>Officer Note: A joint response from the Daventry and South Northants case officers was sent to the Parishes which are summarised in italics against each of the above points.</i></p>
Harlestone Manor Parish Council	Comments	<p>See above.</p> <p><i>Officer Note: Following the response from case officers to the Parishes a reply was received from Harlestone Manor acknowledging that they would not be seeking changes to things that had already</i></p>

		<i>been approved.</i>
Local Highway Authority	No objection	The principles of the pedestrian and cycle connections, public transport strategy, street typologies (including hierarchies), spine road types, direct access to the spine road (to be grouped where possible), secondary streets, verge/tree planting, shared surfaces, green lanes, residential parking typologies (parking courts only supported if they are overlooked and attractive to residents) and landscape strategy are all agreed.
Education Authority	Comments	<p>Suggest the Design Code be amended to reflect that the baseline approach as set out by the DFE be the minimum expected standard, with any design-led enhancements (e.g. in respect of roof scape, building details, materials, boundary treatments etc) being subject to an assessment of their financial feasibility. In the event that the level of section 106 contribution is insufficient to support the delivery of design-led enhancements set out in the Design Code then this should not prevent the baseline design from being delivered, subject to necessary planning consents being secured.</p> <p>In respect of highways, appropriate and safe access points will need to be provided to the school site for pupils, staff and visitors, as well as service vehicles (e.g. refuse collections). <i>(Officer Note: Further clarification of these matters has been added at Paragraphs 8.24 to 8.28 as requested).</i></p>
Surface Water Drainage Team (AKA Lead Local Flood Authority)	Comments	<p>1) Section 7.19 states; The sustainable surface water management strategy has been designed to reflect the existing greenfield drainage regime of the site, with the aim of maintaining the existing catchments and surface water runoff rates. It is proposed that surface water will be discharged to the local watercourses at a rate equivalent to the pre-development greenfield runoff rate, thus ensuring no increase in flood risk within or downstream of the site.</p> <p>The discharge rate should be greenfield runoff rate but proportional to the impermeable area not the whole site area.</p> <p>2) The LLFA would ask that surface water conveyance and storage is situated above</p>



		<p>ground where possible and that the Design Code encourages a true SuDS system.</p> <p>3) Whilst the Design Code relates to the strategic drainage system, it should also encourage the use of source control SuDS within each parcel to further reduce flood risk and where possible provided amenity and biodiversity benefits. <i>(Officer Note: These clarifications have been added to the Site Wide Principles for Drainage as requested)</i></p>
Building Control	No objection	
Strategic Housing	No objection	<p>Note the commitment to ensuring that the affordable housing is tenure blind in line with Policy LH8 of the SN LPP2. This tenure blindness should extend to any hard or soft landscaping along with types of parking provision. <i>(Officer Note: Further clarification has been added to paragraph 7.7 to cover this matter).</i></p> <p>The maximum clustering of 20 units and the absence of affordable housing on phase 1 is consistent with the S106 agreement.</p> <p>Note that there is almost no mention of climate change. This includes how the design choices will affect the development's impact on the climate and how the design choices may influence the effects of climate change on residents, for example through overheating. <i>(Officer Note: Information on Sustainable Building Techniques has been added at paragraph 7.36 This is not a requirement of the condition)</i></p>
Economic Development	No objection	
Northants Police Crime Prevention Design Advisor	Comments	<p>Pleased to note that the play parks are to be limited to fewer, larger areas. Does not agree with the use of parking courts but if they are to be provided they should be gated and well overlooked.</p>
Stagecoach Buses	Comments	<p>Recommend that the indicative position/frequency of bus stops is specified in the Design Code. <i>(Officer Note: The indicative position of bus stops has been added to the Access and Movement Strategy Plan along with the guidance that they should be located along the spine roads at 400m walking catchments).</i></p>

## **7. RESPONSE TO PUBLICITY**

There is no statutory duty to consult on applications to discharge conditions. In accordance with the Council's protocol only targeted consultations were undertaken with consultees and no third parties or neighbours were consulted.

- 7.1. There have been no comments from third parties or neighbours.

## **8. APPRAISAL**

### What is a Design Code?

- 8.1. The MHCLG Planning Policy Guidance on 'Design: process and tools' describes design codes as "illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area" (Paragraph: 008 Ref ID: 26-008-20191001).
- 8.2. A design code is a technical delivery document which should serve as a quality benchmark that can be applied to the whole development. Design Codes should be read in conjunction with other documents, which set out a clear vision, principles and character for the development, such as the Design & Access Statement and Masterplan. Codes should develop the design vision and provide a clear set of requirements (the codes) to achieve/deliver this vision. The Spatial Masterplan provides the broader place-based vision, whilst codes interpret and articulate this vision.
- 8.3. A design code should not constrain the detailed design solutions for individual phases but it should set out a general design approach and aspirations for the provision of a number of different character areas across a large development. The proposed design approach should be informed by a character analysis; an appraisal of existing development within the vicinity of the site. The code should include a sufficient variety of character areas in order to create distinct places within a large scheme to make the development visually interesting and legible. At the same time, it should also ensure consistency in the detailed design for buildings within each area to produce harmonious and attractive spaces and neighbourhoods.
- 8.4. A design code should also set out rules for how strategic infrastructure will be dealt with across the development. For example, illustrations showing the hierarchy of various road types should be included and give minimum/maximum widths and surface treatments for the various elements within the highway (carriageway, verge, footpath, cycleway etc). Examples of other strategic matters which would typically be addressed are parking, non-vehicular movement, connectivity, public open space, play areas, the local centre, affordable housing, refuse, drainage, crime prevention, utilities, street furniture etcetera.
- 8.5. On a multi-phased development scheme (such as a SUE) where it is likely that a number of different developers will build out various parts of the site a design code is an important document in ensuring that the development and its strategic infrastructure is delivered in a coherent and harmonious way. It should provide developers with a 'guide book' for all future reserved matters applications for the various phases of the SUE which would be expected to adhere to the code.

### Northampton West Design Code

8.6. Officers have been working together with the applicants, Bloor, to agree a Design Code for Northampton West since outline planning permission was jointly granted in December 2020 by both former authorities. The applicants have addressed the concerns and matters raised by officers and consultees and the code is considered to be acceptable. The following description and assessment of the various sections within the Northampton West Design Code explain how officers have arrived at this view.

*Local Character Assessment Summary*

8.7. The character assessment section was revised and expanded to ensure that it provided a thorough and accurate appraisal of existing character areas within Northampton and surrounding villages. A table was added to summarise the Character Analysis and the “Lessons for Northampton West” which highlight those characteristics to be taken forward into the Design Code was amended. This approach should ensure that development coming forward will be locally distinctive and respectful of its context.

8.8. The ‘headline’ findings of this appraisal include: New Duston is an inward facing development that is insular and impedes legibility but the consistency of materials used creates a cohesive character; the use of projecting front gables and chimneys at Harlestone Manor could be replicated to create a cohesive character; Marina Park and Buckton Fields provide design cues for the layout with a distinctive spine road and legible street hierarchy; the excessive use of parking courts at Upton should be avoided; no salient architectural character can be derived from neighbouring residential areas and therefore Northampton West should seek to establish its own character, of its own time, as a transitional space between the urban/suburban edge of Northampton town and rural villages and between Harlestone Manor to the north and Norwood Farm to the south.

8.9. Summary of Character Analysis Table:

LAYOUT			
Urban Form	Built/Plot Form	Building Heights	Building Set-Back
<p>Perimeter development blocks favoured as they provide good natural surveillance to public realm</p> <p>Rear access via large scale parking courts should be avoided if possible, to avoid “dead” frontages as seen at Timken Way South</p> <p>Proper mews streets with active frontage within them, as seen at Timken Way North can be utilised to provide active frontages to internal residential blocks</p> <p>Positive active frontage to the primary movement route will aid legibility and pedestrian movement through the scheme</p>	<p>Should vary with character area and density to be achieved</p> <p>Higher density to be narrower fronted and deeper plan units and lower density formed by larger dwellings set within more generous development plots</p> <p>Use of higher density development in more central areas of development would reflect more historic development in Duston Village and Semilong</p>	<p>Predominantly 2 storey</p> <p>Elements of 2.5 and 3 storey to help define the street scene and provide variation across the development</p> <p>Use of higher storeys more common in higher density development</p>	<p>Varies, shallow in higher density development, as seen in traditional Victorian development in historic Duston village and Semilong (1.5-2.5m)</p> <p>Deeper set backs to lower density areas as seen at New Duston and Buckton Fields</p>
LANDSCAPING/OPEN SPACE			
Public Open Space	Planting	Boundary Treatment	Parking
<p>Ideally integrated with development</p> <p>Formal play spaces provided across the development</p> <p>Areas of informal amenity space should be designed around existing green infrastructure and retained tree and hedgerow planting</p>	<p>Low-level planting to frontages</p> <p>Street trees to help to define primary movement routes, larger scale stems preferred to add instant impact from year 1 and avoid spindly nature of tree at Marina Park</p>	<p>Planted frontages, hedgerow and railing relatively common across all areas analysed</p> <p>Consistency in approach preferred in a single character area to aid legibility</p>	<p>On plot to front and side preferred as better surveillance and less reliant on-street parking that can block carriageway/restricts pavements</p> <p>Adequate on plot and visitor parking needed to avoid cars negatively dominating the street scene, as seen in Semilong</p>
ARCHITECTURAL DETAILING/MATERIALITY			
Façade Materials	Roof Scape/Materials	Detailing	Fenestration
<p>Northampton stone, red and buff brick common across all areas</p> <p>Use of render common across all areas although colours vary and amounts vary by character to be created</p> <p>Limited use of timber boarding can aid an alternative and more contemporary character</p>	<p>Roofs predominantly eaves fronted. Use of hipped roof form tends to be on early 20th century development and more recent key buildings</p> <p>Gables with timber detailing to occasional plots commonplace across all areas, apart from terraced units in Semilong</p> <p>Red and brown concrete tiles and slate effect tiles common</p> <p>Chimneys - consider use across the scheme to aid legibility and wayfinding</p>	<p>Stone sills and heads common</p> <p>Brick head and sills, string courses</p> <p>Arched window heads common</p> <p>Extensive use of brick corbelling and quoining can confuse the identity in newer development</p> <p>Porch styles vary across development. Use of larger canopies common, smaller flat roof elements tend to appear on more contemporary developments</p>	<p>UPVC windows common, however fenestration patterns vary, mock sash, glazing bars and plain casement windows used depending on areas</p> <p>Splayed bay windows to some larger units</p> <p>Square bay windows to more contemporary architecture</p>

### *Overarching Design Instructions*

- 8.10. Overarching Design Instructions are presented via a Regulating Plan which shows where various features and character areas will be located within the development. This plan is consistent with the higher-level Masterplan which was approved under the outline permission. This means that the siting of key strategic infrastructure such as the accesses, spine road, development parcels, the school and local centre, public open spaces, structural planting and sports pitches have been brought through from the Masterplan into the Regulating Plan. The RP provides more detail than the MP by also showing the locations of: secondary streets; potential future access points to neighbouring, proposed developments; pedestrian/cycle routes; Neighbourhood Equipped Area of Play (NEAP), Combined Local Equipped Areas of Play (LEAP) and Local Areas of Play (LAP) and LAPs; drainage attenuation ponds; keynote spaces; keynote dwellings; and character areas.

### *Access and Movement*

- 8.11. This section sets out the locations of the spine and secondary roads and pedestrian and cycle routes. A set of Street Typologies provides a guide to how a hierarchy of streets will be implemented within the development going from spine roads as highest level street type, to secondary streets, to shared surfaces, to green lanes at the bottom level. Three types of spine road are proposed to reflect the adjacent land uses and proximity to the site accesses. The typologies include diagrams to show typical sections through the different road types. Details of the road speeds, accessibility for buses, widths and construction of carriageways, footpath/cycleways and verges are provided. It also includes Parking, a Public Transport Strategy and potential future links to surrounding existing and proposed developments.
- 8.12. The Parking guidance accords with the adopted Parking SPD for Northamptonshire and advocates a wide range of parking solutions that can be applied across the development including parking courts. Whilst Highways and the CPDA have reservations about the use of parking courts it has been agreed that these could be used infrequently where they are well overlooked and secure and where this would allow a better-quality street scene. Having a wide selection of parking options seeks to reduce the reliance on having perpendicular parking immediately in front of dwellings which can be detrimental to residential amenity and the street scene. Perpendicular frontage parking should not be the 'default' option and there will be a maximum of 4 consecutive bays without a landscaping break.
- 8.13. Planning and Highways officers are all satisfied with these design principles which are also consistent with the outline permission. The Design Code was revised to take account of comments from the Local Highway Authority regarding limiting direct accesses from the spine road and to clarify that lower hierarchy streets are only accessible from a higher or equal hierarchy street. The applicants also revised the parking options relating to parking courts and perpendicular parking in line with advice from officers.

### *Site Wide Principles*

- 8.14. The Site Wide Principles cover the following matters which have implications for the whole site: layout; crime prevention; affordable housing; refuse; drainage; utilities (meter

boxes, fire hydrants, pump stations, electrical sub-stations); building parameters; and green infrastructure.

- 8.15. The Layout Principles comply with the rules of good urban design by seeking to ensure a clear distinction between private and public spaces, good surveillance of the public realm and the provision of private spaces that are easier to protect from intrusion. Similarly, the principles set out in the code are also consistent with national and local policies on crime prevention by seeking to have outward facing development blocks with active frontages to all public and semi-public spaces; i.e. windows and doors facing onto to streets, parking courts, open spaces, footpaths and play areas to provide good surveillance.
- 8.16. The principles for affordable housing comply with the majority of local policies and standards. Whilst smaller clusters (less than 9 to 15) would be preferred within the Daventry area in accordance with DDC's SPD on Affordable Housing a maximum cluster size of 20 is acceptable within South Northants area and this was already approved for the outline planning permission (see Schedule 3, "Affordable Housing Standards" of the S106 agreement). Therefore, the affordable housing principles are considered to be acceptable and reflect the permission already granted.
- 8.17. In respect of the Drainage principles it was recommended that some additions/clarifications were made to the text to address the comments of the Lead Local Flood Authority. Namely, that the discharge rate should be greenfield runoff rate but proportional to the impermeable area not the whole site area and that surface water conveyance and storage is situated above ground where possible. The code should also encourage the use of a true SuDS system and the use of source control SuDS within each parcel to further reduce flood risk and where possible provided amenity and biodiversity benefits. The text has now been updated accordingly and so these principles are considered to be acceptable.
- 8.18. The guidance relating to utilities is considered to be appropriate and will serve as a solid basis for the drawing up of detailed reserved matters. First iterations of the code did not provide suitable examples of soft landscaping and screening for electricity sub-stations but additional and more appropriate examples were added by the applicants in response to officer feedback.
- 8.19. The code also includes a section on Building Parameters which provides a basis for the underlying forms of buildings/house types. These parameters are based upon the character analysis/lessons from Northampton and identify how and where key design features (such as projections and chimneys) will be utilised across the development.
- 8.20. Northampton West SUE will serve as a transition between Norwood Farm SUE to the south and the Harlestone Manor development to the north. On the advice of officers, strategies for controlling the use of projecting front gables and chimneys across the site have been added to the code to take account of the presence or lack of these features within the adjacent areas. Therefore, chimneys will be used on more plots, particularly in prominent locations such as along the spine roads, in the southern half of the site where it abuts Norwood Farm. This is because the Norwood Farm Design Code advocates using chimneys on a large proportion of houses whereas chimneys are only used sparingly (on key plots) in Harlestone Manor to the north.
- 8.21. Similarly, fewer projecting front gables are to be used within the character area to the south of the site to better reflect their relatively infrequent use as advocated in the Norwood Farm Design Code. Projecting front gables are a more common feature in Harlestone Manor and therefore the code allows for a higher proportion to be used to the central and northern character areas.

8.22. Green Infrastructure is also covered as a site wide principle with more landscaping details included for specific character areas and for the plays areas and open spaces later in the code. The overall Proposed Landscape Strategy is consistent with the Landscape Strategy Plan approved under the outline permission but now advances the detailed proposals to include the locations of the play parks, a hierarchy of pedestrian and cycle routes through the development and areas for potential wildlife/biodiversity enhancements. Officers are content with this strategy.

#### *Detailed Design Instructions*

8.23. This section of the code breaks the development down into neighbourhoods and character areas and makes specific recommendations for the architectural approach to be utilised within each of these areas. These instructions are based upon the findings of the character analysis and the different neighbourhoods and character areas primarily take their cues from the closest neighbouring developments where this has been justified in the analysis. Three neighbourhoods are proposed: Fleetland to the north of the site; Central; and Heath to the south. Each of these neighbourhoods is broken-down into three character areas: Spine Road; Green Edges; and Neighbourhood Housing. The school and local centre also have their own dedicated instructions.

8.24. A number of detailed design features were originally included within the various neighbourhood/character areas which have subsequently been removed in line with advice from officers. For example, mock-Tudor cladding treatments were proposed for gables but were not considered to be an appropriate feature to be brought through from the character analysis. Similarly, arched canopy porches and gabled fronted double garages were also replaced with more appropriate designs that take their cues from existing developments around Northampton.

8.25. Following discussions between the applicant and officers revisions were also made to the palette of facing materials. All reference to 'stone effect' were removed. It is not envisaged that stone will be a commonly used material within the SUE but if it is used it would be a natural stone finish. Brick, render and timber cladding with slate effect tiles or smooth, plain tiles will be the most commonly used materials (as evidenced by the character analysis).

8.26. Fleetland Neighbourhood. This is named after the existing Fleetland Farm located within the northern half of the site. It takes design cues from the surrounding development, and the street and block layout is to be influenced by the retained hedgerows with larger areas of open space to create identifiable breaks within the urban form.

8.27. Central Neighbourhood. Located, as the name implies, within the middle of the development and to the east of the site, the Central Neighbourhood will be visible to visitors from New Sandy Lane and is therefore an important gateway. It should provide a strong sense of arrival and character. It will lie adjacent to the Local Centre and Primary school and will feature simple detailing and quality materials with clean and crisp finishes helping to define the eastern entrance of the site. This will also provide an identifiable contrast to the Fleetland and Heath Neighbourhoods.

8.28. Heath Neighbourhood. Located to the south and west of the site and named after the existing Heath Farm which lies within the southern half of the site this neighbourhood will link the Northampton West SUE with the adjacent Norwood Farm SUE. Development here will be linear back-to-back residential blocks. Areas of retained woodland will be enhanced and provide keynote spaces within the neighbourhood.

8.29. Spine Roads. The spine roads will feature within all three neighbourhoods and a distinctive character is proposed for these key frontages which act as the principal

access routes, connect to the primary access points and serve the important amenities (i.e. the Local Centre and Primary School). This will help to create a legible development which facilitates movement.

- 8.30. Neighbourhood Housing. These character areas are for the internal parts of the development which will be predominantly residential areas. These residential cores will generally be of a higher density than development along the spine roads and green edges with more lower tier roads (shared surfaces and green lanes).
- 8.31. Green Edges. The western-most green edges of both the Heath and Fleetland neighbourhoods will form the new edge of settlement boundary for Northampton and therefore they should respect the rural context of these areas to provide a more sympathetic transition between the development and the open countryside beyond the site to the west; hence the inclusion of 'Green Edges' character areas within these neighbourhoods. The northern boundary of the Central Neighbourhood is also designated as a green edge as it lies adjacent to the Dallington Brook which serves as structural green space, amenity open space and a green/blue wildlife corridor within the development.
- 8.32. Local Centre. There is an opportunity to use a more contemporary approach to the building design within this area. The instructions are consistent with the outline planning permission.
- 8.33. School. Taking account of comments made by the Education Team the instructions relating to the school are considered to be acceptable.
- 8.34. Officers are satisfied that the Detailed Design Instructions will provide for enough variety and flexibility to create a visually interesting, distinctive and legible development whilst also giving enough detail to guide the design of reserved matters applications to ensure a consistency of approach which is respectful of the surrounding areas.

#### *Landscape Proposals*

- 8.35. The final section of the Design Code sets out details for the landscaping strategy to be applied across the SUE. The strategy gives guidance about the principles to be applied when designing the key green spaces for the development; green corridors; Gateway Green; Western Planting Corridor; Dallington Brook Ecological Corridor; Dallington Brook Community Park; Community Sports Hub; Wildlife Park and Community Orchard; and Port Road Community Park.
- 8.36. A Planting Palette is included for the various types of green spaces as well as for each of the neighbourhoods/character areas. This describes the species of plants to be used within each area. Using plants of varying shapes, sizes and colours will help to create a distinctive character and reinforce and harmonise with the built form.
- 8.37. Also included in this section are details of the street furniture and hard landscaping that should be utilised across the SUE.
- 8.38. Officers are satisfied that the landscaping strategy will help developers to design appropriate detailed landscaping proposals for the development which will be sympathetic to and support the creation of distinctive character areas.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. CIL is payable at the relevant rate for residential and retail uses on commencement.

## **10. PLANNING BALANCE AND CONCLUSION**

10.1. The proposed Northampton West Design Code is consistent with the outline planning permission and represents a logical progression from the associated Masterplan and Design and Access Statement. The applicants have worked with officers to amend and revise the code to produce a set of guidelines which should enable developers to design appropriate, detailed, reserved matters planning applications for this SUE. Condition 7 of the planning permissions should be discharged.

## **11. RECOMMENDATION**

**11.1. RECOMMENDATION – DISCHARGE CONDITION 7 OF OUTLINE PLANNING PERMISSIONS S/2017/2270/EIA AND DA/2017/0889**