



Daventry Local Area Planning Committee

A meeting of the Daventry Local Area Planning Committee will be held in the Council Chamber, Lodge Road, Daventry on Wednesday, 9 June 2021 at 6.00 pm

Agenda

1.	Apologies for Absence
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 10) To confirm the Minutes of the Meeting of the Committee held on 21 April 2021.
4.	Chairman's Announcements To receive communications from the Chairman.
Planning Applications	
5.	Planning Application DA/2019/1000 Daventry West (Pages 13 - 96)
6.	Planning Application DA/2020/1148 East Haddon (Pages 97 - 118)
7.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.

Catherine Whitehead
Proper Officer
1 June 2021

Daventry Local Area Planning Committee Members:

Councillor Kevin Parker (Chair)	Councillor Alan Chantler (Vice-Chair)
Councillor Daniel Cribbin	Councillor Rupert Frost
Councillor Lauryn Harrington-Carter	Councillor Rosie Humphreys
Councillor Daniel Marc Lister	Councillor Peter Matten
Councillor Wendy Randall	

Information about this Agenda

Apologies for Absence

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

Declarations of Interest

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

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

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

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Queries Regarding this Agenda

If you have any queries about this agenda please contact Marina Watkins and Jeverly Findlay via the following:

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Email: marina.watkins@westnorthants.gov.uk and jeverly.findlay@westnorthants.gov.uk

Or by writing to:

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One Angel Square
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Northampton
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Interim Planning Committee – Daventry District Area – 21st April 2021

Minutes of the **Interim Planning Committee – Daventry District Area** held remotely on the 21st April 2021 at 6.15 p.m. (concluded at 8.00 p.m.)

PRESENT:

Councillor Steve Osborne – Chairman
Councillor Kevin Parker – Vice-chairman

Councillors:

Alan Chantler	Malcolm Longley
Daniel Cribbin	Peter Matten
Stephen Dabbs	Ken Ritchie
Rupert Frost	Ian Robertson
Jonathan Harris	David Smith
Cecile Irving-Swift	Mark Wesley
David James	

Also in attendance: Councillors Adam Brown and Johnnie Amos

P.23/21 APOLOGIES FOR ABSENCE

No apologies for absence were received.

P.24/21 DECLARATION OF MEMBERS' INTERESTS

No declarations of interest were declared and no party whipping arrangements were declared.

P.25/21 PLANNING APPLICATIONS WITHDRAWN, DEFERRED OR DETERMINED UNDER DELEGATED POWERS

The Chairman announced that no applications had been withdrawn, deferred or determined under delegated powers.

P.26/21 PLANNING APPLICATIONS

Consideration was given to the report detailing planning applications for consideration (previously circulated, report reference: P.240421/1, page nos. 3 - 74).

RESOLVED:

That, subject to the variations set out below, the advice set out in the report now submitted be agreed.

DA/2020/0478 LONG BUCKBY – Outline application for construction of 16 dwellings with associated vehicular access, parking and landscaping (access and layout not reserved) – Land off Blincow Road

The Principal Planning Officer advised that the outline application detailed the access and layout of the site only and drew Members' attention to the list of late representations. The provision for secondary education would no longer be collected through the legal agreement but through the Community Infrastructure Levy. Northampton Clinical Commissioning Group had advised that there was insufficient capacity in the local health care system to accommodate more residents and therefore contributions for health care would be required. The application was before Members because authorisation for the legal agreement was sought. No objections had been received from statutory consultees or the Parish Council.

Mr Wiggins, the Agent, spoke in favour of the application.

The Chairman, as local ward Member, proposed that the application be approved as per Officer's advice. The proposition was seconded by Councillor Malcolm Longley.

Councillor Stephen Dabbs queried whether the contribution to the library service would go to the library or the parish council, whether the site would include the provision of charging points for electric vehicles and whether the Highway Authority were happy with the revised drawings referred to in the report. The Principal Planning Officer advised that the library contributions would be sent to where they were required, the electric vehicle charging points would be for the reserved matters application and the applicant had resolved the outstanding issues with the Highway Authority.

Councillor Jonathan Harris did not have any objections to the application in principle and welcomed the retention of the trees on the boundary, however as the scheme would result in habitat loss he considered that a landscaping scheme should be required.

Councillor Ken Ritchie queried the funding provision to the library service and whether this was a hangover from the old regime of Northamptonshire County Council. The Principal Planning Officer advised the library service continued to be provided and therefore contributions were necessary. If the library service ceased to exist then the contributions would be reconsidered. The Council's Legal Advisor concurred that the library contributions were a policy requirement.

The Chairman advised that the library group in Long Buckby were responsible for its management and the Parish Council only paid the lease on the library, therefore the funding would be provided to the library group.

The proposition to approve the application was put to the meeting and declared carried unanimously.

RESOLVED:

That the application be approved as set out in the report, subject to additional conditions regarding surface water drainage and that financial contributions towards healthcare be provided to the CCG and NHSE.

DA/2020/0860 WALGRAVE – Outline planning permission for the construction of a detached annexe to be used as ancillary use to the main dwelling (all matters reserved other than access) (resubmission of DA/2020/0182)

The Development Control Manager outlined the application for a detached annexe to a property accessed from a narrow lane. The main dwelling was large and linear in form and followed the line of a former stone wall that used to form the village boundary. The application had been amended and it would now lay wholly within the confines of the village as set out on the village map in the Part 2 Local Plan. The surrounding land of the property was partly used as garden. The Highway Authority supported the application as long as the annexe remained ancillary to the main dwelling.

Mrs Stroman, the Agent, addressed the Committee.

Councillor Cecile Irving-Swift proposed that the application be approved but that the word 'incidental' be amended to 'ancillary', Councillor Ian Robertson seconded the proposal. Further to an enquiry, the Development Control Manager advised that everything within the red line was residential so if the garden was extended into the agriculture land to the north of the site, a change of use application would have to be made.

Councillor Ken Ritchie noted that a significant part of the justification for the application was the personal circumstances of the applicant. Although he considered that housing needs should be taken into account, the proposed annexe was not insubstantial and was adjacent to a large main dwelling. Councillor Robertson considered that the annexe was not large but agreed that the main dwelling was. The Development Control Manager highlighted that the policy in the village allowed for development within the village confines, so it complied with policy, the circumstances of the applicant provided additional weight. Councillor Alan Chantler pointed out that a live-in carer was required and that was why 2 bedrooms were proposed to be provided in the annexe.

Further to discussion, the Development Control Manager highlighted that if the application had been for a separate dwelling that was not ancillary, the Highway Authority would have raised objections.

The proposition to approve the application as per Officer's advice was put to the meeting and declared carried with 14 voting in favour and 1 abstention.

RESOLVED:

That the application be approved as set out in the report.

DA/2020/0980 DODFORD – Change of use of land to use as a residential caravan site for one Traveller family with one mobile home and one touring caravan, laying of permeable hardstanding and installation of new septic tank – Land at Weedon Lane

The Development Control Manager outlined the application and advised that it had been considered as a site for a Traveller family. The Council had already met the requirements for the provision of such sites and the application had been considered on its own merits. Conflict had been identified with policy HO9 of the Local Plan, in respect of access and highway safety, accessibility to local services, the impact on the landscape, the local infrastructure and the Grand Union Canal Conservation Area. Members were shown photographs which illustrated the relationship between the site and the view from the A5 and the towpath. The site was not considered suitable for a traveller site and Officers recommended refusal.

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Mr Newton spoke on behalf of the Parish Meeting.

Councillor David James agreed with the concerns raised by Dodford Parish Meeting and Weedon Parish Council and proposed that Officer's advice to refuse the application be accepted. The proposition was seconded by Councillor Rupert Frost.

Councillor Adam Brown, one of the local ward Members, speaking with the consent of the Chairman, supported the recommendation and noted the concerns raised by the Highway Authority, the visual impact of the proposal and that the Council's planning obligations to the travelling community had been met at the current time. Councillor Johnnie Amos, another local ward Member concurred.

Councillor Ken Ritchie, raised concerns regarding the comments made by Dodford Parish Meeting and Weedon Parish Council as they referred to the traveller site at Stowe on the A5; he considered that this was discrimination and that the applicant was being questioned if they belonged to a social group. The Chairman stated that he had listened carefully to the speaker and did not think they had spoken out of turn and highlighted that the parish of Stowe was geographically near to the parish of Dodford.

Councillor David James pointed out that each application should be considered on its merits and the site at Stowe was not relevant to this site; however similar applications were often compared. Councillor Kevin Parker added that the site was in open countryside and the application was contrary to policy. Councillor Mark Wesley noted that the site at Stowe would not influence his decision on the application being considered.

Further to an enquiry from Councillor Irving-Swift, the Development Control Manager advised that if Members accepted Officers' advice to refuse the application, the applicant had a right of appeal. The caravan was located at a different site currently and Officers would discuss how the matter would be considered going forward.

On being put to the meeting, the proposition to refuse the application was declared carried with 12 voting in favour and 3 abstentions.

RESOLVED:

That the application be refused as set out in the report.

DA/2021/0018 STOWE NINE CHURCHES – Demolition of part of stone wall boundary, construction of garage, formation of new vehicular access and re-building of stone boundary wall (part retrospective) – Home Farm, Francis Row, Upper Stowe

The Principal Planning Officer advised that the stone wall boundary had until recently been adjacent to eighteenth century farmhouse and had retained the earth on the garden side.

In March 2019 planning applications for the demolition of the boundary wall and the construction of an underground garage were refused by the Planning Committee. An appeal against the Council's decision was dismissed by the Planning Inspector as they had agreed that it would cause harm to the significance of the designated heritage asset and the character and appearance of the local area. At the 18th November 2020 meeting of the Planning Committee, Members had authorised Officers to serve an enforcement notice to secure the removal of the unauthorised garage that had been built, to reinstate the land to its former level and reinstate the stone boundary wall, as the works that had been undertaken were a clear breach of planning and listed building control.

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The applications to be considered sought part retrospective permission for the demolition of part of the stone boundary wall, the construction of a garage and formation of new vehicular access and re-building of part of the stone boundary wall. These applications had not been subject to any pre-application discussions. The applicant had now omitted one of the garage doors from the plans but the pedestrian gate would be retained. The Principal Planning Officer reminded Members that the public benefits of the application must be demonstrated to outweigh the harm to the heritage asset and the Planning Inspector had not considered that they would. The proposal would materially change the wall and the enclosed garden and result in a loss of original fabric of the wall.

Mrs Carter spoke on behalf of the Parish Council and Mr Waine spoke in favour of the application.

Councillor Adam Brown, one of the local ward Members, speaking with the consent of the Chairman, spoke in support of the Parish Council and emphasised the efforts that the applicant had gone to in order to reduce the harm to the curtilage listed wall. The nature of the wall had changed following its demolition and when it was demolished it had become apparent that significant work had been undertaken to it over the years. The wall was not in a prominent location in the village and in his opinion it had limited heritage value.

Councillor Johnnie Amos, one of the local ward Members, speaking with the consent of the Chairman, acknowledged that the wall had been breached but considered it would be pragmatic to approve the application. The Parish Council supported the application and it would allow four vehicles to be parked off the highway verge and improve safety as the house was on a sharp corner.

Councillor Ian Robertson considered that the harm to the listed heritage asset would not be outweighed by the public benefits of parking off the verge.

Councillor Alan Chantler, as the Heritage Champion of the former Daventry District Council, stated that the application was against policy and against regulations. The wall was part of the curtilage of a listed structure and the application would cause significant harm. Members had refused the application previously and should do so again.

Councillor David James agreed with the Parish Council and noted that it was not always possible to use the original materials when re-building historic walls. Councillor James considered that the application would result in less than substantial harm and that the public benefit of additional parking outweighed any harm.

Councillor Ken Ritchie considered that there would be some public benefit as a result of the application but the village was quiet and not congested. The regime for the protection of listed building ensured that they were protected for the public benefit and the Planning Inspector had already refused the application. Councillor Kevin Parker added that the Planning Inspector had concluded that the benefits would not outweigh the harm and works had been carried out contrary to this finding.

Councillor David James considered that it was a subjective opinion as to whether harm would be caused by the scheme. There would be a public benefit in the increase in parking spaces. If the original wall was rebuilt many of the original stones would break.

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Councillor Cecile Irving-Swift proposed that Officer's advice to refuse the application be accepted and added that approving the application would set a dangerous precedent. The proposition was seconded by Councillor Kevin Parker.

The Principal Planning Officer highlighted that if the application were approved it would result in the re-grading of the bank, which the Highway Authority had objected to as it would undermine the integrity of the highway.

Councillor Ken Ritchie considered that it was not a matter of opinion as experts had concluded that the impact on the heritage asset would be unacceptable.

The Council's Legal Advisor pointed out that the Committee had previously refused the application when two parking spaces were proposed to be provided. Now one parking space was proposed to be provided.

On being put to the meeting the proposition was declared carried with 10 voting in favour, 4 against and 1 abstention.

RESOLVED:

That the application be refused as set out in the report.

DA/2021/STOWE NINE CHURCHES – Listed building consent for demolition of part of stone wall, to be reconstructed using new stone to form the front fact of a new garage with associated new vehicular access – Home Farm, Francis Row, Upper Stowe

Councillor Cecile Irving-Swift proposed that Officer's advice to refuse the application be accepted. The proposition was seconded by Councillor Kevin Parker and on being put to the meeting was declared carried with 10 voting in favour, 4 against and 1 abstention.

RESOLVED:

That the application be refused as set out in the report.

.....Chairman

List of Planning Applications on this Agenda

Application Number	Location
DA/2019/1000	Daventry
DA/2020/1148	East Haddon

PLANNING APPLICATIONS

PLANNING AGENDA

09-Jun-2021

BACKGROUND PAPERS

“The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972 consist of all written responses to consultations made by the Local Planning Authority in connection with planning applications referred to in the reports.”

Please note that the order of items discussed on this agenda may be subject to change and you are advised to be in attendance from the beginning of the meeting to hear and/or speak on a particular item.

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<u>Application Number</u>	DA/2019/1000
Location Description	LAND AT DRAYTON LODGE, STAVERTON ROAD, DAVENTRY, NORTHAMPTONSHIRE, NN11 4NL
Site Details	CONSTRUCTION OF 140 DWELLINGS AND ASSOCIATED INFRASTRUCTURE INCLUDING VEHICULAR ACCESS FROM THE A425, PROVISION OF PUBLIC OPEN SPACE AND GREEN INFRASTRUCTURE INCLUDING LEAP, DEMOLITION OF DRAYTON LODGE AND ASSOCIATED OUTBUILDINGS AND PROVISION OF DRAINAGE INFRASTRUCTURE.
Applicant	BELLWAY HOMES (SOUTH MIDLANDS) LTD
Agent	K ELSE, CLAREMONT PLANNING CONSULTANCY
Case Officer	REBECCA GRANT
Ward	DAVENTRY WEST WARD
Reason for Referral	MAJOR APPLICATION
Committee Date	9 JUNE 2021

EXECUTIVE SUMMARY OF PROPOSALS **AND RECOMMENDATION**

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT

Proposal

This application is a full application for 140 dwellings and associated infrastructure and landscaping. The application falls within land allocated as a Sustainable Urban Extension (SUE) on land to the south west of Daventry, Policy H01 of the Settlements and Countryside Local Plan (Part 2).

The larger part of Policy H01 allocation (DA/2019/0750) went to planning committee in December 2020 and has a resolution to grant planning permission subject to finalising the condition and negotiating the S106 agreement. The S106 agreement is still to be signed.

Access to the site is proposed directly from an independent access off the A425. A vehicular connection is proposed to link to the wider SUE. There are also a number of pedestrian/cycle linkages to the wider SUE. These linkages cross over the Old Staverton Road which is proposed to be stopped up and created into a green link which directs pedestrians/cyclists through the site to the existing footbridge and to the wider Daventry area and town centre.

A local area of play is proposed within the application as well as incidental areas of public open space. Other typologies of open space will be provided off site via the wider application or dealt with via an off-site contribution.

An Environmental Impact Assessment has been submitted to support the application.

Consultations

Three rounds of consultation were undertaken, January 2020, September 2020 and January 2021.

First round of consultation;

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

- Highways, Daventry Town Council and WNC Planning Policy Team (Daventry Area)

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

- WNC Education/Libraries, WNC Archaeology, Crime Prevention, Environment Agency, Lead Local Flood Authority, Anglian Water, NHS, Natural England, Wildlife Trust, Ramblers, Historic England, Sport England, Staverton Parish Council

Two letters of representations have been received with no objection to the application but raising concerns.

Second round of consultation:

The following consultees have raised **objections** to the application; Highways, Daventry Town Council, West Northamptonshire Council Planning Policy Team

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

- WNC Education/Libraries, WNC Archaeology, Crime Prevention, Environment Agency, Lead Local Flood Authority, Anglian Water, Natural England, Wildlife Trust, Staverton Parish Council

No representations received from local residents.

Third round of consultation:

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

- Daventry Town Council, Staverton Parish Council

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

- Anglian Water, Natural England, Crime Prevention, Wildlife Trust, Lead Local Flood Authority, Environmental Health, WNC Archaeology, WNC Education/libraries, WNC Landscape Officer (Daventry Area), WNC Conservation (Daventry Area) and WNC Planning Policy (Daventry Area).

No representations received from local residents.

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:

- Environmental Statement
- Principle of development
- Highways and access
- Affordable housing
- Urban design
- Ecology
- Trees, landscape and visual impact
- Cultural heritage and archaeology
- Open space
- Air quality, noise, drainage and land contamination
- Sustainability
- Infrastructure and developer contributions

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions and a S106 agreement.

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

APPLICATION SITE AND LOCALITY

The site comprises of approximately 4.5 hectares of predominately agricultural land and is located on the south western edge of the Daventry

urban area. It forms the northern part of allocation H01 in the Local Plan (Part 2).

The site is enclosed along the northern western boundary by the A425 beyond which is the Daventry Sports Park. The A45 runs along the north eastern boundary. To the south of the application site is the Old Staverton Road which forms part of Policy H01 allocation and part of planning application DA/2019/0750.

The north western boundary and north eastern boundary, along the A425 and A45, benefits from significant hedgerow and tree planting. The southern boundary, fronting Old Staverton Road, also has significant hedgerow planting.

The site is currently occupied by Drayton Lodge Farm, which comprises of a bed & breakfast, holiday cottages, agricultural buildings and agricultural land. The bed and breakfast and holiday cottages are currently not in use and have not been in use since 31 Jul 2019. There is level difference of 6m across the site, with the highest point being in the south west corner sloping down to the north eastern boundary. There is also a significance difference in levels from the A425 into the site.

A Local Wildlife Site (I.D D429), known as Stepnell Spinney, is located to the south of the application site.

Daventry town centre is located approximately 2/3km to the north of the site and is linked via the existing bridge over the A45.

Long Buckby railway station lies approximately 8km (as the crow flies) from the site and provides services to London Euston and Birmingham New Street. Within 2km of the site are a range of shops and services.

CONSTRAINTS

The application site falls with land allocated by Policy H01 of the Settlements and Countryside Local Plan (Part 2) (LLP2) for Daventry South West Sustainable Urban Extension.

The site falls within a Special Landscape Area.

The site has a significant landscape buffer to the northern boundary fronting the A425. This however is not protected by way a tree preservation order.

DESCRIPTION OF PROPOSED DEVELOPMENT

The application was submitted to the former Daventry District Council in December 2019. The application seeks full planning permission 140 dwelling forming part of Policy H01 for the allocation of the Daventry SW Sustainable Urban Extension (SUE). The remainder of the SUE allocation has been granted approved, subject to finalising the S106 and conditions. This is for a total of 1100 dwellings (DA/2019/0750).

The layout for this application and the indicative masterplan for application DA/2019/0750 both provide a vehicular and a number of pedestrian routes linking both sites.

The proposed development will provide 140 dwelling of which it is proposed that 25% would be affordable (35 Dwellings) in accordance with Policy H2 of the West Northamptonshire Joint Core Strategy.

Proposed housing mix as follows;

Market dwellings

2 bed dwelling x12

3 bed dwelling x61

4 bed dwelling x26

5 bed dwelling x6

Total 105

Affordable dwellings (affordable rent)

1 bed dwelling x8

2 bed dwelling x11

3 bed dwelling x5

Affordable dwelling (social rent)

4 bed dwelling x2

Total 26

Affordable dwellings (shared ownership)

2 bed dwelling x 5

3 bed dwelling x 4

Total 9

Total shared ownership 35

Vehicular access to the development is proposed via a separate access from the A425. A pedestrian and cycle path will be provided across the frontage of the site adjacent to the A425. A bus layby will also be provided and a pedestrian crossing over the A425 will be installed to link the development to the adjacent sports ground.

The application was not the subject of a scoping opinion under the Town and Country Planning Act (Environmental Impact Assessment) Regulations 2011 (as amended). The application is however classed as a Schedule 2, EIA Development (due to it being part of a strategic allocation) and the

agent/applicant was advised as such during pre-application discussions. As such an EIA has been carried out and submitted as part of the application. This assesses the likely significant impacts of the proposed development during construction and operation of the development and proposes mitigation measures where required.

Technical Documents Submitted with the Application

Design and Access Statement sets out the design rationale and principles to realise the development vision. The document explains the vision for the site, identifies design considerations and illustrates the place-making principles that have influenced the form and content of the proposals. It also explains the Council's aspirations, as set out in planning policy, which has guided the formulation and development of the masterplan and access strategy.

Planning Statement set outs the policy background which has led to the development of the masterplan. Sections set out the development framework, the scope of the Environmental Statement and planning assessment.

Sustainability Statement sets out the different elements of sustainable development including materials, pollution during construction, waste management, health and well-being, water and energy efficiency.

Arboricultural Assessment sets out the results of the tree survey.

Incoming Services Appraisal sets to advise interested parties in the development to the potential of servicing the site with respect to normal incoming utilities and the disposal of surface and foul water.

Environmental Statement considers the likely significant environmental impact arising from the development. The statement includes chapters on;

- Transport and Accessibility Assessment
- Noise Impact Assessment
- Air Quality Assessment
- Landscape and Visual Impact Assessment and Landscape Strategy
- Ecological Impact Assessment and detailed site surveys
- Cultural Heritage Assessment including detailed Archaeological Investigations Report
- Flood Risk Assessment including Surface Water Drainage Strategy
- Ground Conditions

A Non-technical summary of the Environmental Statement has also been submitted.

Statement of Community Involvement

Infrastructure Delivery Plan (IDP) has been submitted as part of the Policy H01 allocation required a comprehensive approach to development. Part D of Policy H01 requires proposals to be informed by a site wide masterplan, to be agreed by the Council, demonstrating how the site can come forward comprehensively. The IDP includes;

- a) All likely s106 costs for the site wide area, including the two accesses to the highway.
- a) All s.278 costs including the A45 pedestrian/cycle bridge crossing enhancements and off-site enhancements to Staverton Road through to the town centre.
- b) All public transport enhancement costs including bus stops.
- c) The link road between the A45 and the A425 together with associated footpaths and cycleways.
- d) Utility upgrades where necessary.
- e) Strategic open space.
- f) Education (land and contribution).
- g) Any community facility in the local centre (land and contribution).
- h) Strategic drainage including retention basins, together with commuted maintenance costs.

RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
DA/2019/0750	Outline application (all matters reserved except principal means of access to highways) for a mixed use development including up to 1100 dwellings, a 2 form entry primary school, local centre (A1, A2, A4, A4, A5 & D1/D2) including C2/C3 facilities, associated landscaping and demolition works	Decision pending – Members resolved to approve the application on 9.12.2020 and gave delegated authority to negotiate the S106 and finalise conditions.

RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029 and the adopted Countryside and Settlements Local Plan (Part 2). The relevant planning policies of the statutory Development Plan are set out below:

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

The relevant policies of the LPP1 are:

- Policy SA Presumption in favour of Sustainable Development
- Policy S1 The Distribution of Development
- Policy S3 Scale and Distribution of Housing Development
- Policy S5 Sustainable Urban Extensions
- Policy S6 Monitoring and Review
- Policy S7 Provision of Jobs
- Policy S8 Distribution of Jobs
- Policy S10 Sustainable Development Principles
- Policy S11 Low Carbon and Renewable Energy
- Policy H1 Housing Density and Mix and Type of Dwellings
- Policy H2 Affordable Housing
- Policy H4 Sustainable Housing
- Policy BN1 Green Infrastructure Connections
- Policy BN2 Biodiversity
- Policy BN3 Woodland Enhancement and Creation
- Policy BN5 The Historic Environment and Landscape
- Policy BN7a Water Supply, Quality and Wastewater Infrastructure
- Policy BN7 Flood Risk
- Policy BN9 Planning for Pollution Control
- Policy INF1 Approach to Infrastructure Delivery
- Policy INF2 Contributions to Infrastructure Requirements
- Policy C1 Changing Behaviour and Achieving Modal Shift
- Policy C2 New Developments
- Policy C3 Strategic Connections
- Policy C5 Enhancing Local and Neighbourhood Connections

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

The relevant policies of the LPP2 are:

- Policy H01 Daventry South West
- Policy H08 Housing Mix and Type
- Policy ST1 Sustainable Transport Infrastructure

- Policy EN1 Landscape
- Policy ENV3 Green Wedge
- Policy ENV4 Green Infrastructure
- Policy ENV5 Biodiversity
- Policy ENV7 Historic Environment
- Policy ENV9 Renewable Energy and Low Carbon Development
- Policy ENV10 Design
- Policy ENV11 Local Flood Risk Management
- Policy CW1 Health and Wellbeing
- Policy CW2 Open Space Requirements

Material Considerations

Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
 - Para. 8, 9, 10,11 12 Sustainable Development
 - Para. 47 Approve proposal that accord with the development plan without delay
 - Chapter 5 Delivering a Sufficient Supply of Homes
 - Chapter 9 Promoting Sustainable Transport
 - Chapter 11 Making Effective Use of Land
 - Chapter 12 Achieving Well-Designed Places
 - Chapter 15 Conserving and Enhancing the Natural Environment
 - Chapter 16 Conserving and Enhancing the Historic Environment
- Planning Practice Guidance (PPG)
 - Air Quality
 - Community Infrastructure Levy
 - Determining a planning application
 - Environmental Impact Assessment
 - Flood Risk
 - Historic Environment
 - Housing needs of different groups
 - Housing supply and delivery
 - Light pollution
 - Natural environment
 - Noise
 - Open space, sport and recreation facilities, public rights of way and local green space
 - Planning obligations

- Renewable and low carbon energy
- Supplementary Planning Guidance
 - Nortoft Study: Planning for the Future of Open Space, Sport and Recreation in West Northamptonshire
 - Sport England – Guidance Note, Village and Community Halls
 - Housing SPD
 - Infrastructure and Developer Contributions SPD

RESPONSE TO CONSULTATION

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

Consultations – First consultation exercise January 2020

Local Highway Authority – In a position of formal objection to this planning application until such time as the applicant details a safe and compliant adoptable highway layout.

Travel plan – Approved

WNC – Developer Contributions

Primary Education

From a financial perspective, the cost of delivery of a standard 2FE Primary School is £6.5m (based on recent build costs). It is expected that proportionate S106 contributions will therefore be required from this development and from any development approved under DA/2019/0750 in order to contribute towards the overall cost of delivering a new school. The figure required from this application will equate to 11% of the total contribution - this application for 143 dwellings comprising 11% of the total 1,243 dwellings across the wider development.

A minimum Primary Education S106 contribution of £715,000 is therefore required.

Secondary Education

Secondary Education capacity in the Daventry area is currently operating within recommended thresholds. However when taking into account the anticipated cumulative impact of housing development planned for within the adopted core strategy – including delivery of a number of Sustainable Urban Extensions in the Daventry area – it is expected that the majority of existing capacity within the system will be taken up.

It is therefore expected that a S106 Secondary Education contribution will be required from this development to ensure that the pupils generated by the dwellings can be accommodated in a local school.

An estimated S106 Secondary Education contribution of £653,200 will therefore be required from this development based on the current Department for Education (DfE) cost multipliers for Early Years Education.

Fire and Rescue

Detailed feasibility studies will be required to determine the full cost of the additional provision, however based on current costs for provision of new buildings and equipment and when taking into account the proportion of demand arising from residential properties, it is expected that a s106 contribution of £15,052 towards local fire and rescue infrastructure costs is required from this development. This cost will be confirmed by the Fire & Rescue service once the review of provision and detailed costings for new provision are confirmed.

Fire Hydrants

New developments generate a requirement for additional fire hydrants in order for fires, should they occur, to be managed. An assessment of the site will need to be undertaken by the Water Officer of Northamptonshire Fire and Rescue Service (NFRS) in order to establish how many are required; however it is assumed this development could need 03 x fire hydrants to be installed at a cost of £892 per hydrant, totalling £2,676.

It is the preference of the NFRS that fire hydrants should be designed into the development at the masterplan stage and enforced through a planning condition.

Libraries

An estimated libraries contribution of £33,938 is requested to contribute towards the improvement, enhancement or expansion of library facilities to serve the area. This figure is based on a generic dwelling mix and will be reviewed, with a specific project identified, at such time as the approved dwelling mix for the site is confirmed and a S106 agreement for the development is agreed.

Broadband

In order for the commercial communications market to be able to deploy to these new build areas, measures must be introduced at the earliest opportunity. This will provide the required specification to enable fibre connectivity for all new developments in respect to receiving superfast broadband services. To help developers, some fibre based broadband network providers such as BT Openreach and Virgin Media have dedicated online portals which provide assessment tools and technical help.

Update from WNC Education

Early years Services

NCC have advised that where a developer has included provision within the site for additional community facilities/neighbourhood facilities and there are expected to be utilised for delivering further Early Years provision, then they will not currently be seeking additional financial S106 contributions towards Early Years infrastructure. This approach is consistent with NCC's responses to other SUE developments across the county.

WNC Archaeology – Agree with the conclusions within the Heritage Statement and although the loss of Drayton Lodge is regrettable the Heritage Statement has provided an assessment following current industry guidelines which identifies that the application area contains two buildings of low archaeological interest.

The proposed development will have a detrimental impact upon above ground archaeological assets. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. In order to secure this please attach a condition for a programme of archaeological work as per NPPF paragraph 199 to any permission granted in respect of this application.

Crime Prevention Design Advisor – The layout of the development accords with much of our general advice.

Where footpaths lead from the development into the green route there should be a more robust landscaped buffer for the front gardens of houses which abut the path so that pedestrians do not 'leak' into the front gardens.

Pleased to note that the LEAP is under supervision from adjacent housing and has a drive between it and the nearest frontages.

Environment Agency – No objection

Lead Local Flood Authority – We consider that if planning conditions are included, 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 flooding.

Anglian Water – No objection subject to the imposition of a number of conditions.

NHS – In order to make this development acceptable in planning terms, additional capacity needs to be created to meet those needs. Danetre Medical is the closest practice however the proximity of Abbey House Surgery means they are also likely to experience increased demand.

A financial contribution is therefore requested to support the local infrastructure expansion. The capacity and cost analysis provided demonstrates how this request is directly related to the development. Based on the number of dwellings proposed, the figure requested is £52,003.72.

The potential impact if contributions are not made is that the necessary expansion to primary health care capacity to meet the demand from the proposed development will not be achieved.

Natural England – No objection. Based on the plans submitted, Natural England considered that the proposed development will not have significant adverse impacts on statutory protected nature conservation sites or landscapes. Natural England’s generic advice on other natural environment issues is set out at Annex A.

The Wildlife Trust –

Bats – No objection subject to conditions to ensure the submission of a copy of the European Protected Species license and lighting design strategy for light sensitive biodiversity.

Hedgerows, Ponds and Biodiversity Net Gain – No objection subject to addressing the following issues;

- A biodiversity metric is used to assess the proposal for biodiversity net gain and adjustments made as necessary.
- Mitigation for the pond should include an area of permanent water.
- To maximise the likelihood of the proposal achieving a net gain in biodiversity I would recommend including a condition requiring the production of a Landscape and Ecology Management Plan.
- As protected species are present onsite and in the wider landscape, a Construction Environment Management Plan would be useful. This could also be included as a condition.
- The proposal includes the removal of habitats which could be used by nesting birds; therefore a condition covering the protection of breeding birds during construction is needed.

The Ramblers – No objection but raise a number of issues in relation to loss of fields, vehicular pollution and question where additional infrastructure will come from.

Historic England – Do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Sport England – The proposed development does not fall within either our statutory remit or non-statutory remit therefore Sport England has not provided a detailed response in this case.

Fusion 21 – Detailed spreadsheets have been submitted which use Fusion 21's bespoke targeting forecasting model (unfortunately it is not possible to include these within the report). It uses build prices to forecast the labour requirements of the development. The process enables a realistic expectation of timescales and if these are enough to offer justifiable and realistic opportunities for apprenticeships. On this development the method of construction is such that apprenticeships will be available within the construction programme. As a national construction company our policy is to support apprenticeships and new entrants into the industry where the construction programme can accommodate this and provide longer term sustainable employment opportunities.

WDC Landscape Officer (Daventry Area) – Ongoing discussions. Formal comments provided within third consultation exercise.

WDC Conservation Officer (Daventry Area) – Ongoing discussions. Formal comments provided within third consultation exercise.

WDC Environmental Health (Daventry Area)

Contaminated Land - No objection subject to full conditions for contaminated land are applied as further compliance is required before any formal remediation strategy and verification is agreed.

Noise - Satisfied with the methodology and recommendations of the Noise report and its methodology. Require that acoustic fencing is required at the premises identified as a mitigation measure and not just recommended.

This service is concerned about noise from the main roads and nearby industrial areas causing dis-amenity to future occupiers of this development, which may warrant refusal of this application. It is therefore recommended that the applicant be required to provide a report from a specialist noise consultant to determine the suitability of the site for the proposed development. This survey shall have regard to Planning Policy Guidance PPG 24 "Planning and Noise" as per the guidance in Annex 1 of the NPPF.

Air Quality - Satisfied that the methodology, mitigation and control measures are satisfactory.

Demolition Management Plan – Recommend a condition to deal with this.

External Lighting - Details needs to be conditioned

WNC Local Strategy Service (Daventry Area)

West Northamptonshire Joint Core Strategy The proposed development is consistent with policy S1 of the WNJCS however owing to the absence of a sufficient supply of affordable homes is not consistent with policy H1.

The proposed development forms part of allocation HO1 in the recently

adopted Settlements and Countryside Local Plan however the agreement of a masterplan and site wide infrastructure plan are key policy requirements that are not yet agreed and in place . As a consequence there are issues with compliance with policy HO1. Furthermore, there are concerns regarding the highway/access arrangements, which do not meet policy HO1, and raise concerns about design that conflict with policy EN10 and the NPPF. In terms of housing mix the proposal does not meet the targets or range for a number of property types. In terms of accessibility, space and water standards compliance has not been demonstrated despite these being mandatory. There is a small degree of consistency with the provision of Open Space however, without the agreed Masterplan it is not possible to confirm whether the off-site contributions are sufficient or that they can be secured. Furthermore the site fails to provide adequate on-site or off-site contributions to children and young people's facilities which is in conflict with policy CW2.

As a consequence of the identified policy conflicts the Local Strategy service cannot support the application at present.

Daventry Town Council – Highlight a number of questions/concerns;

- The Town Council objected to the proposals for this smaller secondary urban extension for Daventry through the consultation on the Local Plan Part 2. The Council considers that the North East SUE is the most sustainable major development for the town.
- The application should be conditioned appropriately so that it is subordinate to the main application for this proposed policy allocation to ensure that the housing is properly phased for the urban extension as a whole and not just this small part of it.
- It is imperative that these proposals fully contribute towards and share the burden of infrastructure across the whole of the Daventry South West Urban Extension.
- The overall gross density of the proposals is too high (32 dph) and not in context with the adjoining main development, which works out to be a density of 21.75 dph, or in relation to an edge of town location.
- The limited amount of open space and the LEAP which is provided for in the development is located in a wholly inappropriate area.
- Do not agree with vehicular links over Old Staverton Road. This should be kept as a Green Route with no vehicular access across it.
- Development should be contributing its full level of affordable housing in order to create as sustainable a development.
- Recommends that the Local Planning Authority assesses the needs of the development in detail.
- Would like to see electric charging points in every home.

Staverton Parish Council – The site should be developed in conjunction with the other proposed development. Consideration should be given to extend the footway from the development towards Daventry and a crossing point be implemented for pedestrians.

Badby Parish Council – No comments received

Consultation responses – Second consultation exercise (September 2020) – updated layout

Historic England – We do not wish to offer any further comments.

Anglian Water – The amended plans do not include a revised drainage strategy and therefore we have no further comments to make.

Natural England – The proposed amendments to the original proposal are unlikely to have significantly different impacts on the natural environment than the original proposal.

Crime Prevention Design Advisor – The altered layout around plots 28-33 result in exposed rear garden boundaries which should be protected by the use of a trellis topping. The altered layout around The Green has now resulted in the frontage of the houses being very close to the open space.

Wildlife Trust – The new layout includes a slight increase in the amount of greenspace which is welcomed, and still includes the bat house which is required to mitigate for the loss of a roost in the existing buildings.

Recommend that the applicant consider the hedgerow provision within the proposal to ensure a net gain and also included a balancing pond which had some water in all the time rather than only during periods of heavy rainfall.

Surface Water Drainage Team – No comments.

WNC Environmental Health (Daventry Team) – No further comments are necessary.

WNC Archaeology – Original comments remain unchanged.

WNC Developer Contributions – Original comments remain unchanged.

Local Highway Authority – Remain in the position of objection as an adoptable highway arrangement has not been proposed and the LHA has significant safety concerns with regards to the use of the existing Old Staverton Road junction for construction and sales traffic.

Additionally, the LHA has already requested more detailed information regarding the site access off the A425. This information is required to ensure the proposed junction meets gradient requirements.

Daventry Town Council – Supportive of pedestrian access through to the main development but concur that this all that should be provided to ensure that the Old Staverton Road is safeguarded and remains as a priority green

route. If absolutely necessary an emergency access could be provided so that if the main access were blocked off for any reason emergency vehicles could assess the site, this should not be a normal access.

Open space – The Council considers that the limited amount of space and the LEAP which is provided for in the development is located in wholly inappropriate area. A larger area in a more central location with good linkages to the Old Staverton Road, which is a green route, with surveillance from housing on three sides would be a better solution.

Staverton Parish Council – No comments to make.

Consultation responses – Third consultation exercise (January 2021)

Sport England – No comments to make.

Historic England – We do not wish to offer any further comments.

Natural England – The proposed amendments to the original applications are unlikely to have significantly different impacts on the natural environment than the original application.

Wildlife Trust – Noted the updated landscaping plans have noted that the application has applied to the Great Crested New District Licencing Scheme. Given the amount of open space onsite this may be an appropriate way to provide for Great Crested Newts. Entry to the DLL scheme for Great Crested Newts does not change the requirement for the scheme to demonstrate use of the mitigation hierarchy and be able to demonstrate a net gain in biodiversity.

Crime Prevention Design Advisor – No further comments to make.

Anglian Water –

Assets Affected – There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that specific text be included within any notice should permission be granted.

Waste water treatment- The foul drainage from this development is in the catchment of Whilton Water Recycling Centre that will have available capacity for these flows.

Use Water Network – The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

Surface Water Disposal – The preferred method of surface water disposal would be to a sustainable drainage system with connection to sewer seen as the last option.

Severn Trent – The site is out of Severn Trent Water’s area for sewerage.

Environment Agency – No further comments to make.

Local Lead Flood Authority - We consider that if the requested planning conditions are imposed, 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 flooding

Ramblers Association - welcome the intention to downgrade the Old Staverton Road to a traffic free pedestrian / cycle route, with connections to it from the development.

Local Highway Authority –

Internal layout – The LHA have reviewed the most recent layout drawing and confirm the internal layout is acceptable.

Off-site Highway works – The addition of the 3m wide shared cycle/footway along the frontage (A425) to link with the foot/cycle provision for the wider Daventry SW allocation is noted and approved.
The proposal to reduce the speed limit to 40mph is supported.

A number of planning conditions are requested and off site highway works to be secured via a S106 agreement.

WNC Archaeology – No change in comments.

WNC Environmental Health (Daventry Area) – No objection

WNC Conservation Officer (Daventry Area) – Heritage advice was provided by the council’s conservation officer at the pre-application stage and during the formal planning application process.

It is disappointing to see that the design of the scheme has not evolved to respond positively to the heritage concerns that have been raised. The scheme fails to retain and re-use the principal buildings of Drayton Lodge. It results in the loss of existing historic landscape features including remnant enclosure hedgerows and mature hedgerow trees on the site and existing established landscape screening along the site boundaries. It fails to retain the existing vehicular access without major change to the character and appearance of the route past the site along the A425.

The proposal will result in some loss of heritage value from the local landscape. Having regard to the scale of the development, the extent of loss

and the relative significance of the features and fabric that are affected, this is considered to be less than substantial in NPPF terms. In accordance with the policies and guidance of the NPPF this should be weighed in the balance when assessing the merits of the planning application.

WNC Landscape Officer (Daventry Area) – No objection subject to conditions.

WNC Local Strategy Service (Daventry Area) – No objection subject to conditions.

Staverton Parish Council - The Parish Council object to the application for the following reasons;

There is highway danger with the proposed junction and traffic leaving this development must turn left only, there should be improvements to the road layout so that this system is not abused.

The speed limit on the A425 be reduced to 40mph in line with the Daventry side of the roundabout.

Daventry Town Council - Daventry Town Council has reviewed the amended planning application and submits an objection, whilst some of the concerns raised by the Council have been addressed throughout the process, the developer has not addressed the councils concerns in relation to the development not facilitating areas for off-road parking resulting in parking issues within the development or the concerns that the council has raised with the position of LEAP, which is isolated, not overlooked and does not reflect the principles of 'designing out crime'.

RESPONSE TO PUBLICITY

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

First round of consultation - 8 site notices were posted around the application site on 7 January 2020 and notification letters were sent to an extensive area (following the same consultation exercise as application DA/19/0750 for the larger part of the allocation).

Two representations received raising no objections but has a number of concerns with the proposal;

1. Hedgerows – It would be great see all the hedgerows retained unless it's essential for them to be removed, i.e. to create an access road. I would hate to see hedgerows ripped out and replaces with fencing as there is no need for that.

2. Hedgehog corridor – As everyone knows, hedgehog numbers are dwindling due to loss of habitat. I would love to see the new housing incorporating hedgehog highways into the design of back gardens.
3. Pond – On the northern side of Staverton Road, there is currently a small pond which is enclosed by hedges and a row of conifer trees. I can't see this on any of the plans. This is a haven for wildlife at the moment.
4. Concerns that the information submitted with the planning application does not provide clarity as to how a number of the emerging policy requirements can be met. Furthermore, there is limited clarity as to how infrastructure associated with the delivery of a strategic allocation is to be delivered which could have a prejudicial impact of the delivery of the adjacent site.
5. The layout for the Drayton Farm site does not provide for a fully integrated comprehensive development of the policy H01 area resulting in an isolated 'stand-alone' phase of the wider allocation with no vehicular integration with the wider masterplan; specifically to local facilities including the school, community centre and local retail provision.
6. Provides an unnecessary additional vehicle access point to the A425. This conflicts with Northamptonshire County Council policy as set out in the network management plan 2013. That document states, at paragraph 18.6.1, that 'Northamptonshire County Council will resist the creation of additional accesses or junctions onto Class 1 Roads in the interest of highway safety and the expedient free flow of traffic'.
7. Conflicts with the emerging Local Plan which is clear at paragraph 6.1.17 that two access points should be delivered for the H01 allocation area;
 - Provides insufficient quantum and type of open space to satisfy policy requirements, with no reference to how such a shortfall can be remedied either onsite or on third part land.
 - Does not satisfactorily demonstrate how the site can deliver, or assist in delivering Policy H01 criteria B requirements; and
 - Is not supported by an Infrastructure Delivery Plan – a Policy H01 requirement.

Second round of consultation - 8 site notices were posted around the application site in September 2020 and notification letters were sent to an extensive area (following the same consultation exercise as application DA/19/0750 for the larger part of the allocation).

No representations were received in response to this second round of consultation.

Third round of consultation - 8 site notices were posted around the application site in March 2021 and notification letters were sent to an extensive area (following the same consultation exercise as application DA/19/0750 for the larger part of the allocation).

No representations were received in response to this third round of consultation.

APPRAISAL

The main considerations in the determination of this application are:-

- Environmental Statement
- The principle of the development
- Highways and access
- Affordable Housing
- Education
- Health Care
- Urban Design Principles
- Ecology
- Trees, Landscape and Visual Impact
- Cultural Heritage and Archaeology
- Open Space and Recreation
- Local Centre
- Air quality
- Noise
- Drainage and Flood Risk
- Land contamination
- Sustainability
- Phasing
- Socio-Economic Impact
- Infrastructure and Developer Contributions
- Planning Balance and Conclusions

ENVIRONMENTAL STATEMENT

The application is accompanied by an Environmental Statement (ES). The ES covers the application site and contains information describing the proposal, aspects of the environment likely to be significantly affected by the development and measures to prevent or mitigate any identified impacts.

The ES for each chapter considers the impacts and the significance as well as the cumulative effects. It is not possible within this report to set out all of the impacts identified, but below is a summary of the areas covered. The full report, technical notes and nontechnical summary can be view via the Council's website.

Transport and Accessibility – The number of construction vehicles requiring access to the development relative to the volume and composition of traffic on the surrounding highway network is considered not to have a significant impact on existing and future highway conditions. The increase in traffic associated with construction traffic is considered to be of negligible significance.

The introduction of the proposed mitigation measures will seek to minimise traffic generated by the proposed development. The proposed site layout will provide high quality walking and cycling routes through the site where previously this provided a barrier to movement. High quality walking and cycling routes, including improvements to the existing foot/cycle bridge through the development will ensure that the northern link road does not represent a barrier to movement.

Noise – During the construction phases, it is anticipated that the suitable design and construction practices adhered to by the contractor through the CEMP will ensure that both the pre-mitigation and residual impact of development is predominately negligible with the potential for short-term, localised residual effects of up to moderate significance on future receptors. Effects resultant from changes in road traffic volume are predicated to be negligible and therefore mitigation is not recommended.

Air Quality – The proposed development has the potential to cause air quality impacts at sensitive locations. As such, an Air Quality ES Chapter was required to quantify pollutant levels across the site, consider its suitability for the proposed end-use and assess potential impacts as a result of the development. During the construction phase of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. Assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities was predicted to be negligible.

Dispersion modelling was undertaken in order to quantify pollutant concentrations at the site and to predict air quality impacts as a result of road vehicle exhaust emissions associated with traffic generated by the development. The overall significance of potential impacts was determined to be not significant.

Landscape and Visual – The greatest level of effect on landscape character occurs within the site itself and on the by-way to the south where there would be a direct change to the material make-up of the landscape. Here the existing hedgerows, trees, farm buildings and other features such as grassland would be removed to allow for the creation of a new access road and residential development. The impact of the development upon landscape and visual setting varies in different locations of the application site. Where impacts have been highlighted, mitigation measures have been proposed.

Flora, Fauna and Nature Conservation – A Phase 1 Habitat Survey has been carried out which is designed to identify broad habitat types at a site and the potential of these habitats to support notable/protected species, and to assist in providing an overview of the ecological interest at a site. Other surveys include badgers, bat activity, bat roost, breeding birds, amphibians and a

hedgerow survey. The Ecological Impact Assessment has identified a number of potential effects on important ecological features.

Cultural Heritage – A heritage statement, an archaeological desk-based assessment and a geophysical survey have been carried out. The Heritage Assessment takes into consideration designated and non-designated built heritage assets within the vicinity of the site whose setting maybe affected.

Drainage and Flood Risk – Both the site preparation and construction, and operational phases of the proposed development have been assessed in relation to hydrology and hydrogeology. The report demonstrates that the development can be delivered without significant adverse effects, through the provision of mitigation measures. The primary risk of flooding within the site originates from surface water flooding, which is fully accommodated within the sites surface water drainage strategy and perimeter land drainage strategy.

Ground conditions – The site has been subject to a detailed desk study and intrusive investigations, soil and groundwater testing and ground gas monitoring. From the investigations to date there would appear to be no serious impediment to the development from a geotechnical or geo-environmental perspective and no requirement for inherent mitigation measures; most potential impacts will be mitigated by standard measures and practices – they are of a nature that is commonly undertaken on many sites in the region. With mitigations measures implemented, all effects of the proposed development will be negligible.

Socio-economic – The construction phase is expected to support around 250FTE jobs, based on an expected 5 year build out period. It is anticipated that the majority of construction jobs would be on-site. Based on an average household size of 2.58 persons per household, it is expected that the development will generate a population of 369 persons. These residents will generate demand on local community infrastructure, however, these will mostly be accommodated on site through school provision, open space and community facilities secured through planning obligations. “The relationship of the development to the wider H01 allocation and its attributed facilities, new local centre and open space provision should be recognised as beneficiary. The ability of the Bellway scheme to deliver the initial phase of development and contribute toward infrastructure delivery through CIL and S106 monies will facilitate delivery of a wider H01 facilitate delivery of the wider H01 facilities”.

Health Impact – In considering the impact associated with the proposed development, the following matters have been considered; population, housing, healthcare services and other social infrastructure, open space and nature, air quality, noise and neighbourhood amenity, accessibility and active travel, crime and community safety, healthy food and lifestyle services and

employment and training. Overall the proposed development will have a minor

All new development has some impact on the environment. The ES has not identified any significant, long term major adverse impacts. Where impacts have been highlighted, mitigation measures have been proposed. These mitigation measures would be secured through planning conditions, should the application be approved. The ES is therefore considered to contain 'adequate information' to enable the determination of the application.

PRINCIPLE OF DEVELOPMENT

Planning Law requires that applications for planning permission must be determined in accordance with the development plan to the extent that development plan policies are material to the application unless material considerations indicate otherwise.

The development plan for Daventry District consists of the policies within the WNJCS and the Local Plan (Part 2). Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise.

West Northamptonshire Joint Core Strategy (Part 1) December 2014

Annex 1 of the National Planning Policy Framework (NPPF) makes reference to due weight being given to relevant policies in existing plans (i.e. those adopted before the introduction of the NPPF) according to their degree of consistency with the Framework and that the closer the policies in the plan are to the policies in the Framework, the greater the weight that may be given. A review was undertaken in December 2019 of the policies of the West Northamptonshire Joint Core Strategy (adopted December 2014) against the current NPPF (February 2019). This shows that many of the policies remain up to date and consistent with the current NPPF and on this basis they should continue to be given full weight as part of the development plan for the purposes of decision making.

Policy S1 of the WNJCS sets out how development will be distributed. It focuses development in and adjoining the main urban areas of Northampton and Daventry and limits it in the rural areas. The application is consistent with policy S1 by virtue of it being located adjoining Daventry town.

Policy H1 states that new housing development will provide a mix of housing types, sizes and tenures to accommodate needs. The policy requires new housing developments to make efficient use of land and to provide for a mix of types, sizes and tenure.

Policy H2 sets out the proportions of affordable housing provision that will apply across the plan area. In respect of Daventry H2 states that 25% affordable housing is required on sites of 5 or more dwellings.

Policy HO4 of Daventry's Housing SPD specifies a preferred housing tenure mix of two-thirds rented and one-third intermediate housing. The Housing SPD states that the affordable housing clusters should be between 5 and 20 dwellings in schemes over 200 dwellings. In terms of the mix, the adopted Part 2 Local Plan policy HO8 applies District-wide and is considered below.

Settlements and Countryside Local Plan (Part 2) for Daventry District 2020

The Settlements and Countryside Local Plan was adopted on 20th February 2020 and forms part of the development plan for Daventry District.

Policy SP1 sets out the spatial strategy for the District. Criterion A is particularly relevant which seeks to focus development at Daventry Town to deliver its regeneration and reinforce its role as a sub-regional centre. The application is consistent with this part of the policy.

Policy HO1 is of particular relevance as it establishes the principle of development through allocating the site. Under criterion A it is clear that proposals for this site must be informed by a Masterplan, agreed by the Local Planning Authority, that must demonstrate how the site i.e the allocation as a whole, will come forward comprehensively. This is particularly important given the scale of the wider allocation and that it is in two ownerships and subject to two separate applications. A Masterplan has been provided in support of the application which covers the whole site and follows a number of principles established in the OPUN report produced to inform the selection of sites at Daventry town within the Part 2 Local Plan.

Criterion B sets out a series of criteria that the development must meet. The proposal provides for about 140 dwellings, which combined with the application on the Malabar Farm part of the site equates to 1240 dwellings and is therefore higher than that set out in the policy under criterion i. However the 1100 dwellings is not a ceiling and the provision of additional dwellings would be acceptable providing that all other planning considerations are met. In accordance with criterion ii and iii respectively, a two form entry primary school will be provided in within application DA/2019/0750.

Criterion iv requires development to provide a mix of house types in accordance with policy HO8 unless there is clear evidence that an alternative mix would assist with the regeneration of Daventry and help enhance the profile of the town or is necessary to make it viable. This issue is discussed in more detail specifically under policy HO8.

Criterion V focuses on providing an integrated transport network focusing on sustainable transport modes that provides the following;

- a) Improved pedestrian and cycle links from the site to Staverton Road
- b) Direct vehicle access from the A45 which also includes provision of an at grade pedestrian crossing connecting to Tyne Road;
- c) At grade pedestrian connection to Daventry Sports Park;
- d) Improvements to the existing Staverton Road – Yeomanry Way crossing;
- e) Improvements to the existing footbridge to support use by pedestrians and cycles;
- f) Access to public transport providing connections to Daventry Town Centre and Northampton;

As set out in paragraphs 6.1.15-6.1.19 of the Part 2 Local Plan these different elements are crucial to the sustainability of the site and how it functions.

The revised layout demonstrates how it broadly aligns with the Masterplan. However, the additional vehicular access proposed for the site is not shown on the Masterplan and therefore does not align with it. Following discussions with Highways it is understood that the use of the Old Staverton Road as a temporary access is not considered to be acceptable and therefore, on balance, the additional access is considered to be acceptable considering the requirements to provide additional pedestrian and cycle linkages along the A425 frontage.

The scheme, as a whole, is providing a) improved pedestrian and cycle links, d) improvements to the existing Staverton Road – Yeomanry Way crossing and f) access to public transport providing connection to Daventry Town Centre and Northampton. These issues are discussed in more detail in the Highway section.

Regarding criterion e) improvements to the existing footbridge to support use by pedestrians and cycles, the Visual Structural Inspection and Subsequent Assessment Report concludes 'it would be impracticable to retain and improve the current structure to provide the minimum width of 4.0m for a shared foot/cycle route'. The proposed refurbishment works to the existing pedestrian bridge outlined in the above report will be secured via a condition. This is discussed in further detail in the highway safety section of the report.

Linked to this, the provision of the at-grade crossing (criterion b) is particularly crucial to helping to integrate the site with the town not just physically but also the sense of connection and cohesion for future residents ensuring they feel part of Daventry and allowing residents of a range of mobility to access the town at various times of the day in a safe manner. Furthermore in combination with the footbridge it would provide choice for residents to access the site further helping to integrate it with the town. This will be provided as part of the Malabar application. Both of these issues are discussed in detail in the Highways section of this report.

Criterion vi requires the provision of structural greenspace and wildlife corridors and makes specific reference to retaining important landscape

features and mitigating the impact on the setting of Badby House, the Special Landscape Area and Green Wedge.

Regarding the structural green space it will be important to try to ensure some of it is designed to allow for informal play noting the topography of the site where the Masterplan indicates it is being provided. The structural landscaping will largely be delivered by the Malabar scheme with appropriate maintenance contributions from Bellway.

The policy then sets out a series of further requirements which it will be important to consider and the assessments and suitable mitigation under criterion C. This includes;

Archaeology

Heritage impact

Landscape and visual impact

Ecological impact

Highways and transport

Flood risk and water and water recycling infrastructure

Noise and air quality.

All of these issues are discussed in detail later in this report. Criterion D requires a site wide Infrastructure Delivery Plan (IDP) to be provided and is now finalised. A copy of the IDP is attached to the report. The provision of a single IDP covering the whole allocation is particularly important given this application only covers part of the allocation with the southern section (South of Staverton Road) around Malabar Farm subject to a separate application.

Policy ST1 supports measures to promote walking and cycling including at Daventry South West (criterion B). This issue has been largely addressed under policy HO1 but the reference in this policy reinforces the importance of providing the range of measures, including the atgrade crossing, improvements to the footbridge and the Staverton Road – Yeomanry Way crossing to ensure the site is well connected with Daventry Town Centre. The IDP notes that Bellway will be responsible for the improvement works to the existing footbridge.

Policy ST1 also seeks proposals, where practical, to incorporate appropriate infrastructure to support electric vehicle charging as part of measures in reducing emissions locally. No detail is provided at this stage, but appropriate infrastructure should be considered within the design of the scheme at the earliest opportunity to supply homes, school and local centre, and consideration should be given to the imposition of an appropriate condition to secure its provision. This will be secured via conditions on the Malabar scheme.

As set out above the mix of house types on this site are referred to in policy HO1 part B criterion iv which requires the mix to be consistent with Policy HO8. This policy covers the mix and a range of housing policy requirements.

Part A includes reference to seeking the provision of specialist accommodation that promotes independent living will be sought on SUE's in accordance with part E of this policy. This should actually refer to part D but nonetheless it is noted that provision could come forward in the local centre and this would be addressed via the Malabar application. Regarding the mix, part B identifies the housing mix and type for market and affordable dwellings that proposals are expected to provide with a target mix and an acceptable range.

A condition is proposed to seek to secure a mix of dwellings types that meets this mix. Part C of policy HO8 also states that dwellings need to meet peoples' changing circumstances over their lifetime and the following standards will need to be met proportionately across housing sizes. Criterion i) sets out accessibility standards:

- 50% of all dwellings will be built to accessibility standards as follows:
- Market dwellings – 50% to M4(2)
- Affordable dwellings – 40% to M4(2) and a further 10% to M4(3)

Part C also requires proposals to meet other housing standards. Criterion iii requires all new dwellings to meet the National Space Standards as a minimum. The scheme does achieve this. A condition is also proposed to ensure water efficiency, all new dwellings shall include water efficiency measures to comply with a limit of 110 litres per person per day.

Policy ENV1 requires developments to maintain the distinctive character of the landscape. Of particular relevance is the requirement under Biii) to avoid creating hard developed edges to the open countryside. Criterion C requires the production of a landscape and visual impact assessment; the Council's Landscape Assessment Toolkit can be used to assist with this. The site is contained within Landscape Character Type (LCT) 2 Ironstone Hills and specifically 2b Staverton Hills Landscape Character Area. The Council's Landscape Character Assessment sets out landscape guidelines for this LCT which include restoring woodland and hedgerows (including hedgerow trees), utilising local stone sources, respecting local vernacular styles, avoiding perceptual coalescence of settlements and creating a vibrant/visually appealing urban/rural fringe. It is therefore important to ensure that the development, particularly along its southern edges, has an appropriate landscape boundary treatment to ensure a transition to the open countryside. Existing hedgerows and trees should be retained where possible and enhanced through additional appropriate planting.

Whilst the site is located within the Special Landscape Area (ENV2) the principle of development has been established through HO1 and therefore it will be important to ensure that the proposal makes a positive contribution and mitigates the impact on its special qualities as required by HO1 part vi set out previously. This is particularly important for the south western edge of the site where the built form will transition into open countryside. This is discussed in detailed within the Landscape and Conservation section of the report.

Policy ENV4 aims to protect, enhance and restore the GI network. Policy ENV5 supports proposals that conserve and enhance designated and undesignated sites in accordance with their status.

Policy ENV7 states that proposals affecting the historic environment must demonstrate a clear understanding of any potential impact on the significance of heritage assets and their setting. Proposals that lead to substantial harm to a designated heritage asset, or less than substantial harm to a designated heritage asset will be judged against the tests in the NPPF. The Policy goes on to state that the Council will seek to sustain and enhance the historic environment of the District by supporting v.) proposals that sustain or enhance key views of heritage assets.

Policy ENV10 aims to raise the quality of design in new development. As this is a full application, design is determined at this stage. This is discussed in detail later in the report.

Policy ENV11 requires development to manage flood risk and where appropriate to protect and improve the quality of the water environment. Developers are required to comply with strategies and guidance produced by the Lead Local Flood Authority and Anglian Water.

Policy CW1 requires development to promote healthy and active lifestyles and to demonstrate consideration of all aspects of health and wellbeing. The policy requires new community facilities and open spaces and also encourages the submission of a health impact assessment (HIA) under criterion B. The Environmental Statement features an assessment of health impacts which shows a negligible impact against a series of measures. A HIA has now been submitted which outlines the opportunities to promote health and wellbeing and active lifestyles. It looks at the extent that specific elements have a positive impact on health and wellbeing, including but not limited to the extensive network of open space and the various transport network improvements being provided.

The National Planning Policy Framework

The National Planning Policy Framework promotes sustainable development. That is, development which contributes towards building a strong economy, supporting local communities and which protects and enhances the environment. The NPPF places particular weight on timely and plan-led decision making. Therefore proposals that accord with a development plan should be approved without delay.

The NPPF places considerable emphasis on promoting sustainable transport. The highway section of this report demonstrates that the applicant has taken proper measures to promote the use of public transport as well as ensuring car borne and other vehicular traffic is able to access, egress and circulate

within the development safely and conveniently, and without causing congestion on the existing road network.

The NPPF puts much emphasis of the delivery of a wide choice of high quality homes. Against that background a key objective of the scheme is to provide 1100 new dwellings of different sizes and tenures to meet the present and future needs of residents of this District. The houses that are proposed to be provided are critically important to securing and maintaining the District's 5 year supply of land for housing in accordance with paragraph 67 of the Framework in the foreseeable future.

The NPPF requires new development to be built to a high standard of design. That will be achieved by a comprehensive master plan supported by a phasing plan, detailed masterplans and design code for each phase. Officers have a number of concerns with the design of the proposed development. These are discussed in detail later in the report.

The NPPF requires that built development should also promote healthy communities. To that end the scheme provides a range of social, recreational and cultural facilities. They include schools, shops and open space (including sports pitches) and well equipped children's play areas. These are however provided within the Malabar application and links from the application site are proposed.

The development will also be complemented by comprehensive measures to conserve and enhance the natural and historic environment in accordance with section 16 of the Framework.

In establishing whether the proposal amounts to sustainable development regard must be had to the framework as a whole. The paragraphs fall within a series of chapters. Chapters 5, 9, 12 and 15 of the Framework are most relevant.

Chapter 2 – Achieving sustainable Development

The presumption in favour of sustainable development (para 11) sets out that development proposals that accord with an up to date the development plan should be approved without delay. As set out below the submitted scheme is generally in accordance with the Part 2 Local Plan.

Chapter 5. Delivering a sufficient supply of homes

This sets out the Government's approach to significantly boosting the supply of homes. It sets out that the size, type and tenure of the housing that is needed should be set out in planning policies. The WNJCS sets out broad requirements for the expected proportion of affordable housing at Daventry (25%) and the mix of house types is discussed under policy HO8.

Chapter 8 – Promoting healthy and safe communities

Chapter 8 sets out how planning policies and decisions should aim to achieve healthy, inclusive and safe places. The submission shows that it will meet the quantity standards for all open space types and also includes a network of walking/cycling routes, which would also support healthy lifestyles and support access to the town active travel modes. Furthermore the provision of the various transport network improvements will play an important role in making the site inclusive with the rest of the town.

Chapter 9 Promoting sustainable transport

This chapter refers to transport issues being considered from the earliest stages of development proposals and identifies a number of objectives which includes identifying and pursuing opportunities to promote walking, cycling and public transport. The planning system should actively manage patterns of growth to support these objectives however the NPPF recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Furthermore it makes reference to giving priority first to pedestrian and cycle movements and second – so far as possible – facilitating access to high quality public transport. Applications for development should also address the needs of people with disabilities and reduced mobility and create places that are safe and attractive. The various transport improvements required by the policy and provided in this scheme are all essential to meeting the requirements of this chapter.

Chapter 12 Achieving well designed places

This chapter focuses on the importance of creating high quality buildings and places and how good design is a key aspect of sustainable development. Paragraph 127 sets out, amongst others, that decisions should aim to ensure that developments will function well and add to the overall quality of the area over the lifetime of the development, establish or maintain a strong sense of place, respond to local character and history, create safe and accessible environments and are visually attractive.

Chapter 15 Conserving and enhancing the natural environment

This chapter looks at how the planning system should contribute to and enhance the natural and local environment. It sets out a number of measures to achieve this including protecting and enhancing valued landscapes and minimising impacts on biodiversity.

Overall conclusion on the relationship of the application to the development plan

This application proposes to deliver 140 dwellings which is part of the allocation of Policy H01 of the Daventry Local Plan (Part 2) 2020. In the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that, on balance, the proposal (subject to suitable conditions) would result in sustainable development and any harm as set out in the sections below would be outweighed by the benefits of granting consent. Having regard to the matters set out above, officers are firmly of the

opinion that the application accords with the development plan viewed as a whole. Having considered the principle of the proposed development, in terms of the policy context, it is necessary to consider a number of specific aspects, as set out below.

HIGHWAYS AND ACCESS

Policy C1 of the JCS 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 areas. Policy C2 expects new development to achieve modal shift targets set out in the JCS by maximising travel choice from non-car modes. It further requires allocated SUE's to:

- a) Provide access via walking, cycling and public transport routes to a mix of uses including local employment, housing and retail facilities
- b) Ensure that new or enhanced public transport services are secured on occupation of the first dwelling when this is appropriate
- c) Secure the most efficient network for walking, cycling and public transport within the development; and
- d) Ensure sufficient density across the site in order to sustain public transport and other local services.

The NPPF promotes sustainable development and states that there is to be a "presumption in favour of sustainable development" when making plans and decisions. In respect of considering development proposals, paragraph 108 states: "In assessing sites...specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."

Part v. of Policy HO1 of the adopted Local Plan (Part 2) requires;

An integrated transport network serving the site focused on sustainable transport modes that provides;

- a) Improved pedestrian and cycle links from the site to Staverton Road;
- b) Direct vehicle access from the A45 which also includes provision of an at grade pedestrian crossing connecting to Tyne Road;
- c) At grade pedestrian connection to Daventry Sports Park;
- d) Improvements to the existing Staverton Road – Yeomanry Way crossing;
- e) Improvements to the existing footbridge to support use by pedestrians and cycles;
- f) Access to public transport providing connections to Daventry Town Centre and Northampton.

A Transport Assessment (TA) has been submitted with the application. The principal concern with the application was originally in relation to the new independent access proposed from the A425. This additional access was not seen as necessary in terms of masterplan of the SUE as it was envisaged that access to the site would be via the proposed roundabout on the A425 and the roundabout on the A45 which is proposed by the planning application for the larger part of the allocation (DA/2019/0750). As part of the overall masterplan for the site, only two access points were proposed in the form of roundabouts off the A45 and the A425. Officers were also concerned about the impact of the additional access on the existing landscaping across the frontage of the site and that the access would also result in significant earth works due to the difference in levels from the site and the A425.

Various discussions have taken place over the course of the application. Following the submission of additional information in relation to the access, Highways have confirmed that the new access is acceptable in terms of highway safety. They accept the position of the new access in that it is an acceptable distance from the existing roundabout on the A45/A425 and provides the necessary visibility splays. Sections have also been provided to provide comfort to Highways that the levels and gradient of the access meets the required standards. The speed limit is proposed to reduce to 40mph.

The revised layout demonstrates how it broadly aligns with the Masterplan. However, the additional vehicular access proposed for the site is not shown on the Masterplan and therefore does not align with it. Following discussions with Highways it is understood that their use of the Old Staverton Road as a temporary access is not considered to be acceptable and therefore, on balance, the additional access is considered to be acceptable considering the requirements to provide additional pedestrian and cycle linkages along the A425 frontage which would result in the change to the character of the A425 frontage and thus reduce the harm arising from the additional A425 access.

The applicants have also provided an additional drawing to illustrate how the site relates to the wider allocation and the links and preliminary improvements to the Old Staverton Road to provide a green link through both developments. The drawing also indicates the highway infrastructure works proposed (and recommended by Highways) to the A425 frontage. This includes a 3m pedestrian/cycle path and bus infrastructure. In addition, the drawing also illustrates how additional landscaping could be incorporated into the frontage to provide mitigation for the loss of existing landscaping. This issue is discussed in detail in the Trees, Landscape and Visual Impact below.

As part of the development and Infrastructure Delivery Plan (the IDP is a requirement of policy H01) the applicants will be providing the upgrade works to the existing footbridge across the A45 to address the policy requirement that the bridge supports the use for pedestrians and cyclists. Policy H01 requires 'improvements to the existing footbridge to support use by pedestrians and cyclists'. The supporting text states that 'connectivity from

the area to the town centre is in need of improvement. There is a footbridge in place but because of its design it is not considered to provide an attractive route for all potential users. It is relatively narrow which would affect the ability for pedestrian with cycles to cross at the same time in both directions. Furthermore, its current design leads users to experience a sense of exposure which could affect its attractiveness as a route particularly during night-time and/or adverse weather condition'.

As part of the submission for application DA/2019/0750 for the Malabar scheme, a report on the footbridge was prepared - 'Visual Structural Inspection and Subsequent Assessment'. This report set out the following scope of works to the footbridge;

1. Metal handrail
2. Metal bearing plates
3. Reinforced concrete
4. Bridge coating
5. Moss growth
6. Foundation and potential movement

Discussions are continuing with the Structures Team within Highways in relation to the agreed scope of works for the application as not all of the works highlighted maybe necessary. An update will hopefully be provided at planning committee.

In order to ensure that the application is policy compliant, the scheme needs to provide improvements to the footbridge to support use by pedestrians and cyclists. The footbridge is intrinsic to people accessing the site and to encourage sustainable modes of transport.

A condition is proposed to secure these works as Highways require the applicants to carry out the works rather than provide a financial contribution to the works. The applicant has queried the method of delivery for the upgrade works to the footbridge. Officers are liaising with Highway colleagues on this issue. An update will provided as a late item.

As part of the IDP the applicants will also undertake the works to provide the green link on the Old Staverton Road. This green pedestrian/cycle path links both parts of the site with a number of pedestrian links and one vehicular link. It leads to either the footbridge and to Daventry town centre or Staverton in the opposite direction. An indicative layout has been submitted illustrating how this link may work. Further details are required to be submitted and approved. These will be secured either via a condition or the S106 agreement.

It should be noted that the view of Daventry Town Council is that the Old Staverton Road should be safeguarded and remains as a priority green route. They have advised that if absolutely necessary an emergency access could be

provided so that if the main access were blocked off for any reason emergency vehicles could access the site, this should not be a normal access.

Officers did not originally envisage that Bellway would have an independent access off the A425. It was always assumed that vehicular access to the SUE would either be from the main roundabout on the A425 or the main roundabout on the A45. Whilst officers accept that the independent access from the A425 is acceptable in terms of highway safety, we require vehicular access through both sites in order to ensure that residents within the Bellway development can access the wider development rather than having to go out of the site and then back in via a roundabout. Whilst we encourage walking and cycling throughout the site, there will be times when this is not possible and use of the car is the only practical option (for example parents taking children to school who then drive on to work or vice versa, trips to the local centre). This is one allocation and should be viewed as such rather than two separate applications. As there is only one vehicular link over the Old Staverton Road, officers do not consider that this negatively impacts upon the future green link and the way it will function. Pedestrians and cyclists will still be able to use the green link and it will provide an attractive and safe route to the wider area and linking both sites.

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

Overall conclusion on the impact of the development upon highway safety

In summary, officers consider that access, traffic and transport impact of the proposed development against the requirements of Policies C1, C2, N4, SA, S1 and S10 of the Joint Core Strategy, Policies SP1, H01 and ST1 of the Daventry Local Plan (Part 2) 2020 and guidance contained within the NPPF have been appropriately assessed and can be suitably mitigated within a S106 agreement and relevant planning conditions.

AFFORDABLE HOUSING

Housing applications have to be considered in the context of the NPPF's presumption in favour of sustainable development. Within the NPPF there is a requirement to deliver a wide choice of homes and create sustainable, inclusive and mixed communities. Local Planning Authorities should plan for mixed housing recognising the needs of different groups in the community and identify a range of housing and tenure types. Where there is an identified need for affordable housing, the NPPF states this need can be met on site or off site if it can be robustly justified. The NPPF states that the supply of new houses can be achieved through planning for larger scale developments, including extensions to existing villages or towns.

Policy H1 of the JCS seeks to ensure that an appropriate mix of housing is provided which reflects the needs of existing and future households having

regard to the evidence provided by the West Northamptonshire Strategic Housing Market Assessment (SHMA). It is noted that within the policy justification text that whilst the SHMA provides the starting point for the consideration of size and mix, it is also necessary to have regard to specific local circumstances and needs. Policy H1 advises that across Northamptonshire, new housing development will provide for a mix of house types, sizes and tenures to cater for different accommodation needs, including the needs of older people and vulnerable groups.

The starting point for determining the appropriate amount of affordable housing that should be provided within the SUE is 25% which is identified in Policy H2 of the West Northamptonshire Joint Core Strategy, however in all cases the percentage requirements identified within the policy are subject to the assessment of viability on a site by site basis. The tenure split should be two thirds affordable rent and one third intermediate housing.

The proposed development will provide 140 dwellings of which it is proposed that up to 25% would be affordable (35 dwellings) in accordance with Policy H2 of the West Northamptonshire Joint Core Strategy.

Policy H08 of the Local Plan (Part 2) for Daventry sets out that the housing need will be met by developments providing a mix of dwelling type and size to cater for current and forecast accommodation needs. This will also contribute to the creation of sustainable mixed and inclusive communities. Developments are expected to meet the requirements of this policy unless it demonstrates that the requirements of this policy would be unviable.

Within the policy a breakdown for target market and affordable housing that developments should meet is set out. The policy accepts that exceptions to this mix will be supported where robust evidence is provided.

Market dwellings						
	Proposed Number	Proposed %	H08 Target %	H08 Min %	H08 Max %	Target/Range/Not Met
1 – 2 Bed Apts	0	0	3	1	5	Not Met
2 Bed dwelling	12	11	14	11	17	Range
3 bed dwelling	61	58	56	51	61	Range
4 bed dwelling	26	25	22	19	25	Range
5+ bed dwelling	6	6	6	4	8	Target
	105					

Affordable dwellings						
	Proposed Number	Proposed %	HO8 Target %	HO8 Min %	HO8 Max %	Target/Range/Not Met
1 – 2 Bed Apts	8	23	22	19	25	Range
2 Bed dwelling	16	46	47	42	52	Range
3 bed dwelling	9	25	24	21	27	Range
4 bed dwelling	2	6	6	4	8	Target
5+ bed dwelling	0	0	1	1	3	Not Met
	35					

There is only 1-2 bed market apartments and 5 bed roomed affordable that are not within policy requirements. A 5 bed roomed affordable property would not be sought as there is no need for this size of property in this tenure. Regarding 1-2 bed apartments, a scheme elsewhere in the town has shown little demand for this type of property. The mix is therefore considered to be acceptable.

The applicant will be providing the following affordable units;
Proposed housing mix as follows;

Market dwellings

2 bed dwelling x12

3 bed dwelling x61

4 bed dwelling x26

5 bed dwelling x6

Total 105

Affordable dwellings (social rent)

1 bed dwelling x8

2 bed dwelling x11

3 bed dwelling x5

4 bed dwelling x2

Total 26

Affordable dwellings (shared ownership)

2 bed dwelling x 5

3 bed dwelling x 4

Total 9

Total shared ownership 35

The mix proposed is considered to be acceptable and meets our guidelines set out above. All of the dwellings meet the space standards.

Policy H08 also requires 50% of all dwellings to be built to the following accessibility standards:

- i. Market dwellings – 50% to M4(2)
- i. ii. Affordable dwellings – 40% to M4(2) and a further 10% to M4(3)

These requirements will also be secured via conditions.

Overall conclusion of acceptability of the affordable housing provision

Subject to securing the affordable housing provision as set out above through obligations in the S106 agreement, it is considered that the proposed development would be in accordance with Policies HO1 and HO8 of the Local Plan (Part 2) for Daventry District and accord with the intentions of the NPPF.

EDUCATION

Early Years

With regards to Early Years provision, the preference of the Department for Education is that all new primary schools come forward under the Free School Route and include where possible suitable Early Years provision. WNC Education therefore expects that the Primary School for Daventry South West will be delivered to a standard that incorporates sufficient nursery/preschool places, appropriate to a school of that size. The cost of this is expected to be met by the developer and will be captured within the cost of delivery of the school (currently estimated at £6.5m for a 2 form entry). These costs provided by Education are currently subject to review however they are based on expectations at the time of drafting this report and based on historic delivery across the county. At the time of drafting the report Education are waiting for further details on additional build costs and as such the £6.5 million remains the most accurate assumption.

Education have advised that where a developer has included provision within the site for additional community facilities/neighbourhood facilities and there are expected to be utilised for delivering further Early Years provision, then they will not currently be seeking additional financial S106 contributions towards Early Years infrastructure. This approach is consistent with Education's responses to other SUE developments across the county.

The overall scheme provides for a community facility within the local centre. This community facility could potentially be used as a nursery/preschool during the day and then be used for a different community use in the evenings or weekends.

Primary

The application states that the proposed development has accounted for the need for a new Primary School to be delivered on site, with a site identified to accommodate a 2 Form of Entry (FE) provision. The primary school will be provided within the local centre in the Malabar application site.

The figure required from this application will equate to 11% of the total contribution – this application for 140 dwellings comprising 11% of the total 1,240 dwellings across the wider development.

A minimum Primary Education s106 contribution of £715,000 is therefore required. This will secure via the S106 agreement.

Secondary

Secondary Education contributions for the Daventry area have previously been secured through developer contributions under the Community Infrastructure Levy (CIL). This was demonstrated by the inclusion of Secondary Education on the former Daventry District Council's Regulation 123 list. However, legislative changes effective from 1st September 2019 have seen the removal of Regulation 123 in full.

This means that from 1st September 2019, where necessary, Section 106 contributions may be sought from planning applications for housing development, towards additional Secondary Education Infrastructure where there is expected to be insufficient capacity in the local area to accommodate the number of pupils generated by the proposals.

WNC have advised that Secondary Education capacity in the Daventry area is currently operating within recommended thresholds. However when taking into account anticipated cumulative impact of housing development planned for within the adopted Core Strategy, it is expected that the majority of existing capacity within the system will be taken up. As such, the Council will be required to explore opportunities for increasing secondary education provision in the area, either through expansion of existing schools or through delivery of a new facility to meet the projected demand for places.

In relation to Malabar scheme, given the level of the financial contribution requested from WNC Education, the planning policy team for the Daventry area have sought the views of an independent analyst to review population figures and advise if there are any current issues with capacity with secondary schools with Daventry or if as a result of the proposed development there will be any future issues of capacity. A report has now been received and this is currently with colleagues in Education for their comments. At the time of drafting the report the information is not available however an update will be provided for committee.

Special Educational Needs and Disabilities (SEND) Provision

WNC Education has seen a marked increase in the number of pupils in the County requiring SEND facilities and services since 2010, with 86% and 46% growth rates at Primary and Secondary levels respectively.

SEND Capacity in the Daventry area is however limited, with high levels of demand forecast to continue based on current trend and birth rate data alone. Further housing development in the area is therefore expected to place additional pressure on existing resources, and as result plans are being progressed to extend the facilities to meet the demand for places.

WNC Education have requested a S106 obligation to contribute towards the cost of the additional facilities and capacity that this development will generate. Based on average dwelling mix across the site and the cost multipliers above, a S106 contribution of £772,700 will be required from this development.

Whilst WNC Education set out that the levels of demand for SEND in the area is likely to increase it does not justify what number of spaces of SEND provision the proposed development will generate. As highlighted by the agent, "as set out above, Item A on Daventry District Council's Infrastructure List includes CIL provision for "primary special needs which requires specialist provision" and therefore it is clear that the financial contribution towards SEND shall be secured via CIL in whole or part". Further clarification has been sought on this from WNC Education Team however at the time of drafting this report no response has been received. As such, it is not considered that the request is justified.

Overall conclusion on the impact of the development upon education provision

In summary, early years and primary education needs resulting from the proposed development can all be met or secured via S106 agreements or conditions in accordance with development plan policies. At the time of drafting this report, further work is being undertaken by an independent consultant with regards to capacity for secondary education. An update will be provided for planning committee. With regards to SEND provision, based on the information submitted by WNC Education Team it is not considered that their request is justified and therefore it would not meet the necessary test.

HEALTH CARE

Policy CW1 of the Settlements and Country (Part 2) Local Plan sets out the requirements for the provision of health care services. INF1 and INF2 of the JCS require new developments to provide the necessary infrastructure to support it.

Consultation feedback from NHS England the County Commissioning Group (CCG) has confirmed that there will not be enough capacity in the local primary healthcare system to absorb anticipated increase in demand created by the proposed new housing development. Practices in the local area are already at the limit of their capacity and the increase in population could push practices to the point that they are no longer able to accept new patients. Therefore health will need some financial infrastructure support to ensure the new population has access to good quality primary health care services.

Traditionally S106 requests made by health to support new developments have been centred around the capacity and development needs of a single GP Practice. However, there is now a move towards new health care models on a

large scale involving multiple organisations including primary care, the foundations underpinning this have already begun in the formation of Primary Care Network's (PCN's). The model brings together a range of health and social care professionals to work together to provide enhanced personalised and preventative care for their local community. This also takes the pressure off overburdened hospitals and allows doctors the scope to take on minor surgery. These organisations will focus collectively, rather than separately, on the needs of the local people they serve. This change is driving the way that estates health infrastructure is developed, therefore whilst Northamptonshire CCG's and NHS England and NHS Improvements still require infrastructure investment to be made by developers to cover the health needs of the new population, the precise location of the Practice providing additional services cannot always be identified at the point when the initial response is made to planning applications.

The practices most likely to be impacted by the proposed development are as follows;

- Abbey House Surgery
- Danetre Medical Centre

Of these practices the Danetre Medical is the closest. However, the proximity of the other surgeries means that they are also likely to experience increased demand.

Therefore, in order to make this development acceptable in planning terms, additional capacity needs to be created to meet those needs. A financial contribution is therefore requested to support the local infrastructure expansion. The potential impact if contributions are not made is that the necessary expansion to primary health care capacity to meet the demand from the proposed development will not be achieved.

At the time of drafting the report, officers are currently liaising with the Primary Care Development Manager with regards to exactly how and where the financial contribution will be spent and at what trigger points the contributions will be payable. This will be secured via the S106 agreement.

Overall conclusion on the impacts of the development upon health care

Taking into account the comments raised by NHS England and the CCG, it is considered that with an appropriate financial contributions towards the potential expansion of local surgeries there would be adequate primary healthcare provision to serve the needs of future residents of the proposed development. Discussions will continue with regards exactly where and how the contribution will be allocated. This will be secured via the S106 agreement.

DESIGN AND LAYOUT

This application is for full planning approval. A Masterplan has however been submitted with the application which illustrates how the site integrates with the wider allocation. This masterplan is identical to the one submitted and approved for the Malabar application. The Masterplan is a requirement of Policy H01 and must demonstrate how the site will come forward comprehensively.

The Masterplan has been developed in consultation with key stakeholders including The Town Council, the former Northamptonshire County Council, Natural England, The Wildlife Trust, Historic England and a range of officers within the Council.

The main design principles are set out in the Design and Access Statement which states the proposed development;

- Respects and enhances the local environment.
- Makes best use of the existing landform and natural features in and around the site.
- Is of a design, layout, scale and mass compatible with the locality of the surrounding build form.
- Safeguards and will contribute to the amenities of the surrounding area.
- Minimises the opportunities for crime and creates a safe and secure environment.
- Materials will be sought where possible and be of a high quality promoting diversity and hierarchy.

The layout has been amended a number of times following advice from various consultees. The submitted layout illustrates an acceptable scheme in terms of meeting current urban design practices, back to backs, block structures, distances between dwellings etc.

The Local Area of Equipped Play (LEAP) is positioned in the western corner of the site. Whilst this is not positioned in a central location, additional pedestrian access points have been provided to ensure that all residents have convenient access to it. The pedestrian/cycle path fronting the A425 links to the LEAP as well as a footpath via the green link which links to the wider development.

Following concerns with limited green space within the site, an additional area of open space has been provided within a more central location. Dwellings are positioned around the south and west boundaries of the open space. Railings will be provided around the open space in order to protect the amenities of neighbouring residents.

Various discussions have taken place in regards to the relationship of dwellings and the proposed green link. The majority of dwellings along this boundary have either been repositioned to front the green link or additional openings have been provided to ensure that the green link is overlooked and

surveyed by residents. This will encourage the use of the green link both for residents of the development and the wider area.

Daventry Town Council has raised concerns with the density of development, advising that it is too high in comparison to the Malabar scheme. The Design and Access Statement for the Malabar scheme states that the density will be on average 40dph and Design and Access Statement for the Bellway scheme states a density of between 32-35dph. The West Northants Core Strategy Policy H1 requires a minimum density of 35dph. It is therefore not considered that the density of the site is significantly high to warrant a refusal of planning permission.

Overall conclusion on design and layout

The layout provides an attractive environment following current urban design principles. On balance, it is considered that the design and layout of the scheme are acceptable and as such are in accordance with Policies H01 and ENV10 of the Daventry District Local Plan (Part 2) 2020.

ECOLOGY

The Conservation of Habitats and Species Regulations 2017 consolidates the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Directive) into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

Under the Regulations, competent authorities i.e. any Minister, government department, public body or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Bird Directive.

The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will no adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any persons from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.

The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4.

However, these actions can be made lawful through the granting of licences by the appropriate authorities by meeting the requirements of the 3 strict legal derogation test;

1. Is the development needed to preserve public health or 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?
2. That there is no satisfactory alternative.
3. That the action authorised will not be detrimental to the maintenance of the population of the species concerns at a favourable conservation status in their natural range.

The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respect to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Natural England's Standing Advice sets out habitats that may have the potential for protected species, and in this regards the site, although consisting of predominately arable land, does contain hedgerows and fence lines, semi natural and plantation woodland, water courses, ponds and ditches.

Paragraph 175 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Paragraph 180 of the NPPF states that planning decision should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and 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 local amenity, intrinsically dark landscapes and nature conservation.

Policy BN2 of the JCS requires development to maintain and enhance existing designations and assets or deliver a net gain in biodiversity. It states that 'development that has the potential to harm sites of ecological importance will

be subject to an ecological assessment and required to demonstrate; the methods used to conserve biodiversity in its design and construction and operation; how habitat conservation, enhancement and creation can be achieved through linking habitats; and how designated sites, protected species and priority habitats will be safeguarded’.

Policy ENV5 of the Local Plan (Part 2) includes specific provisions relating to the parameter plan site. It states that ‘the Council will support proposals that conserve and enhance designated areas and species of national and local importance for biodiversity and geodiversity and contribute towards a resilient ecological network in line with their status’.

Policy H01 sets out the following requirements in relation to the master planning and ecological assessment to be agreed with the Council:

- Structural green space and wildlife corridors which retain important existing landscape features including hedgerows, drainage corridors, woodlands and mature trees.
- Maintenance and enhancement of appropriate landscape features along the A45 to function as a green link.
- Development of the site will be informed by assessments and suitable mitigation related to ecological impact.

There are three designated sites within 2km of the site. These are Badby Woods Site of Special Scientific Interest (SSSI), Daventry Country Park Local Nature Reserved (LNR) and the Daventry Reservoir and County Park LNR.

There are twelve Local Wildlife Sites (LWS) within 2km of the site. These are designated at the County level of significance.

A further fifteen potential wildlife sites (pLWS) are present within 2km of the site. These are “either known or thought to be of higher biodiversity level than the average countryside but have yet to be confirmed to be of LWS standard”.

The application is supported by the following surveys badgers, bats, great crested newts, nesting birds and reptiles.

The majority of the survey area comprised intensively grazed improved grassland, which is of limited biodiversity value. The potential effects on the loss of this habitat have been assessed as negligible. Other habitats recorded within the site include; amenity grassland, introduced shrubs, tall ruderal vegetation, scattered scrub, hardstanding, buildings, a pond P1, dry ditches, trees and hedgerows.

The habitats present were potentially suitable to support protected fauna and a series of additional fauna surveys were conducted. Notable fauna within the site included community and foraging bats, breeding birds and common pipistrelle and brown long eared bat roosts.

The proposed development has been designed to retain boundary hedgerows and double plant them (where possible) maintaining connectivity across the site and ensuring the continuity of habitat linkages to off-site habitats particularly to the southern development.

Mitigation and enhancements include suitable habitat and species protection to be included within the Construction and Environmental Management Plan. New areas of species rich grassland, native tree and scrub planting within open green space (in the south east and south west corners of the site) as well as a balancing facility designed for wildlife, bird/bat boxes, bat tubes and a bat barn are proposed. To ensure the long term management of the retained and newly created wildlife features, a suitable Landscape and Environmental Management Plan should be submitted. This will be secured via a condition.

Concern has been raised by a local resident with regards to the potential for Great Crested Newts (GCN) within the existing pond on site. Bellway's Ecologists have been in touch with NatureSpace about using a District License. Whilst the license is not yet in place (at the time of drafting the report) it is imminent and NatureSpace have offered to do an up-front assessment to determine whether Bellway can use the district licence (it's not always appropriate) and what mitigation would be required. A full report is required to be carried out which will provide further details of the assessment and detail the planning conditions which will need to be included on the planning consent, if granted. When Bellway provide a full NatureSpace report, the Council can rely on that to satisfy GCN requirements and the duty to have regard to the Habitats Directive. The report from NatureSpace will confirm that the processes agreed under the district licence have been followed, and that the proposed development meets the requirements (in respect of GCN), subject to planning permission being granted. An update on this will be provided as a late item.

Overall conclusion on the impact of the development upon the ecology of the site and the surrounding area

Considering the large scale of the proposed development and its location in an open, predominately rural landscape, a number of significant changes to landscape character, views and visual amenity are to be expected. As with any large strategic allocation, it is accepted that any proposed development will result in some significant changes to landscape character, by changing it from a predominately rural landscape to a developed, urbanised area. Subject to the imposition of planning conditions and appropriate obligations secure in a S106 agreement to deliver the necessary implementation, creation and management of green infrastructure.

Subject to addressing the issue of the Great Crested Newts license, officers are satisfied, on the basis of advice from the Wildlife Trust and the absence of any objection from Natural England, and subject to conditions, that the

welfare of any European Protected Species found to be present at the site 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. The proposals are therefore considered to comply with Policy BN2 of the JCS and Policies H01 and ENV5 of the Local Plan (Part 2).

TREES, LANDSCAPE AND VISUAL IMPACT

Policy H01 of the Local Plan (Part 2) supports the development of up to 1,100 dwellings, providing structural greenspace and wildlife corridors as indicated on the proposals map.

The applicants have submitted a Landscape and Visual Impact Assessment (LVIA), submitted as part of the Environmental Statement, prepared by IDP. The landscape assessment assesses the impact of the proposed development on the landscape resource in terms of a) landscape character and b) visual amenity. The visual section identifies viewpoints and assesses visual receptors.

The main receptors identified are;

- Views from Stefen Way Footbridge
- Views from Staverton Road byway (opposite the entrance to the farmyard)
- Views from A45 Leamington Road (view from the roundabout on the Leamington Road/A45 round junction to the north east of the site).
- Views from A425 Staverton Road (view from layby)
- Views from A361 Badby Road (view from the road bridge on the A361)
- Views from Newnham Hill Windmill
- Views from bridleway west of Jurassic Way footpath

The development proposal will introduce modern residential development, associated access roads from the Staverton Road, areas of open space and associated landscaping measures into a settlement edge location that has a sharply contrasting landscape character between the settlement set behind the vegetation on the A45 and the rolling hills to the west.

Officers have raised particular concerns with the loss of landscaping along the A45 frontage. Part vi. of policy H01 requires the development to make provision for 'structural green space and wildlife corridors which retain important existing landscape features including hedgerows, drainage corridors, woodlands and mature trees and include appropriate landscape enhancements in keeping with the Ironstone Hills Landscape Character Type to mitigate the impact on the setting of Badby House, the Special Landscape Area and Green Wedge'.

Various discussions and site visits have taken place with regards to the loss of the existing landscaping along the A425 frontage. As a result of highway

infrastructure works and due to the difference in levels from the site to the A425, a significant loss of landscaping will occur. This has to be weighed against the benefits of connecting the site to the wider area and particularly connecting the site to the town centre. The foot/cycle way across the frontage of the site will provide a clear and visible route for pedestrians and cyclists, thereby providing safe and convenient access of all users.

The applicants have provided a scheme to illustrate that mitigation for the loss of the trees and landscaping can be provided along the A425 boundary. The layout plan (revision 02 G) illustrates some tree planting along the boundary however a condition is proposed to require the submission of a full landscaping plan to be submitted and approved. This will ensure that additional tree planting is proposed as part of the scheme to compensate for the loss of trees to make way for highway infrastructure works.

The ES chapter on Landscape and Visual Impact concludes that additional mitigation measures as part of the detailed design process would include adoption of a landscape management plan based on the Landscape Strategy, complete with a series of aim and objectives that seek to improve the quality of the landscape in terms of its development (both visually and physically), its content (wildlife and habitat creation) and its diversity (opportunities for creation of additional landscape elements, such as water bodies or wildlife meadows). The length of the management plan may vary from 10-20 years, and the management approach would vary dependent upon the aims and objectives. It would consist of a framework informed by all relevant data (ecological and landscape surveys, management prescriptions, contract documentation etc.) and be monitored on an agreed basis, typically annually. The management plan will focus on the delivery on new quality landscaped. A condition is proposed to secure this.

Overall conclusion of the impact of the development upon trees, landscape, visual impact of the site and the Special Landscape Area

The site is located within an area allocated for housing in the Local Plan (Part 2). The position of the site, immediately adjacent to the existing urban edge, results in a housing development that is closely related to the existing settlement of Daventry and is both physically and visually separated from the wider rural landscape. Any loss of countryside has to be balanced against the need to provide the identified amount of development and the sustainability of the site and the potential loss of agricultural land in another location. To ensure that the visual impact of the development is controlled conditions are proposed for detailed landscape plans and a landscape management plan to be submitted and approved. Officers are satisfied that the submitted scheme corresponds with the land uses outlined in Policy H01 of the Local Plan (Part 2).

CULTURAL HERITAGE AND ARCHAEOLOGY

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) states that 'in considering whether to grant planning permission for development which effects 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. Therefore, significant weight must be given to these matters in the assessment of these planning applications.

Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 193 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 HO1 of the Local Plan (Part 2) requires that development of the site to be informed by an archaeological assessment, and suitable mitigation and Policy ENV7: Historic

Environment, recognises the importance of the district's heritage. Part B vi) of Policy HO1 requires that any development provides structural green space and wildlife corridors which retain important existing landscape features including hedgerows, drainage corridors, woodlands and mature trees and include appropriate landscape enhancements in keeping with the Ironstone Hills Landscape Character Type to mitigate the impact on the setting of Badby House, the Special Landscape Area and Green Wedge. Part C of Policy HO1 also requires that a Heritage Statement is prepared as part of the application process to assess the potential impacts of development on heritage assets within and in the vicinity of the subject site.

Heritage advice was provided by WNC's Conservation Officer (Daventry Area) at the pre-application stage and during the formal planning application process. Concerns have been expressed about the suitability of the application site, and the adjacent landscape, which form part of the proposed SUE, to accommodate largescale residential development without excessive harm to/loss of the form, character and appearance of this part of Daventry's historic landscape.

The application site sits at the lowest part of the SUE and is a relatively flat site. Views into much of the site from the surrounding landscape are limited. It does benefit from longer distance views out towards heritage assets such as Holy Cross Church within the town centre conservation area, Badby House and Borough Hill, but there is unlikely to be material harm to the setting of these assets from the development of this part of the SUE alone. The heritage implications of largescale development on the adjoining site have already been considered as part of the planning assessment for DA/2020/0750. The site has a resolution to grant planning permission for up to 1100 dwellings and associated infrastructure. The principle of development on this site has

therefore been agreed with the allocation of the site within the Part 2 Local Plan and also the resolution to grant planning approval for application DA/2020/0750.

Chapter 14 of the submitted Environmental Statement contains an archaeological desk based assessment. With regards to archaeology, there are no designated archaeological heritage assets (Scheduled monuments) within the site or within a 1km radius. There are three scheduled monuments within a 3km radius; these comprise Borough Hill, 'Burnt Walls' earthworks and remains of moated monastic retreat, manorial courthouse and Inn at Badby.

In relation to the Desk Based Assessment, the archaeological interest consists of post medieval/modern late 18-19th century structures, hedgerows and ridge and furrow. The archaeological interest is in the form of sub surface features identified by the geophysical survey but this only relates to ridge and furrow. The historic interest relates to the farm/outbuildings and their link to improved agriculture and the toll road as seen on the historic maps, now cut by A425.

The buildings were originally within a larger agricultural landscape before the construction of the A45 and the large scale residential development to the north as shown on the historic maps. The ridge and furrow earthworks while relatively well preserved exist in isolation rather than being part of a larger landscape.

The recent archaeological evaluation to the south did not identify any archaeological activity apart from areas of quarrying, with the main areas of activity some distance from the site. On the basis of the evaluation results it is highly unlikely that archaeological activity will extend into the area. The relatively small scale nature of the scheme and the existing development also reduce the potential for archaeological activity.

There are a number of listed buildings located within the vicinity of the site. These include the Grade II listed Badby House (formerly Our Lady of Passion Monastery and now a care home), which adjoins the wider allocation to the site to the south. Within the wider vicinity of the site, there are a number of listed building including the 'Windmill on Newham Hill' located to the east, Danetre Hospital Administration Offices (Former workhouse building) located to the north east and various clusters within Staverton located to the south west and Daventry town centre located to the north east. The impact of the wider development upon Badby House has been assessed with the determination of planning application DA/2019/0750.

Drayton Lodge complex is identified as a non-designated heritage asset and is located within the eastern part of the site. The complex includes a number of historic buildings; the heritage value of each has been assessed in a separate heritage statement. A Heritage Statement produced by Lanpro considers the

impact on 'above ground' heritage assets (structures and landscapes of heritage interest) within the site and also discusses the impact of the proposals on the setting of designated assets and conservation areas within and beyond the site.

The statement notes that its buildings and structures comprise two groups; to the north is a large 20th century agricultural shed and a smaller chicken shed, both of which are located in a northern yard; and to the south is the main building range consisting of a range of south facing buildings constructed around a regular courtyard access from Staverton Road. The east range is made up of modern (late 20th century) deep plan brick and asbestos shed, with a brick corrugated lean-to structure at its southern end and additional modern shedding to the north. Within the courtyard, to the west of the access from Staverton Road, is a further large 20th century shed of brick and corrugated asbestos with a single storey modern flat-roof building on its north east corner. At its southern end, extending west/east along the south farmyard boundary, is a single storey 20th century structure of buff brown brick with a corrugated pitched roof. All of these structures appear to have wholly or largely replaced any earlier structures that once formed the historic courtyard buildings.

The main house is in the north west corner and appears to be an earlier (probably early 19th century) 'L' shaped two storey red brick range with pitched tile roof. The southern end of this range adjoins a shallower plan two storey red brick range. A later range with higher ridgeline appears to have been added, extending west from the ridgeline of the northern part of the 'L' shape to form an elongated 'T' shaped building. The southern and western elevations of this building are of a yellow ochre brick with red brick to the rear. A date stone showing '1883' is above the main door of this section.

The majority of the farm buildings identified on historic mapping have wholly or largely been replaced by later buildings of no heritage interest, although they are located on roughly the same plan. The only building of heritage interest are the main house and its associated two storey brick range to the south. Architecturally the main house and western range, being the most notable parts of the building complex, use a simple narrow range of materials and detailing characteristic of Northamptonshire. Although the building utilise a simple range of largely utilitarian materials, the main house and western range represent a well-established vernacular form of architecture that is reflective of the period and use of the buildings. Consequently, the main house is considered to have a degree of aesthetic merit.

The report concludes that the significance of these buildings is of local significance, and therefore low sensitivity, which is largely derived from their age and historical interest as early 19th century buildings with later alterations, and their associated aesthetic interest within their wider agricultural setting. This significance has however been notably undermined by the loss of earlier historic ancillary buildings and their replacement with

standard modern agricultural units. The setting of the complex has also been undermined by the construction of the A425 and A45 and encroaching large format commercial development

Following concerns raised by WDC Conservation Officer in relation to the loss of the farm buildings, a further report was submitted by the agent – 'Additional Heritage Justification Statement in respect of the demolition of farm buildings'. A further report was submitted with regards to the viability of preserving and converting the farm buildings rather than their demolition.

The report concludes that "the harm associated with the loss of Drayton Lodge should be assessed with respect to the balanced judgment advised by Paragraph 197 of the NPPF. Claremont Planning would advise the Local Planning Authority that the public, social and economic benefits arising from the delivery of allocation HO1 and provision of a mix of housing on the application site outweigh the harm resulting from the loss of Drayton Lodge. The low level of heritage significance of the buildings must inform this consideration as well as the likely implications of retaining them in situ. As such, the overall significance of the identified non-designated heritage asset is not of a level that warrants its protection". The agents have also advised that the retention of the farm buildings would result in the loss of approximately 12 units which then impacts upon highway arrangements and urban design.

WNC's Archaeologist advises that the loss of Drayton Lodge is regrettable, the Heritage Statement has provided an assessment following current industry guidelines which identifies that the application area contains two buildings of low archaeological interest.

The Heritage Statement provides an assessment of the farm buildings including map regression and photographs. As the complex is to be demolished this information and some additional plans/ sections and photographs should form the basis of a report to be submitted to the HER. In accordance with the proposals within paragraph 7.1.4 that building recording should take place in advance of demolition. A condition is proposed to secure this.

WNC's Conservation Officer is disappointed to see that the design of the scheme has not evolved to respond positively to the heritage concerns that have been raised. The scheme fails to retain and re-use the principal buildings of Drayton Lodge. It results in the loss of existing historic landscape features including remnant enclosure hedgerows and mature hedgerow trees on the site and existing established landscape screening along the site boundaries. It fails to retain the existing vehicular access without major change to the character and appearance of the route past the site along the A425 (this has been addressed in above sections).

The proposal will result in some loss of heritage value from the local landscape. Having regard to the scale of the development, the extent of loss

and the relative significance of the features and fabric that are affected, this is considered to be less than substantial in NPPF terms. In accordance with the policies and guidance of the NPPF this should be weighed in the balance when assessing the merits of the planning application.

The proposed development will have a detrimental impact upon above ground archaeological assets. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. In order to secure a condition for a programme of archaeological work is proposed, as per NPPF paragraph 199, to any permission granted in respect of this application.

The principle of large scale residential development is found to be acceptable through it being allocated in the adopted Part 2 Local Plan. The indicative masterplan and parameter plans submitted with the outline planning application for the wider allocation set out the principles of future development however the details within any future reserved matters application are key to ensuring that the setting of the designated heritage asset is maintained.

Overall conclusion on the impact of the development upon archaeology and the built heritage within and adjacent to the application site

To summarise, there is balance between the conserving the non-designated heritage assets of Drayton Lodge and securing planning permission for residential development in line with Policy H01 of the Part 2 Local Plan.

Paragraph 196 of the NPPF clearly states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. It is considered that the harm to significance will be less than substantial in NPPF terms. There are conditions proposed to ensure building recording for Drayton Lodge. Based on this approach, it is considered there are no overriding heritage constraints to the proposals that have been identified and the proposals are therefore in accordance with Policy H01 of the Local Plan and the overarching intentions of the NPPF.

OPEN SPACE AND RECREATION

Policy H01 of the Local Plan (Part 2) requires the provision for structural green spaces, wildlife corridors, sports and recreation. Policy BN1 of the JCS requires new development to enhance and provide additional green infrastructure connections. Policies ENV1 and ENV4 of the Local Plan (Part 2) also supports proposals to protect, enhance and restore the District's green infrastructure assets.

The Nortoft Study: Planning the Future of Open Space, Sport and Recreation in West Northamptonshire was prepared to establish comprehensive

strategies for delivering open space, sport and recreation. The structure of these strategies and their interrelationships informed the Local Plan (Part 2) and forms part of the evidence base for the Local Plan.

The application provides a total of 1.17 ha of the site area as green infrastructure.

The table below shows the proposed level of provision against the report's recommended provision.

Type	Quantity propose to be provided	Quantity Standard required	Accessibility level provided	Accessibility Standard
Parks and Gardens	To be provided off site within the Malabar development	0.28ha	On-site	710m walk
Amenity Open Space	0.28ha	0.28ha	On-site	480m walk
Accessible Natural and Semi Natural Green Space (including the Staverton Road Green Link - off site)	0.81ha	0.81 ha	Off-site	720m walk
Children and Young People's Facilities	0.08ha	0.08ha	On-site	400m walk for LEAP 1000m walk for NEAP
Allotments	To be provided off site	0.11ha	Off-site	1000m
Total	1.17ha	1.56ha		

Amenity Open Space

The Masterplan for the allocation highlights a large area of amenity open space.

It is proposed that the site will comprise of 1.17ha of public open space which includes approximately 0.81ha of amenity open space which meets the required standards for amenity open space.

Accessible Natural and Semi Natural Space includes the provision of a green link which is the Old Staverton Road. The green link will provide a 3m wide pedestrian and cycleway which links both the Bellway site and the wider allocation to the south as pedestrian links are provided north/south as well as a vehicular link. The green link also provides access to the existing footbridge linking to the town centre and wider Daventry area.

Sports Pitches

The Nortoft Open Space Study concludes that there is adequate provision of sports pitches within Daventry. As such, there is no requirement for the applicants to provide sports pitches within the application site. There is however a requirement to make necessary financial contributions to contribute to the enhancement of sport and leisure provision.

There is a requirement for a pedestrian crossing to be installed across the A425 to provide access to the sport facilities to the north of the A425. This is highlighted on the Masterplan and the site layout for Bellway and is included with the Infrastructure Delivery Plan (IDP). It will be secured via this planning application as this is the closest residential development to the sports ground.

Officers are liaising with the Town Council with regards to the provision of a Multi-Use Games Area (MUGA) within the town centre. The Town Council and their sports consultant have advised that the cost for such a facility is £200,000 and this would serve the needs arising from the development for organised sports. Both applications will pay a contribution towards this facility.

Play Areas

Policy CW1 of the Local Plan (Part 2) sets out a requirement for 0.2ha per 1000 population. The play area is shown on the submitted layout for the site and is located in the western corner of the site. Whilst this is not central within the site, the play area is overlooked by properties and additional pedestrian links have been provided in order to ensure that it is accessible. Links are provided via the A425 cycle/pedestrian route and also from the green link which links to the wider allocation. Additional equipped play areas are provided throughout the wider allocation and the proposed pedestrian/cycle links will ensure that these facilities are available for all residents of the overall allocation.

Allotments

No allotments will be provided on site. Following discussions with the Town Council, they have indicated that there is currently no waiting list for allotments within Daventry. Due to allotments to be provided within the Monksmoor development, it is considered that an off-site contribution to

enhance existing allotments would be the most appropriate way to deal with this requirement. This is the same approach taken with the Malabar planning application (DA/2019/0750) which went to planning committee in December 2020.

Other considerations

Due to the size of the Bellway application site, it is not possible to provide the required parks and gardens open space. As such, an off-site contribution is proposed and this will be used within the Malabar application which exceeds its open space requirements.

The overall estimate of commuted on-site and off-site maintenance sum (together with the off-site provision of parks and gardens and allotments) is expected to be in the order of £290,000 for a 20 year maintenance period. The S106 will provide the opportunity for the Town Council to take on maintenance of the play/open space.

Overall conclusions of the development upon the provision of open space and recreational land within the application site

The proposed development will provide open space comprising a range of features and habitats including a LEAP and incidental open space, as well as structural landscaping. The proposed development will provide on-site open space and an off-site contribution towards the wider allocation. It is therefore considered that the scheme is policy compliant. The open space provides sustainable links for pedestrians and cyclists across the site to the existing sports pitches, into Daventry and into the wider allocation.

LOCAL CENTRE

The Masterplan for the allocation makes provision for 2.4ha of land for a mixed use Local Centre comprising of A1-A5, and D1 and D2 units.

The local centre is located centrally, at heart of the allocation (within the Malabar scheme), close to the eastern boundary of the overall site and is accessed from the proposed roundabout on the A45. The local centre will predominately be for residents living in the new development however due to its location, it would be easily visible to benefit from passing trade.

Whilst the local centre is not part of the Bellway application, the pedestrian and vehicular routes will link both developments to ensure that the site is sustainable. A community facility will be provided within the local centre to serve the needs of the community and surrounding area.

Overall conclusion of the proposed Local Centre upon the development and surrounding area

The local centre is considered to be of an appropriate scale designed to serve the local community. Conditions and obligations with the S106 relating to the

Malabar planning permission will secure the local centre in accordance with Policy H01 of the Local Plan (Part 2).

AIR QUALITY

An assessment of the likely impact of the proposed development on local air quality is included within Chapter 11 of the Environmental Statement. It considers the potential effects of construction and operation of the development.

Policy BN9 of the JCS sets out criteria for the control of pollution from new development including;

- Maintaining and improving air quality, particularly in poor quality areas, in accordance with the national air quality standards and best practice.

The NFFP, paragraph 181, states that planning policies and decisions should sustain and contribute towards compliance with relevant limit value or national objectives for pollutants.....and the cumulative impacts from individual sites in local areas.

The assessment considered that, with appropriate mitigation during the construction phase, the proposed development will not have a significant impact. The mitigation, as set out in Chapter 11 of the ES, states that during the construction phase of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. These were assessed in accordance with the IAQM methodology. Assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities was predicated to be negligible.

Dispersion modelling was undertaken in order to quantify pollutant concentrations at the site and to predict air quality impacts as a result of road vehicle exhaust emissions associated with traffic generated by the development.

The dispersion modelling results indicated that pollutant levels at sensitive locations across the site were below all relevant Air Quality Objectives. The location is therefore considered suitable for the proposed end use without the inclusion of mitigation measures to protect future users from poor air quality. The overall significance of potential impacts was determined to be not significant and in accordance with guidance

A condition is recommended which requires the applicant to submit a Construction Environmental Management Plan.

Overall conclusion on the impact of the development upon the quality of air within the locality

The WNC's Environmental Protection Officer is satisfied that air quality assessments have been undertaken in accordance with the relevant standards and procedures and concurs with the conclusions and mitigation proposed, where necessary. For these reasons, subject to the imposition of planning conditions, it is considered that the proposed development would be in accordance with Policy BN9 of the JCS, Policy H01 of the Local Plan (Part 2) and the overarching intentions of the NPPF.

NOISE

An assessment of the likely impact of the proposed development on the noise and vibration climate of the area is included within Chapter 10 of the submitted Environmental Statement.

Policy S10 of the JCS requires new development to minimise pollution from noise. Policy H01 of the Local Plan (Part 2) requires that the development is informed by assessments and suitable mitigation in relation to 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'.

The noise assessment carried out by Waterman Infrastructure and Environment Ltd. It assesses noise from road traffic changes resulting from the proposed development of the site. During the construction phases, it is anticipated that suitable design and construction practices adhered to by the contractor through the Construction Environmental Management Plan (CEMP) will minimise noise and vibration on site. Control measures to minimise noise are likely to include:

- Use of hoarding to the required height and density appropriate to the noise sensitivity of the site;
- Use of modern, quiet and well-maintained machinery such as electric powered plant;
- Vehicles and mechanical plant used for the works would be fitted with exhaust silencers;
- Changing, where possible, methods and processes to keep noise levels low;
- Positioning plant as far away from residential property as physically possible;
- Works would be limited to the specified hours subject to agreement with the Council. Hours worked on noisy operations would be limited; and
- Liaison with the occupants of adjacent properties most likely to be affected by noise or vibration from activities on the site should also take place.

Effects resultants from changes in road traffic volume are predicated to be negligible and therefore mitigation is not recommended. Residual effects are therefore negligible.

A condition is proposed to secure the submission of a CEMP which will be agreed prior to work commencing.

Overall conclusion on the impact of the development with regards to noise implications

WNC's Environmental Protection Officer is satisfied that noise assessments have been undertaken in accordance with the relevant standards and procedures and concurs with the conclusions. The design of this outline planning application has taken into account the site constraints from noise. Issues relating to noise arising during construction can be satisfactorily controlled through the use of appropriately worded conditions. In that event it is considered that the scheme will accord with Policy BN9 of the JCS, Policy H01 of the Local Plan (Part 2) and the overarching intentions of the NPPF.

DRAINAGE AND FLOOD RISK

Chapter 12 of the submitted Environmental Statement contains a Flood Risk Assessment

(FRA) for the application site and the proposed development. The FRA has been prepared in accordance with the NPPF, which provides an assessment of flood risk to the site and demonstrates that future occupants of the site will be safe from flooding and that the proposed development will not increase flood risk elsewhere.

The NPPF at paragraph 163 advises that LPA's should, when determining planning applications, ensure that flood risk is not increased elsewhere. Paragraph 165 advises that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Policy BN7 of the JCS sets out general development principles and requires that development proposal include adequate provisions for foul and surface water drainage, incorporating allowances for climate change.

A FRA has been prepared by Residential and Commercial Engineering (RACE) in support of the application. The assessment confirms that the site is entirely within Flood Zone 1; being an area of Low Probability of flooding and outside both the 1 in 100 and 1 in 1,000 year flood events.

The use of Sustainable Urban Drainage Systems (SUDS) is a requirements on all major development. Sustainable drainage systems are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. They provide opportunities to;

- Reduce the causes and impacts of flooding;

Remove pollutants from urban run-off at source;
Utilise water management within green spaces with benefits for amenity, recreation and wildlife.

The drainage strategy plan therefore proposes an attenuation basin which will act as a SUDS storage and treatment feature by incorporating a low flow wet swale around its base. This facility will be located below ground level. This position is the eastern corner of the site.

The FRA in terms of foul drainage scheme sets out that the proposed development is in the catchment of Whilton Water Recycling Centre, which currently has sufficient capacity to treat flows from the development. An onsite and offsite foul water drainage strategy will be derived with Anglian Water in order to ensure the site can be served.

The Environment Agency, Anglian Water and the Lead Local Flood Authority have all considered the application and the submitted FRA. Between the consultees there is a consensus of opinion and they are satisfied that the level of detail submitted with the outline planning application is appropriate to address flood risk and surface water drainage matters. If planning permission is granted, all consultees require the imposition of detailed conditions with regards to the submission of full details of the surface water drainage system and a scheme for the maintenance and upkeep of the drainage system.

Overall conclusion on the impact of development upon drainage and flood risk

Subject to the imposition of planning conditions it is considered that the proposed development would be in accordance with Policies BN7 and BN7a of the JCS, Policy H01 of the Local Plan (Part 2) and the overarching intentions of the NPPF.

LAND CONTAMINATION

Policy BN9 of the JCS requires that proposals for new development which are likely to cause pollutant for results in exposure to sources of pollution must demonstrate that they propose opportunities to minimise and where possible reduce pollution issues. Policy BN10 relates to ground instability and states that development will only be permitted on sites of unstable or potentially unstable land provided that, the nature of the ground stability has been assessed and appropriately mitigated.

The NPPF requires that decisions ensure that "a site is suitable for its new use taking account of Ground Conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining and may propose for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation)"; and that "after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990".

The Environmental Statement (Chapter 13) includes an assessment of the proposed development on ground conditions and the likely constraints for the proposed development relating to land contamination and geotechnical issues. The site has been subject to a Geo-Environmental Phase 1 Desk Study.

The potential environmental effect of suspended solids discharging to watercourses and ground water will be mitigated by adequate site controls developed by way of a CEMP. All contractors working on site will be required to adopt the procedures and proposed means of mitigation outlined in the document.

In order to minimise the impacts in relation to ground conditions and contamination during development, the CEMP will include the following procedures;

Prohibition of any temporary construction discharges without approval of the Environment Agency;

Earthworks to be completed in a manner that protects the water quality environment and ecological interest of the area;

Discharges of waters resulting from construction activities will generally be directed to foul sewers, subject to approval of the drainage authority;

All fuel oils and potentially contaminating substances to be stored in bunded tanks or suitable hard paved and protected areas as are appropriate;

All works to be completed in accordance with Environment Agency documents; and

All surplus construction and demolition materials to be removed from site and reused, recycled or disposed.

Site topography is such that limited, if any, earthworks will be required to provide gravity surface water drainage. Filling of the site where necessary will be by way of 'cut and fill' earthworks and imported inert material to trim building levels and highway infrastructure to provide gravity drainage across the site.

The ES concludes that from the investigations to date there would appear to be no serious impediment to the development from a geotechnical or geo-environmental perspective and no requirement for inherent mitigation measures. Most potential impacts will be mitigated by standard measures and practices and the few actionable mitigation measures are not unusual – they are of a nature that is commonly undertaken on many sites in the region. With mitigation measures implemented, all effects of the proposed development will be negligible.

Overall conclusion on the impact of the development upon ground levels within the site

WNC's Environmental Protection Officers are satisfied that the impacts identified can be suitably mitigated through planning conditions and therefore

comply with the requirements Policies BN9 and BN10 of the JCS, Policy H01 of the Local Plan (Part 2) and the overarching intentions of the NPPF.

SUSTAINABILITY

One of the core planning principles as outlined in the NPPF is for planning to support a transition to a low carbon future in a changing climate and through this is the encouragement of the use of renewable resources. The NPPF identifies the role planning plays in helping to shape places to secure reductions in greenhouse gas emissions, providing resilience to the impact of climate change and supporting the delivery of renewable and low carbon energy associated infrastructure.

Policy S10 of the JCS seeks to reduce the impact of climate change through reducing carbon emissions by the application of sustainable design principles. Policy S11 of the JCS seeks greater energy efficiencies in building construction and use and through the increased use of low carbon and renewable energy. The policy identifies key considerations in the assessment of development proposals for renewables, which include sensitively locating proposals to minimise the impact on people as well as the built, natural and heritage environment.

Policy ENV9 of the Local Plan (Part 2) states that where appropriate and viable, new development should utilise the availability of any local energy network, such as combined heat and power (CHP) system or generate their own energy from low carbon technology.

Following the technical housing standards review, the Government withdrew the Code for Sustainable Homes to simplify the regulatory procedures that apply to house building. The Government set out that whilst the Code cannot be applied in full, local planning authorities can continue to set and apply policies which require compliance with the energy performance requirements that exceed Building Regulation requirements. The intention is that in accordance with Policy S11 of the JCS and the Housing SDP Policy Ho10, dwellings shall include energy efficiency measures equivalent to those required to achieve level 4 of the former Code for Sustainable Homes.

Paragraph 8 of the NPPF emphasises that there are three dimensions to sustainable development; economic, social and environmental. The proposal for the development have been prepared to address each of the three dimensions in order to deliver a new sustainable community.

Economic – The site is ideally located with links to existing and future employment areas within Daventry. The scheme proposes new pedestrian links to the Royal Oak Industrial Estate via the footpath/cycleway across the frontage of the development with the A425, with a crossing to the opposite

side of the road. New employment will also be provided within the wider site at the primary school and the new retail and community facilities. New jobs will be created during the construction phase and once occupied; spending by new residents will result in economic benefits to local businesses and their employees. Contributions by developers towards new highways infrastructure will also have a positive economic effect on the local area.

Social – The proposal will provide 140 new homes. This will include a range of types and tenures and will help to meet identified private and affordable housing need in the local area. Local services within the site such as the primary school and community facilities will avoid the potential for over capacity issues in nearby facilities. Contributions will be provided where necessary for capacity improvements to off-site facilities where these are not being provided on site.

The provision of on-site open space, leisure and recreation facilities including pedestrian and cycle links to Daventry and the wider countryside, will provide opportunities for future residents to live a healthy lifestyle.

Environmental – The proposal includes the retention of existing landscaping, biodiversity and historic features, as well as new landscape planting. New footpath, cycleways and public transport will help to reduce the potential for private car use and its resultant effects on air quality and amenity. By locating facilities on-site in close proximity to each other, this also should reduce vehicle use as they will be accessible and not require subsequent trips. The overall masterplan to be approved for the H01 allocation will ensure connectivity for pedestrians, cyclists and vehicles by providing links through both sites.

A Flood Risk Assessment and Surface Water Drainage System have been prepared which take into account the risks of climate change so that the proposals can mitigate and adapt to these risks. The proposals include sustainable measures for dealing with both on-site drainage and to avoid increasing the risk of flooding elsewhere.

The new homes will be built in accordance with the prevailing building regulations to ensure that their performance and method for achieving Zero Carbon Homes is achieved. Bellway have confirmed that all dwellings will have electric vehicle charging points.

Overall conclusion on the proposed development and its sustainability

In accordance with Policy S11 of the JCS and the Housing SDP Policy Ho10, a condition is proposed to ensure that dwellings include energy efficiency measures equivalent to those required to achieve level 4 of the former Code for Sustainable Homes.

SOCIAL ECONOMIC IMPACT

Chapter 8 of the NPPF contains guidance relating to “promoting healthy and safe communities”. It directs that planning policies should aim to achieve healthy, inclusive and safe places that promote social interaction, are safe and accessible and support healthy lifestyles. Chapter 5 contains guidance relating to “delivering a sufficient supply of homes”, ensuring that a sufficient amount and variety of land is available in areas in which it is needed, that the housing needs of specific groups are addressed and to ensure that land with planning permission is developed without unnecessary delay. Chapter 6 contains guidance seeking to encourage “building a strong, competitive economy”. It directs that there should be a strong focus on encouraging economic growth and productivity, accounting for both business needs and wider opportunities for development.

The Framework provides that the economic and social roles are as follows;
An economic role – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; and

A social role – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities health, social and cultural well-being.

The proposed development would bring a number of socio-economic benefits. The total population when the development is complete will be approximately 369, based upon an estimated ratio of 2.58 persons per household. Given the wide range of housing types anticipated to be provided (including 5 bedroom market dwellings and 3 bedroom affordable dwellings), it is expected that a range of new residents will populate it but particularly families with adults of working age. This is likely to be attractive to a range of new residents, with the diversity of housing expected to help ensure a balanced population in the locality.

The construction phase is expected to support around 250 FTE jobs, based on an expected 5 years build out period. It is anticipated that the majority of construction jobs would be on-site.

With regards to the operational phase, the following mitigation measures will be promoted;

The developers will make financial contributions to enhancing health care facilities in the local area;

CIL payments made to Daventry District Council;

Residential Travel Plan.

For the reasons summarised above, it is considered that the social-economic impacts of the development will on balance, be positive and where they are considered to have an impact, will be suitably mitigated either through onsite provision or by off-site contributions via S106 and/or CIL.

Overall conclusion on the proposed development and its social-economic impact

For the reasons outlined above, Officers consider the socio-economic impacts of the development will largely be positive and where they are considered to have an impact, will be suitably migrated through onsite provision or by offsite contributions via S106 and/or CIL.

IMPACT UPON RESIDENTIAL AMENITY

There are no residential properties within the application site. The existing Drayton Lodge Farm will be demolished as part of the application.

Tollgate Cottage is nearest residential property and this is on the opposite side of the A425 and is accessed via the existing layby. It sits at a lower level than the A425 and is currently screened by the significant landscaping within the central area of the layby. Due to the positioning of the proposed access roundabout, Tollgate Cottage will be directly opposite the new roundabout for the Malabar application which encompasses part of the layby.

Other residential properties are on the opposite side of the A45 within The Grange residential estate. The properties with The Grange estate are over 70m from the nearest edge of the development.

Given the limited number of residential properties in close proximity of the site and their positioning, it is not considered that the proposal will have any significant adverse impact on residential amenity to warrant refusal of planning permission.

Overall conclusion on the impact of the development upon residential amenity

On balance, it is not considered that the proposed development will have any significant adverse impact upon the amenity of adjacent properties which would warrant refusal of the application.

ENVIRONMENTAL STATEMENT

Prior to the submission of the application, the applicants sought the opinion from this Authority as to the scope of the ES that needed to be submitted with the application under the requirements of the Environmental Impact Assessment Regulations. This opinion was duly provided, following consultation with the required statutory bodies. The content of the ES and its conclusions are set out above. Overall, it is considered, that having regard to

the Regulations, the ES demonstrates that an appropriate assessment of all of the known likely environmental impacts of the proposed development, taking account of the cumulative impact of the development with other known development in the locality, has been undertaken. Each of the topic areas with the ES has, variously, been considered by the appropriate statutory, and other, consultees. Their responses are reported above, under "Consultations" and, where appropriate, have been commented on in this section of the report, particularly where adverse comments were received.

INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

All large scale development, with the resulting increase in population, would put pressure on existing facilities. Some facilities may have spare capacity but others will require expansion, improvement or new provision to enable them to accommodate the increase in population from the proposed developments. Work has been undertaken to identify the necessary community infrastructure to support the application proposals and mitigate their impact. This has identified a mixture of onsite and offsite provision, direct provision of facilities and financial payments.

S106 of the Town and Country Planning Act allows for planning obligations to be entered into in connection with development. Specific regulations (linked to the introduction of Community Infrastructure Levy) introduced in 2010 and 2011 make it unlawful for a planning obligation to be taken into account when determining a planning application if the obligation does not meet the following tests;

- a) Necessary to make the development acceptable in planning terms.
- b) Directly related to the development.
- c) Fairly and reasonably related in scale and kind to the development.

The community infrastructure identified as necessary (meeting the tests set out above) covers a wide range of items, some the development could not go ahead without, for example the need to provide safe highway access, whilst others are necessary to meet the National Planning Policy Framework and Local Plan requirements, for example the measures to achieve biodiversity mitigation. A long list of mitigations items have been identified by the District, County Council and other external bodies including the NHS.

Discussions have been held with the applicant regarding the nature of the planning obligations that would be necessary to be included in a S106 agreement. Due to concerns with the principle of the access, discussions have not progressed however it should cover the following areas;

Affordable housing

Open space – on site provision and also off site commuted sum for parks and gardens/allotments

Outdoor sports – off site contribution

NHS primary healthcare

Monitoring fee

Offsite highway mitigation works
Public transport
Provision of 1 No, 28 day bus 'taster' pass per dwellings
Primary education
Cost towards libraries cost per dwelling
Monitoring fee

A request was made from West Northants Fire and Rescue for a S106 contribution of £14,840 towards local fire and rescue infrastructure costs. It was advised that detailed feasibility studies would be required to determine the full cost of the additional provision and this additional work has not yet been submitted. As such, the request is not considered to be justified.

Part D of Policy H01 requires the submission of a site wide Infrastructure Delivery Plan (IDP) demonstrating how a planned development will support cost of the associated infrastructure. The IDP has been agreed in principle between both the agents for this application and the Malabar application.

The IDP sets out the type of infrastructure, how it will be delivered and who will deliver it. The infrastructure will be secured either via conditions or a S106 agreement.

FINANCIAL CONSIDERATIONS

Section 70 (2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material.

Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will, or could receive, in payment of the Community Infrastructure Levy.

Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other Government body.

In deciding an application for planning permissions for appeal where a local financial consideration is material, decision takers need to ensure that the reasons supporting the decision clearly state how the consideration has been taken into account and its connection to the development.

New Homes Bonus payments recognise the efforts made by authorities to bring residential development forward. Even where anticipated Bonus

payments are not a material consideration in making planning decisions, they can be noted for information in committee reports on applications for housing. Where this is done, care will be required not to imply that Bonus payments are relevant to the decision. The receipt of New Homes Bonus payments in this application is not necessary to make the application acceptable in planning terms and as such limited weight should be afforded to such receipts in determination of this application.

The accommodation proposed within the application will attract CIL payments. The Council brought the Community Infrastructure Levy (CIL) into force in the District on 1st September 2015. Regulation 123 was revoked by the Community Infrastructure List (Amendment) (England) (No.2) Regulations 2019. The changes to the regulations mean that it is also possible to request a S106 obligation, for an item of infrastructure that may also be on the Infrastructure list, if it is deemed justified.

Certain reliefs and exemptions are available and if claimed could result in a zero charge, unless disqualifying events occur.

An update on the likely CIL amount will be provided as a late item.

PLANNING BALANCE AND CONCLUSION

Legislation dictates that planning application be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise. The NPPF, at paragraph 1, states that:

Plans and decision should apply a presumption in favour of sustainable development. For decision taking this means;

- C. approving development proposal that accord with an up-to-date development plan without delay; or
- D. where there are no relevant development plan policies, or the policies which are lost important for determining the application are out-of-date, granting permission unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the context of this application, a view has to be taken as to whether or not there are any adverse impacts that would significantly and demonstrably outweigh the benefits of granting consent when assessed against the policies in the Framework as a whole.

In the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that on balance, the proposal would result in sustainable development. The application accords with the development plan for West Northamptonshire Council. It will deliver a balanced and sustainable development of 140 new homes and community infrastructure in an attractive well design, landscaped and pleasant environment. The proposed arrangements for accessing the development will enable it to be safely and conveniently accessed by car and public transport without significant adverse impacts on the existing highway network. The scheme will promote sustainable transport within and beyond this site. The application will protect and enhance the site's biodiversity and historic heritage. The scheme will not cause flooding. Nor will it have any other significant adverse environmental impact that would warrant the refusal of planning permission. The scheme will, of course, extend into open countryside, taking up agricultural land and will change the appearance of the existing countryside. On balance, however, that change is justified by the positive contribution that the scheme will make. It is therefore recommended that planning permission be granted for the development, subject to the imposition of the conditions listed in the attached schedule and the completion of a Section 106 Agreement.

RECOMMENDATION / CONDITIONS AND REASONS

The Assistant Director (Growth, Climate & Regeneration) be granted delegated powers to finalise matters associated with the completion of the S106 agreement and the range, scope and drafting of all conditions attached to this permission and issue outline consent subject to:

- a) The execution of an Agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 towards the provision of the following:
 - Affordable housing
 - Provision of public open space
 - Commuted sum towards the maintenance of public open space
 - Provision of LEAP on site and off site contribution towards other open space typologies
 - Payment of public transport contribution
 - Payment of contribution/provision of off-site highway mitigation
 - Payment of financial contribution towards a primary school
 - Payment of financial contribution towards library improvements
 - Payment of financial contribution towards primary health care provision
 - Payment of the Council's monitoring costs necessary to mitigate and manage the impact of the proposed development in accordance with relevant policies and having regards to those matters that would be covered by the Community Infrastructure Levy.

b) Conditions as stated below.

c) The Statutory determination period for this application expires on 30 June 2021. If the Section 106 Agreement is not completed and the permission is not able to be issued by this date and no extension of time has been agreed between the parties, it is further recommended that the Assistant Director (Growth, Climate & Regeneration) is given delegated authority to refuse the application for the following reason: In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development makes sufficient provision to mitigate the off-site impacts on existing communities services and infrastructure serving the development necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and Policy H01 of the Local Plan (Part 2).

Draft Conditions

Time Limit

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

Drawing numbers

1. The development hereby permitted shall be carried out in accordance with drawing numbers;

1497-FPA-03 Rev G Planning Layout
Comprehensive Planning Layout 01 Rev G
Planning Boundary Layout 02 Rev H
Sc278 Highways Design Commentary
Proposed Highway Works General Arrangement Plan 11311-100
Engineering Plan 11311-101 Rev A
Planning General Arrangement 11311-100
SK09C Proposed Slope
SK08B Cross Section
Tree Removals Plan BA4364-006 Rev B
Access Planting Plan 20-083-01
Acoustic Boundary Fences Plan CLR01.2020

LEAP Design Plan LA4364-005B
Landscape Strategy Rev G
Soft Landscaping Proposals 1 of 3 Rev C
Soft Landscaping Proposals 2 of 3 Rev C
Soft Landscaping Proposals 3 of 3 Rev C
Design and Access Statement Rev B

Revised House Type Plans (April 2020):

Tailor 2 Bed Plan TA-2B-2S-P1 rev A
Tailor 2 Bed Elevation TA-2B-2S-CB-E Rev A
Tailor 3 Bed Plan TA-3B-2S-P1 rev A
Tailor 3 Bed Elevation TA-3B-2S-CB-E Rev A
Thespian Plan TH-3B-2S-P1 REV A
Thespian Elevation TH-3B-2S-CB-E REV A
Mason Plan MA-3B-2S-P1
Mason Elevation MA-3B-2S-CB-E
Scrivener Plan SC4B2SP1 REV A
Scrivener Elevation SC4B2SCBE REV A
The Milliner Plan MI-4B-2S-P1
The Milliner Elevation MI-4B-CB-PE
Wheelwright Plan WH3B35SP1
Wheelwright Elevation WH5B25SCBE
Wheelwright 5 Bed Plan WH3B35SP1 REV A
Cutler Plan CU4B2SP1
Cutler Elevation CU4B2SCBE
Chandler Plan CH-3B-2S-P1 Rev A
Chandler Elevation CH-3B-2S-CB-E
Baxter Plan BX-3b-2S-P1
Baxter Elevation BX-3B-2S-CB-E
Farrier Plan FA-4B-2S-P1
Farrier Elevation – FA-4b-2S-CB-E
Fuller Plan FR-3B-2S-P1
Fuller Elevation AA/1054/00/CB/02
Spinner Plan SP-3B-25S-P1
Spinner Elevation SP-3B-25S-CB-E
S08 Plans Plots 12/13 Plan S08-P12-13
S08 Plans Plots 19/20 Plan S08-P19-20
S08 Plans Plots 83/83 Plan S08-P83-83
S08 Plans Plots 134/135 Plan S08-P134-P135
S08 Plans Plots 91/92 Plan S08-P91-3
S02 Plus 2 Bed Plan - SO2+01
S03 3 Bed Plan - S03 Plan 01
S04 4 Bed Plan - S04 Plan 01
SO2 PLUS_LTH(2b4p) SIDE ASPECT PLOTS 33 AND 34 (March 2021)

Reason: To ensure development is in accordance with the submitted drawings.

Materials

2. Prior to construction works above slab level, samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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.

Construction Management Plan (CMP)

3. Prior to the Commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The Statement required to discharge the Construction Management Plan of this consent is expected to cover the following matters;

- Demolition management plan
- The parking and turning of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Details of measures to prevent mud and other such materials migrating onto the highway from construction vehicles;
- Wheel washing facilities;
- Measures to control the emission of dust and dirt during construction;
- A scheme for waste minimisation and recycling/disposing of waste resulting from the construction works;
- Design of construction access;
- Hours of construction;
- Measures to control overspill of light from security lighting;

The construction of the development shall thereafter be carried out in accordance with the approved Construction Management Plan unless otherwise approved in writing by the Local Planning Authority.

Reason: (1) In the interests of highway safety and in the interests of residential amenity in accordance with Policy H01 of the Daventry District Local Plan (Part 2), (2) To protect and prevent the pollution of controlled waters in accordance with Policy ENV11 of the Daventry District Local Plan (Part 2) and (3) to accord with the Environmental

Statement dated August 2019 and its technical appendices
[Environmental Statement]

External Lighting

4. Details of all external lighting (including details of permanent external lighting/security lighting/floodlighting including layout plan, design, position, orientation, lighting types, luminaire type, intensity, mounting height, aiming angles and luminaire profile) for each Phase or Sub-Phase shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works.

These details shall include a Sensitive Lighting Strategy (SLS). The SLS shall demonstrate how retained and enhanced habitats will be protected from light spillage and ensure provision of dark corridors for wildlife and in accordance with the recommendations within the Ecological Appraisal prepared by FPCR dated November 2019.

The lighting shall be fully implemented and thereafter operated/maintained as approved.

Reason: In the interests of visual amenity and highway safety and to comply with Government advice in PPG19: Outdoor Advertisement Control, to protect the amenities of nearby residents and to comply with Policy ENV10 of the Daventry District Local Plan 2020 (Part 2) AND in order to safeguard the visual amenities of the area in accordance with Policy ENV10 of the Daventry District Local Plan 2020 (Part 2).

Archaeology

5. No development shall take place within the application site until the applicant, or their agents or successors in title, have secured the implementation of a Level 2 programme of building recording work relating to the traditional brick built agricultural buildings in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with NPPF paragraph 199.

Ecology

6. The development hereby permitted shall be carried out in accordance with the Discussion, Recommendations and Conclusion Section (Section 5) of the Ecological Appraisal prepared by FPCR dated November 2019.

Reason: In the interests of ensuring that habitats are protected during the development in accordance with Policy ENV5 of the Daventry District Local Plan 2020 (Part 2).

Landscape and Ecology Management Plan

7. Prior to the commencement of the development (other than for Demolition, Ground works and Site Preparation Works), a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP 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.

The plan shall set out (where the results from monitoring show that conservation aims and objectives of the LEMP 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 ensure improvements the biodiversity of the site in order to comply with Policy ENV1, ENV2 and ENV4 of the Daventry District Local Plan 2020 (Part 2).

Bat License

8. To be confirmed via NatureSpace

Surface Water Drainage

9. Before any above ground works commence a detailed design of surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall

subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;

- i. Details (i.e designs, diameters, invert and cover levels, gradients, dimensions and so on) or all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.
- i. Details of the drainage system are to be accompanied by full and appropriately cross reference supporting calculations.
- ii. Cross sections of control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iii. Detailed scheme for the ownership and maintenance for every element of the surface water drainage system.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

10. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, document ref. RACE/BSM/SRD/FRA1, rev 3. dated 25th October 2019 has been submitted to and approved in writing by the Local Planning Authority. The report shall include the following;

- i. Any departure from the agreed design is keeping with the approved principles.
- i. Any As-Built Drawings and accompanying photos.
- ii. Results of any Performance testing undertaken as a part of the application process (if required/necessary).
- iii. Copies of any Statutory Approvals, such a Land Drainage Consent for discharged etc.
- iv. Confirmation that the system is free from defects, damage and foreign objects.

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

Water efficiency

11. Prior to construction works above slab level, details of water efficiency measures to comply with a limit of 110 litres per person per day shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason : In order to ensure water resource availability for the West Northamptonshire area in accordance with Policy H08 of the Daventry District Local Plan 2020 (Part 2), Policy S11 of the West Northamptonshire Joint Core Strategy and Daventry District Council's Housing Supplementary Planning Document 2017

Energy efficiency

12. Prior to construction works above slab level, details of energy efficiency measures equivalent to those required to achieve level 4 of the former Code for Sustainable Homes shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: In order to ensure that the approved homes are designed with energy efficiency measures in accordance with Policy S11 of the West Northamptonshire Joint Core Strategy and Daventry District Council's Housing Supplementary Planning Document 2017.

Electric Vehicle

13. The electric vehicle charging points as shown on Drawing 1497-FPA-03 G shall be installed prior to the occupation of each dwelling to which the electric vehicle charging point relates to.

Reason: In the interests of creating a sustainable community in accordance with Policy ENV9 of the Daventry Local Plan (Part 2).

Landscaping

14. Notwithstanding drawing Layout 01 Rev G, Landscape Strategy Rev G, Soft Landscaping Proposals 1 of 3 Rev C, Soft Landscaping Proposals 2 of 3 Rev C and Soft Landscaping Proposals 3 of 3 Rev C, prior to works commencing on site, full details of landscaping scheme to the frontage of the site with the A425 shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory landscape treatment of this prominent frontage to the site in accordance with Policies H01 and ENV10 of the Daventry District Local Plan 2020 (Part 2).

15. All planting, seeding or turfing comprised in the approved details of landscaping for each phase or sub-phase, shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of 5

years from the completion of the development, 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 Policy ENV4 of the Daventry District Local Plan 2020 (Part 2).

16. The development hereby permitted shall only be undertaken in strict accordance with details of hard landscaping works which have been submitted with the application. 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: In the interests of residential amenity in accordance with Policy ENV10 of the Daventry District Local Plan 2020 (Part 2).

Tree Protection Measures

17. No equipment, machinery or materials relating to a particular shall be brought on to the site for the purposes of development and no development shall take place until the existing tree(s) and hedge(s) to be retained 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) and hedges 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/hedges 10 times the trunk diameter just above the root flare.
 - a) The barriers shall comply with the specification set out in British Standard BS5837:2012 'Trees in Relation to Construction – Recommendations'
 - b) 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 have been removed from the site.
 - c) 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.
 - d) No retained tree or hedge shall be removed, cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or

opping approved shall be carried out in accordance with British Standard BS 3998 (Tree Work).

- e) If any retained trees or hedges are removed, cut down, uprooted or destroyed or die, they 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.

In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the approved plans. Paragraphs (e) and (f) above shall have effect until the expiration of 5 years from the completion.

Reason: To ensure the continued health of retained trees and hedges and in the interests of the visual amenity of the area and to comply with Policies SP1 and ENV1 of the Daventry District Local Plan (Part 2).

Noise

18. Prior to occupation of any C2, C3 or C4 residential units a scheme for achieving the external and internal noise levels outlined in BS8233:2014 or as amended and World Health Organisation Guidelines shall have been submitted and approved in writing by the Local Planning Authority, and the approved scheme implemented. Thereafter it shall be retained in the approved state at all times with no alterations made to the approved structures including roof, doors, windows and external facades, layout of the units or noise barriers unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of minimising pollution and safeguarding amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014 Planning for Pollution Control.

Contamination

19. No part of the development hereby permitted shall take place until a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out for that phase, sub-phase or development parcel by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the Local Planning Authority. No development shall take place on any phase, sub-phase or development parcel until the Local Planning Authority has

given its written approval that it is satisfied that no potential risk from contamination has been identified.

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 BN9 of the West Northamptonshire Joint Core Strategy

20. If a potential risk from contamination is identified as a result of the work carried out under condition 18 no part of the development hereby permitted shall take place until a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition

Reason: To ensure that any ground and water contamination is 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 BN9 of the West Northamptonshire Joint Core Strategy.

21. If contamination is found by undertaking the work carried out under condition 19 no part of the development hereby permitted shall take place until a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is 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 BN9 of the West Northamptonshire Joint Core Strategy.

22. If during development, contamination not previously identified is found to be present at the site, then no further development in that phase shall be carried out until a remediation strategy has been submitted to and approved in writing by the local planning authority, detailing how this contamination shall be dealt with. Thereafter the approved remediation strategy shall be implemented and The Development completed accordingly.

Reason: To ensure that any ground and water contamination is 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 BN9 of the West Northamptonshire Joint Core Strategy.

Highways

23. Prior to any works commencing on the site a full set of engineering drawings, shall be submitted to and approved in writing by the Local Planning Authority, detailing the following; the access junction, the A425 bus stop laybys, shared foot/cycle path (A425 and Browns Road) and controlled pedestrian crossing as detailed on Drawing No. 1497-FPA-02 Rev G. These detailed submission shall include inter-vehicular visibility splays, carriageway and footpath/cycle widths, levels, gradient, drainage and surfacing proposals.

Following the agreement in writing the details as submitted and agreed shall be built out fully in accordance with the approved details. The site access must be fully constructed prior to works commencing on site and the foot/cycle path, bus stops and associated infrastructure must be constructed and the controlled pedestrian crossing operational prior to first occupation.

Reason: In the interests of highway safety and ensuring a appropriate method of accessing the site in accordance with Policy H01 of the Local Plan (Part 2).

24. Prior to any works commencing on the site a full set of engineering drawings of the internal site layout, in accordance with the agreed site layout plan reference Drawing No. 1497-FPA-02 G, shall be submitted

to and approved in writing by the Local Planning Authority. These details shall include; all carriageway, footpath, shared cycleway widths, gradient and surfacing proposals. The development shall thereafter be completed in full accordance the approved drawings.

Reason: In the interests of highway safety in accordance with Policy H01 of the Local Plan (Part 2).

25. In the event of any of the streets associated with the residential element of this proposed development are not being proposed for adoption as public highway, the following conditions apply;

- a) Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, will be submitted to the planning authority and agreed in writing prior to the commencement of development;
- b) The streets will in any event be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling; and,
- c) That the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site).

Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs.

Reason: To accord with Policies SP1 and H01 of the Daventry District Local Plan 2020 (Part 2) which requires that development shall have a satisfactory means of access and in the interests of highway safety and the convenience of users of the adjoining highway.

26. Prior to the occupation of 75 dwellings, the remedial works to the A45 footbridge identified within Visual Structural Inspection & Subsequent Assessment ref: 19 / 34649 (Page 7) prepared by David Smith Associates shall have been implemented.

Reason: In order to ensure satisfactory pedestrian/cycle linkages to the wider area in accordance with Policy H01 of the Daventry District Local Plan 2020 (Part 2).

27. The areas indicated on the approved drawings for vehicular manoeuvring space and parking shall at all times be kept free of obstruction and be available for those purposes unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of creating an attractive residential development and in the interests of highway safety in accordance with policies SP1 and H01 of the Daventry District Local Plan 2020 (Part 2).

28. None of the dwellings hereby permitted shall be occupied unless and until the car parking provision for that dwellings) has been constructed or laid out, and made available for use by the occupants and / or visitors to the dwellings and thereafter those spaces shall be retained for parking purposes unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of creating an attractive residential development and in the interests of highway safety in accordance with policies SP1 and H01 of the Daventry District Local Plan 2020 (Part 2).

Travel Plan

29. Residential dwellings shall not be occupied until a detailed Travel Plan to accord with the approved Residential Travel Plan dated November 2019 prepared by JPP reference R-RTP11311H-01 A shall be submitted to and approved in writing by the local planning authority. The approved Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government advice in the National Planning Policy Framework.

Fire Hydrants

30. No built development shall commence until a scheme and timetable detailing the provision of fire hydrants and their associated infrastructure has been submitted to and approved in writing for that phase by the Local Planning Authority. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Open Space Strategy

31. No Built Development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority an Open Space Strategy which shall include the specification, the

timing of the completion or and arrangements for the management of the following:-

- i) All areas of informal and formal open space identified on Drawing 1497-FPA-03 Rev G
- i) Children's play areas including the LEAP
- ii) Sustainable Urban Drainage Systems, watercourses and other water bodies
- iii) Green Infrastructure linkages including pedestrian and cycle links and public
- iv) rights of way and bridleways

The development shall thereafter be carried out in accordance with the approved Open Space Strategy

Reason : To ensure the provision of adequate play areas for residents, to safeguard the long-term future of the play areas and in order to protect the residential amenities of nearby residents and the visual amenities of the area in accordance with Policies CW1 and CW2 of the Daventry District Local Plan 2020 (Part 2).

32. FFL

Prior to construction works above ground level details of existing and proposed finished floor levels shall be submitted to and carried out in accordance with the approved details and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy ENV10 of the Daventry District Council Local Plan 2020 (Part 2).

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<u>Application Number</u>	DA/2020/1148
Location Description	TYTHE FARM, HOLDENBY ROAD, EAST HADDON, NORTHAMPTONSHIRE
Site Details	VARIATION OF CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION DA/2018/0157 (ERECTION OF TWO STOREY DETACHED DWELLING UTILISING EXISTING PRIVATE ACCESS, PLOT 1 TYTHE FARM (REVISED SCHEME)) - TO ALTER THE SCALE AND APPEARANCE OF THE DWELLING, INCLUDING RAISING THE HEIGHT OF THE BUILDING BY 1 METRE TO PROVIDE LIVING ACCOMMODATION IN THE ROOF AT SECOND FLOOR, CONSTRUCTION OF FIRST FLOOR BALCONY PLATFORM ON REAR ELEVATION AND TO INCREASE THE FOOTPRINT OF THE DWELLING (RETROSPECTIVE).

Applicant	MR B HOWARD
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Agent	LMR DESIGNS
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Case Officer	ANNA LEE
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Ward	LONG BUCKBY WARD
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Reason for Referral	CALL IN BY FORMER DDC COUNCILLOR
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Committee Date	9 JUNE 2021
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

A residential dwelling has been constructed larger and slightly different in appearance to that consented by the original planning permission ref: DA/2018/0157 and hence a retrospective application has been submitted to vary the existing planning permission and in order to regularise the development.

The proposed changes include alterations to the design, raising the height of the dwelling by 1 metre to provide living accommodation in the roof at second floor, construction of a first floor balcony platform on rear elevation and to increase the footprint of the dwelling by 2 metres in depth and 1.8 metres in length.

Consultations

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

- East Haddon Parish Council, Ravensthorpe Parish Council

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

- Environmental Health, Highways Authority

Some 33 letters of objection have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Character and Appearance, including Effect on the Special Landscape Area
- Residential and Local Amenity

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

APPLICATION SITE AND LOCALITY

The site lies in the open countryside, some 1.0km northeast of East Haddon village and some 1.3 km northwest of Holdenby village. Ravensthorpe village lies some 1.6 km to the north of the site. The site is accessed off a long private drive and is located approximately 790 metres away from Holdenby Road. Tythe Farm comprises of an isolated group of former farmstead buildings, with a large converted traditional two-storey barn to the east (East Barn) and other

smaller cottages/ houses to the south. The application building and the immediately adjacent building to the north are two recently constructed dwellings. The land drops steeply towards the rear garden of the plot, towards a brook, on the west side.

CONSTRAINTS

The site lies within the Special Landscape Area (SLA). A public footpath runs approximately 40 – 70 metres to the west of the site via the adjacent field and the footpath extends some 890 metres further out to the southwest side onto Holdenby Road. Another public footpath lies further to the west, approximately 500 metres away from the site and this runs to the north towards Ravensthorpe village.

DESCRIPTION OF PROPOSED DEVELOPMENT

The application seeks to vary condition 2 (the approved plans) of planning permission DA/2018/0157, to alter the scale and appearance of the dwelling, including raising the height of the building by 1 metre to provide living accommodation in the roof at second floor, construction of a first floor balcony platform on rear elevation and to increase the footprint of the dwelling by 2 metres in depth and 1.8 metres in length.

The dwelling approved by the original permission DA/2018/0157 measures:

35 metres in length by 9.5 metres in depth and 8.3 metres in height to the ridge

The constructed dwelling measures:

36.8 metres in length by 11.5 metres in depth and 9.3 metres in height to the ridge

Overlay drawings have been provided to more clearly illustrate the differences between the scale and design of the dwelling as constructed and the originally approved dwelling.

With the exception of the insertion of roof windows on the rear elevation and the provision of a rear platform balcony (which have not yet been installed), majority of the other works are retrospective.

Two large dormer windows were initially proposed on the rear roofslope, but following advice that such additions would not be in-keeping with the character and appearance of the building, amended plans were received to show the dormer windows omitted and replaced with rooflights. In addition, a screen has been proposed at the first floor to provide screening for the proposed rear balcony platform from the garden of Plot 2.

RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
PD/2014/0024	Class Q prior approval was granted for the change of use and conversion of a bricked and corrugated agricultural barn into two dwelling houses, with accommodation at the first floor.	Approved
DA/2015/0459	Planning permission was approved for the demolition of the agricultural barn and construction of two, detached two-storey four bedroomed dwellings with attached garages on the site.	Approved
NMA/2016/0060	Non-material amendment was approved to application DA/2015/0459 to slightly amend the position of the two dwellings and to swap around the position of the house and garage of both plots.	Approved
NMA/2016/0085	A further non-material amendment was submitted to application DA/2015/0459 to slightly amend the position of the two dwellings, to swap around the position of the house and garage of both plots and to extend the first floor of plot 1 to change the property from a four bedroomed property to five bedroom property.	Approved
DA/2017/0065	<p>A further non-material amendment was submitted to extend the first floor of Plot 1 across the full length of the building and to the ridge of the main house, to create six bedrooms at the first floor. The changes were not considered to be acceptable as a non-material amendment and thus was refused for the following reason:</p> <p><i>"This alteration as currently proposed is not considered to be minor in the context of the previous planning approval (as amended) and would materially affect the character and appearance of both plot 1 and of the surrounding ensemble of buildings. The further lengthening of the first floor of plot 1 will not retain the overall character of the</i></p>	Refused

	<p><i>original design, and the resultant building would compete with the converted brick barn facing it to the east which should remain as the dominant element within the group.</i></p> <p><i>The site sits within an Area of Special Landscape (SLA) and the original approval (DA/2015/0459) was accepted as an exception to prevailing policy against new-build dwellings within the open countryside as it was considered that two properties with traditional proportions and appearance, designed to reflect the adjacent pre-existing nineteenth century barn but to be subservient thereto, would represent an overall environmental improvement. Subsequent incremental enlargements to plot 1 however have moved away from this position and it is considered that this current proposal, which will significantly alter the appearance and visual build of plot 1, would not be acceptable as a minor non-material amendment."</i></p>	
DA/2018/0157	<p>Following the refusal of a full height first floor element to Plot 1 under ref: NMA/2017/0065, where the changes were not considered to be minor in the context of the original planning approval, an application for full planning permission was submitted (in the form of a revised scheme) for Plot 1. This application sought permission for a 1.5 storey element on the northern end of the dwelling, as opposed to the full height extension, and planning permission was approved on 25 May 2018.</p> <p>In reaching the decision to approve the 2018 planning application, the Case Officer took into consideration that the changes follow-on from the previous NMA's but includes "<i>the further extension of the upper storey to plot 1 effectively contained within the roofspace above the garage wing, and thus represent an alternative development scenario from the previous NMA</i>" and</p>	Approved

	<p><i>"These are all sizeable dwellings sited within generous plots which are in an isolated location which is not readily visible from the public vantage points, the nearest being a public footpath which passes some 50 m away to the west at the closest point."</i></p> <p><i>"Previously the applicant was informed that it was unlikely that any further such extensions to the approved scheme would be looked upon favourably as continued incremental extensions would result in a property significantly larger than that originally approved, which would probably not have been granted approval if submitted as such from the outset. The further attempt to do just that was therefore refused. – (NMA/2017/0065)".</i></p>	
DA/2021/0131	Another separate application was submitted to regularise Plot 2, but this application was withdrawn by the Agent/ Applicant for that application.	Withdrawn

RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the Settlements and Countryside Local Plan (Part 2) for Daventry District adopted in March 2020 and other Supplementary Planning Guidance Documents. The relevant planning policies of the statutory Development Plan are set out below:

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

The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development

- S10 – Sustainable Development Principles
- R1 – Spatial Strategy for Rural Areas
- R2 – Rural Economy
- BN2 – Biodiversity
- BN5 – Historic Environment and Landscape
- BN7 – Flood Risk
- BN9 – Planning for Pollution Control

Settlements & Countryside Part 2 Local Plan for Daventry District (Part 2) (LPP2)

The relevant policies of the LPP2 are:

- SP1 – Daventry District Spatial Strategy
- RA6 – Open Countryside
- ENV2 – Special Landscape Areas
- ENV7 – Historic Environment
- ENV10 – Design
- HO8 – Housing Mix & House Type

Material Considerations

Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- National Design Guide 2019
- Planning Practice Guidance (PPG)

RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
East Haddon Parish Council		<i>Objection, "The Parish Council object to this application on the basis that the original application has not been adhered to in a number of ways. Such deviations from the original application concern the Parish Council greatly".</i>
Ravensthorpe Parish Council		<i>"Although outside Ravensthorpe parish this development is clearly visible across the valley from the High Street and elsewhere within Ravensthorpe. The houses as built are clearly substantially larger and more prominent than the agricultural buildings which they</i>

		<p><i>replace and the development is now conspicuous in the otherwise undisturbed views from the South side of the Village along to the Western edge of the Parish and from the well-used footpaths within the valley (D2, 3 and 4 within Ravensthorpe Parish and others in the East Haddon Parish).</i></p> <p><i>The submitted plans indicate that both buildings are substantially larger both in footprint and in height than was indicated in the planning applications for which consent was granted in 2018. Such blatant disregard for the planning process should be penalised and we consider that both buildings should be reduced in size and height in order to preserve the views in this special landscape area."</i></p>
WNC Highways		Does not have any comments or requests to make.
Environmental Health		Has no objection or comments to make.

RESPONSE TO PUBLICITY

At the time of writing this report, there have been some 27 pre-typed letters received from local residents making reference to information from a website (www.plt1tythefarm.com). Local residents object to the application for the reasons mentioned on the website:

"This is the matter of a house built without a valid planning permission.

A house subsequently sold without a valid planning permission.

A retrospective planning application (DA/2020/1148) is to be utilised to obtain permission for a structure where construction commenced in June 2018 – just one month after the original planning permission (DA/2018/0157) was granted.

A retrospective application for a structure that is in excess of 25% larger than the consent granted and internal accommodation possibly as much as 70% larger, than consented.

The justification for a retrospective consent set against the reasoning for the original planning permission and the limitations placed upon this development in 'open countryside' and a 'Special Landscape Area' will make very interesting reading if it is successful in permitting the building in it's current form.

Particulars of Planning Permission Breaches:

- 1) The structure is 2 metres longer than permitted.*
 - 2) The structure is 1 metre wider than permitted.*
 - 3) The rear addition/extension is 1 metre longer than permitted.*
 - 4) The main structure's ridge height is 1 metre higher than consented.*
 - 5) The consented garage wing has a higher ridge height than permitted.*
 - 6) The north most window is positioned in contravention of the approved plans.*
 - 7) The planning permission granted was for a dwelling of 4500 square feet including integral garaging. The structure built is 5700 square feet over ground and 1st floor.*
 - 8) The structure (massing) is therefore some 27% (1200 SF) larger than permitted.*
 - 9) The internal living space (ground and first floor) is some 39% larger than permitted owing to unauthorised conversion of the garage.*
 - 10) The bricking up of the garage door apertures and windows installed in their place is an unauthorised alteration.*
 - 11) The size and style of the porch built to the front is contrary to the planning permission.*
 - 12) There is no provision of the timber cladding to the garage wing as featured on the planning permission.*
 - 13) The garage wing has not been 'set back' from the main house by the 300mm as indicated on the planning permission.*
 - 14) The structure is 2 metres closer to North Barn as a consequence of its unauthorised size which is over and above it's planning permission.*
 - 15) The property is supposed to be 31.5 m away from East Barn not 29.1m as it appears to be.*
 - 16) A fixed staircase from the first floor landing to the loft/roof space/second floor has also been fitted (W/C: 7/12/20) adding another 1200 square feet of accommodation over and above breaches 7&8 above. The house is now in excess of 70 % bigger internally than permitted and totals around 7,000 square feet.*
 - 17) The property is located overlooking a public footpath that lies some 70 yards (seventy) to it's immediate western boundary and is overbearing owing to its position and size.*
 - 18) The appearance of the house owing to the alterations in size and aesthetics has made it an ugly, disjointed and an unnatural building for a location that is designated a 'Special Landscape Area'.*
 - 19) 2-3 thousand tons of subsoil dumped to its immediate rear altering the topography and to reduce the gradient of the field to its immediate rear.*
- To reiterate: none of the aforementioned points have been either the subject of a formal application prior to instigating the alterations nor have they been*

discussed, alluded to or agreed with those immediately impacted by them, the Parish Council or the local authority."

In addition, 4 other individual emails/ letters of objection have been received from other local residents, and the contents are summarised and set out below:

- *"The huge house built is nothing like the 'barn' that the developer was originally granted planning permission to build",*
- The constructed house is wider, taller and very different to the agreed footprint,
- The barn has not been built on the existing footprint of the old barn,
- The constructed dwelling is substantially larger than the approved planning permission; more of the building eg. garage and first floor, has been changed into residential accommodation,
- A massive platform is proposed overlooking and overwhelming the public footpath,
- *"A planning permission has been given for this barn at Tythe Farm to be converted but then what has ensued is that it has been a morph into an abomination instead of something in keeping with the location. This is an area of outstanding beauty."*
- *"The barn aesthetically looks nothing like the approved permission and more like a very poor version of a Travel Lodge, but situated in an area of outstanding beauty",*
- The proposal has an adverse and detrimental effect on the Special Landscape Area, and the houses are visible from nearby public rights of ways/ footpaths,
- The constructed house is positioned closer to the other neighbouring properties than agreed,
- *"Tonnes of spoil has been dumped behind the property – very close to the footpath – to give the house a more landscaped garden"; "I cannot see any evidence on whether the spoil was checked for contamination",*
- The application is retrospective and would set a precedent, *"This sort of build makes a complete mockery of building regulations and planning permission".*

Other Representations – Letter of objection from *DLP Planning Consultant* submitted on behalf of individual neighbours/ local residents. The contents/ matters raised in the letter are summarised and set out below:

- The letter makes reference to the planning history of the site/ plot where following the original planning permission granted for the demolition of an existing agricultural barn and the construction of two dwellings with garages in 2015 (DA/2015/0459), two subsequent non-material amendments were approved for the change the location of the two plots and extend the floor area of Plot 1 (NMA/2016/0060 & NMA/2016/0085). It also makes reference to a non-material

- amendment which was submitted to extend the upper storey of Plot 1 (NMA/2017/0065), but was refused on the basis that the amendment would significantly alter the appearance and visual bulk of the dwelling.
- *"Following this refusal, the Applicant was advised that any further extensions to the approved scheme would be looked upon favourably as continued incremental extensions would result in a property significantly larger than that originally approved, which in all likelihood would not have been granted approval if submitted as such from the outset".*
 - *"The above amendments demonstrate that the dwelling (as approved) has been continuously enlarged through incremental changes both through various planning and NMA applications. The application before the Council now seeks to regularise unauthorised works undertaken in addition to these approvals".*
 - *"Whilst revised drawings have been submitted following my clients informing the Council that those originally submitted were not an accurate reflection of the works carried out, the application does not set out clearly what those changes are".*
 - *"As a result of the incremental changes to the dwelling (both lawfully and unlawfully), the resultant dwelling is no longer reflective of a traditional barn building, as was the original intention for it and adjacent plots. It is out of character with the surrounding development and out of keeping with the rural character and appearance of the wider area",*
 - *"The variation of condition application (DA/2010/1148) demonstrates that the Applicant has paid no regard to the advice previously issued by the Council, nor to the concerns in relation to the impact of a larger dwelling within the open countryside. The loss of the approved substantial garaging also raises concerns for adjacent residents in terms of the pressures for such additional facilities to be required in the future, in addition to the substantial dwelling. Planning permission would be required for such a structure and will be judged on its merits should the situation arise".*
 - *"It is therefore considered that the proposal is at odds with the requirements of Policies RA6 (Open Countryside) and ENV10 (Design) of the Local Plan Part 2 (LP2) and of the guidance within the National Planning Policy Framework (NPPF)".*
 - *"It is evident that through the incremental changes and unlawful development which has been undertaken, including the works subject to the retrospective variation of condition application, that the dwelling no longer reflects a traditional agricultural appearance and has resulted in a much larger dwelling than that approved. This has, as a consequence, resulted on a negative impact on the Special Landscape Area, surrounding built development and notably that of the nineteenth-century barn and wider character and appearance of the area."*
 - *"In relation to the impact of the development on residential amenity, the unauthorised amendments have resulted in a dwelling*

approximately 2m longer and 1m higher than that approved. Consequently, the dwelling is materially closer to North Barn (Plot 2) and has subsequently impacted negatively on the residential amenity of the occupiers of that dwelling in terms of outlook and overbearing impact. WNJCS Policy R1 (D) advises that residential development in rural areas will be required to protect the amenity of existing residents. Similarly, LP2 Policy ENV10 (vii) seeks to protect the amenity of existing dwellings."

- *"It has come to our clients' attention that approximately 2,000 – 3,000 tonnes of subsoil have been deposited on land to the rear of Plot 1 in order to reduce the gradient of the land. It is not clear whether this has been investigated by either DDC as part of the breaches or NCC in its capacity as the minerals and waste planning authority. The dumping of this soil has altered the natural gradient of the land and impacted on views from public footpaths".*

Letter of objection from *Aardvark Planning Law* submitted on behalf of individual neighbours/ local residents. The contents are set out below:

"I don't set out again all the planning issues raised by DLP, but my clients remain very concerned about this application.

There is simply no good reason to depart from the existing agreed permission – that was negotiated at great length already in order to be found acceptable. The scheme has already been "maximised" by the developer. The approved building was the largest it could possibly be, and the designed features that were included to reduce its impact were the minimum that would be acceptable.

What is currently proposed would not have been acceptable if submitted then, and there simply is no good planning reason to accept it now.

It is not correct to say: "the changes are only small, what difference do they make". To the neighbours the changes make a lot of difference: Firstly the changes are not small, the building is wider, taller and bulkier, and as a consequence it is closer to its neighbours. We submit it is impossible to conclude the changes are "de minimis" or non-material.

The design changes are also not acceptable – they emphasise the bulkiness of the new design, but they are also entirely out of character for the location, and are in the nature of an "executive home", not following the design cues for an agricultural conversion which were crucial to the acceptability of the previous design. The original design was bad enough, but due process having been followed, the neighbours were resigned to living with it, notwithstanding they would have preferred something smaller and more in keeping. However these changes simply go too far and are not acceptable.

No good planning reason has been put forward for the departure from the approved plans: Nor can there be. There is no case to be made for the design to be an "improvement", it is much worse for all the affected residents than the approved plans. This isn't a case of error or legitimate individual needs such a disability leading to a change in design. This is simply an attempt by a

developer to make more money, at the expense of the neighbours, who would have to accept this overly large, poorly designed, out of character development in their midst. It is an abuse of the planning system of the most heinous sort – deliberate, premeditated and calculated for profit. Works were proceeded with in the full knowledge that they did not have planning, and that planning would not have been granted if it had been applied for before doing the works, in the hope that the Council would be complicit, turn a blind eye or be bullied into agreement by the developer.

The problem with this sort of abuse of the planning system is it undermines the whole system and if people are allowed to get away with it encourages others to try the same thing. The Council should not be complicit in this sort of abuse. It would be a scandal if developers were allowed to get away with this sort of behaviour for no good planning reason.

My clients are not unreasonable. They are not seeking to punish the developer by requiring the whole house to be demolished and concede that would not be proportionate. However allowing this amended scheme would disproportionately affect their amenity and their legitimate planning concerns. They have discussed possible compromises with the owner, which would involve limited works to reduce the bulk of the building and reduce the impact on neighbours without requiring full demolition. The owner's response is that he can't agree anything because if he does, he loses the ability to require the developer to implement the changes at the developer's expense. However, if permission is refused for this amended scheme, it is our understanding that a compromise will be forthcoming that would be implemented by the developer at no cost to the owner.

Hence in these circumstances, the only legitimate and proportionate decision the Council can make is to refuse this application: The design is unacceptable and no good reason had been put forward by the applicant for proceeding with non-compliant works in advance of planning being granted for them. If necessary, a steer could be given to the developer that the Council would seek to pursue enforcement action requiring demolition of the whole unauthorised structure, only if no appropriate compromise is proposed. The compromise that has been discussed with the owner by my clients is shown in the attached plans – which involves a substantial reduction in bulk, but at minimal cost, and improvements to the design to reduce the impact on the character of the locality. This compromise is an improvement by placing the plant room at the rear reducing the bulk, and the distance to other dwellings and other detailed design improvements to make it more in character."

APPRAISAL

Principle of Development

The principle of residential development on the site was initially established by the 2015 prior approval (PD/2014/0024). While this approval originally sought to convert a former 1.5 storey bricked and corrugated agricultural barn into two

dwellings, with living accommodation at the first floor, the prior approval was not implemented and planning permission was subsequently granted for demolition of the building and for the construction of two, two-storey detached four bedroomed dwellings with single-storey attached garages (DA/2015/0459). The subsequently approved non-material amendments (NMA/2016/0060 & NMA/2016/0085) and planning permission DA/2018/0157 have previously allowed Plot 1 to be gradually increased in size to a five, and then six bedroomed property, respectively. While the individual dwellings have been incrementally increased in size and floor area, the position of the dwelling of Plot 1 has principally remained in the same area occupied by the former agricultural building. Furthermore, in-line with Policy R1 of the Joint Core Strategy, the principle of replacing the previous agricultural barn and agricultural land use on the site with residential dwellings was considered to represent an overall environmental improvement for the site.

Although the Council has previously refused a non-material amendment (NMA/2017/0065) for a full first floor extension above the single-storey extension element of Plot 1 and has previously advised the Applicant that such extensions to the approved scheme would not be looked upon favourably as continued incremental extensions, the Council has nonetheless agreed an incremental increase to the size of the dwelling as part of the previous Non-material Amendment (NMA) applications and has also approved a first floor element above the single-storey element as part of the latest planning permission DA/2018/0157. It is considered that the 2018 planning approval and changes proposed in the current application would not conflict with the decision made for the 2017 NMA as the building would continue to retain a subservient element on the northern side of the dwelling and would not be extended to ridge height level across the full length of the building. Moreover, the criteria for assessing NMA applications are different to an application submitted for variation (under Section 73 of the Town and Country Planning Act 1990) and for full planning permission. While the changes proposed in the 2017 application were not considered acceptable as a 'minor non-material amendment', this does not mean to say that an application could not be submitted to enable further changes to be considered in the form of a 'material amendment' or full planning application; and hence DA/2018/0157 was subsequently submitted and approval has been granted to raise the height of the single-storey element of Plot 1 and to accommodate a sixth bedroom.

Therefore, the principle of residential development has previously been established on the site and all the Council can consider in this application submitted for variation, is the effect of the proposed changes on the character and appearance of the area, Special Landscape Area, public footpaths, residential amenity and highway safety.

Each of these matters are considered in turn below:

Character and Appearance of the Area (Including Special Landscape Area)

Policy RA6 of the Part 2 Local Plan recognises the intrinsic character, beauty and tranquillity of the open countryside and sets out the forms of development which will be supported in the open countryside. Criterion vi) gives support to existing buildings that respect their form and character. Policy ENV2 offers protection to Special Landscape Areas and states that "*The Council will consider the impact of proposals on the special qualities of the Special Landscape Areas, including cumulative impacts, and will resist proposals that would have a harmful effects on their special qualities that cannot be successfully mitigated*".

In comparison with the dwelling approved under DA/2018/0157, the final constructed dwelling has been built approximately 1 metres taller in height, 1.8 metres longer in length and 2 metres in depth and the northern first floor extension element has been raised slightly in height. Some other changes have also been proposed to the external fenestrations of the building, including slightly changing the arrangement and design of the windows and doors, enlarging the front porch and the addition of a balcony platform on the rear elevation.

When viewed from the grounds of the former farmyard, it could be noted that Plots 1 and 2 do not appear as dwellings subservient to the pre-existing nineteenth century barn positioned to the east and nor do the properties display traditional proportions and appearance. However, the situation would have been very similar for the schemes previously consented. The dwellings (Plots 1 and 2) as constructed would out-scale the neighbouring barn, and in accumulation, have altered the character and appearance of the site and the wider surrounding rural landscape. However, in assessing this proposal, the Council can only give limited weight to assessing the visual effect of the proposals from within the farmyard itself, as this forms part of private land and properties and would not be regarded to be a public vantage point. Furthermore, the Council will need to take into consideration the fact that the previous consents DA/2018/0157, DA/2015/0459 and NMA/2016/0060 & NMA/2016/0085, have previously granted two relatively large dwellings on the site and of a design and form very similar to the dwellings now constructed.

As commented by the Case Officer for DA/2018/0157, "*These are all sizeable dwellings sited within generous plots which are in an isolated location which is not readily visible from public vantage points, the nearest being a public footpath which passes some 50 metres away to the west at the closest point*". The constructed dwelling, together with the dwelling on the adjacent plot (Plot 2), are visible from the public footpath to the west – this is owing to the dwellings being positioned on a bank / on higher level ground and the dwellings being intermittently screened by a hedgerow located on the other side of the brook. Whilst the constructed dwelling could be seen from the public footpath at the nearest point some 40 to the west and also from longer distance viewpoints across fields (including public footpaths) some hundreds of metres to the west and southwest, it is considered that the size of the constructed dwelling and other elevational changes would not have much more impact on the character and appearance of the rural landscape and Special Landscape

Area than the dwelling originally approved as part of the 2018 planning application. It is considered that the differences/ discrepancies between the constructed dwelling and the dwelling approved by the original application would not amount to a degree of harm which would justify refusal of the application. In reaching this opinion, Officers have taken into consideration the visual impacts of the constructed dwelling in the wider landscape context.

Officers have also considered whether additional landscaping would help to mitigate the visual impacts of the proposals. However, owing to typography and the scale of the proposed dwellings, it is not considered that additional planting within the rear gardens of the plot(s) would provide successful screening for the development.

Residential Amenity

Policy R1 (D) and ENV10 viii) seek to protect the amenity of occupiers of new and existing dwellings. The existing neighbouring premises positioned opposite the site to the east (East Barn) has a first-floor bedroom window to the north of the west facing front elevation. The alterations proposed to the first floor of Plot 1 on the northern side would result in two first-floor dormer windows of Plot 1 being positioned closer to the 'direct line of sight' of the neighbouring bedroom window. However, it is not considered that there would be significantly more overlooking impact from this proposal on the neighbouring premises than the dwelling originally approved under DA/2018/0157. The front of the constructed dwelling is positioned more than 20 metres away from the front of East Barn. At a distance of over 20 metres, this would normally be sufficient to prevent undue overlooking between the front of two neighbouring premises. Furthermore, the other first floor windows on East Barn serve a hallway/ non-habitable rooms and therefore would not be adversely affected. Tall close boarded fencing currently surrounds the front garden of the neighbouring premises and application property, and such fencing would prevent undue overlooking between the ground floor windows of the Plot 1 with the ground floor windows of the neighbouring premises.

Plot 1 would be positioned approximately 2 metres closer to Plot 2 to the north. However, owing to the subservient design of the northern side of Plot 1 and as the main house would be positioned approximately 13 metres away from the front of Plot 2, it is considered that no undue overbearing or overshadowing issues would occur. Plot 2 do not have any first-floor front habitable room windows that would directly face onto the north side of Plot 1 and outlook from the nearest ground floor windows of Plot 2 would already be affected by the existing close boarded fence.

A first floor platform balcony is being proposed at the rear of Plot 1 and the balcony would be located close to the garden of Plot 2. In order to prevent undue overlooking on the grounds/ garden of Plot 2, a condition would be necessary to ensure that an opaque glazed screen be installed before the balcony area is first brought into use. No undue overbearing or overshadowing

issues would occur from the proposed first floor balcony screen, due to this comprising of a frosted/ opaque type of screen. Furthermore, Plot 2 does not have any first-floor habitable room windows on the south facing side nearest to the proposed balcony that would be directly affected by the proposed balcony.

Highway Safety

The application seeks to convert the previously approved integral triple garage into living accommodation area. As the dwelling would have ample parking and turning area within the front garden of the plot, there would be no significant parking issues following the loss of the garages. Should the owners require garaging facilities in the future, then formal planning permission would be required and any application will need to be considered on its own planning merits.

The existing vehicular access along Holdenby Road has been re-constructed and passing bays have been installed along the private access drive. The means of access has been established by the original planning approval and the changes proposed in the current application do not raise any further issues. The Local Highway Authority has no objection or comments to make on this application.

FINANCIAL CONSIDERATIONS

The original approved dwelling had a floor area of 408.6 m² and the constructed dwelling would have a floor area of 614.68 m². The proposed changes involve increasing the floor area of the previously approved dwelling by 206.08m² and the net increase in floor area would be chargeable for the Community Infrastructure Levy (CIL), should the Council decide to grant planning permission to the application.

OTHER MATTERS

"Tonnes of spoil has been dumped behind the property – very close to the footpath – to give the house a more landscaped garden"; "I cannot see any evidence on whether the spoil was checked for contamination" – The Council has received complaints about 'spoil' / top soil being deposited onto the site, however from the latest visual inspections carried out by Officers, it has been difficult to ascertain whether this has been the case, as any such top soil has been made level with the land to the immediate west and rear of the plot and there were no apparent signs of re-grading works or other engineering works taking place on the land at the time of the visits. Should the owners wish to use the land to the immediate rear of the site as garden land for the plot in the future, then this would require a separate planning application and any such proposal would need to be assessed on its individual planning merits.

"The planning permission granted was for a dwelling of 4500 square feet including integral garaging. The structure built is 5700 square feet over ground and 1st floor. 8) The structure (massing) is therefore some 27% (1200 SF) larger than permitted. 9) The internal living space (ground and first floor) is some 39% larger than permitted owing to unauthorised conversion of the garage"; "There has been a number of breaches and this is a retrospective application" – It is noted that there are a number of discrepancies between the constructed dwelling and the dwelling approved by the original planning permission DA/2018/0157. However, the general position of the dwelling within the plot and the design and form of the dwelling remains similar to the dwelling originally consented. The main differences are the increase in the footprint of a dwelling by some 1.8 metres in length by 2 metres in depth; increase in the height of the dwelling by 1 metres and some changes to the external fenestrations i.e. window design, increase in the size of the front porch and to include a rear balcony platform. Living accommodation comprising of a family room, study and store room are also proposed at the second floor, however, these would be contained within the roof of the two-storey building. Overlay drawings have been provided to more clearly illustrate the differences between the scale and design of the dwelling as constructed and the originally approved dwelling. While the proposed changes involve increasing the floor area of the previously approved dwelling by 206.08m²; approximately 93 m² would be contained within the roof (second floor) of the building and the floor area of the ground floor and first floors have each been increased by approximately 56.5 m². The application has been submitted to regularise the development and developers/ owners are entitled to submit an application to regularise the situation and Local Planning Authorities are required to consider retrospective applications in the normal way and on their own planning merits.

"The proposal would set a precedent" – Although owners/ developers can submit an application, it cannot be assumed that planning permission would be granted and any breach of planning control would not be immune from enforcement action, should the Council consider it to be expedient and reasonable to proceed with further action.

"The property is supposed to be 31.5 m away from East Barn not 29.1m as it appears to be." – Clarification has been sought from the agent/ architect on this matter. The architect has illustrated the position of the dwelling being applied for on the Proposed Site Plan based on Ordnance Survey data as they do not have actual survey data to confirm the distance between the constructed building with neighbouring buildings. This approach would normally be regarded to be acceptable, as the Local Planning Authority cannot expect the architect to survey neighbouring land and verify measurements between buildings at ground level given the distances involved. Furthermore, as the dwellings have already been constructed and this is a retrospective application, Officers will be able to assess the effects of the proposals on neighbouring premises and the surrounding area based on the dwelling as constructed.

"Enforcement action should be taken." – The application has been submitted in the name of the developer, however, the site has since be transferred into separate private ownership and any enforcement action will be undertaken against the current owner(s). In tackling alleged breaches of planning control, the National Planning Practice Guidance (NPPG) advises that Local Planning Authorities *"should act in a proportionate way"* and *"Local planning authorities have discretion to take enforcement action, when they regard it as expedient to do so having regard to the development plan and any other material planning considerations"* (NPPG Paragraph: 003 Reference ID: 17b-003-20140306). After considering the scale and appearance of the originally approved development and the dwelling as constructed, Officers do not consider it to be expedient to pursue enforcement action in this instance.

PLANNING BALANCE AND CONCLUSION

The principle of residential development on the site has been established by the previous planning permissions. Owing to the scale and design of the original approved scheme, it is considered that the changes proposed in this application would not have significantly more impact on the character and appearance of the site, surrounding rural area and Special Landscape Area, and public rights of ways, than the dwelling previously approved. The proposed changes would not result in any more impact on neighbour residential amenity and no significant highway issues or other issues have been identified that would justify refusal of the application

RECOMMENDATION / CONDITIONS AND REASONS

It is recommended that the application be **APPROVED** subject to the following conditions;-

1. Except where expressly stated by other conditions on this planning permission, the development shall be carried out strictly in accordance with the details shown on the following amended drawings deposited with the Local Planning Authority:
 - Drawing number: 015-012-003 Revision Z2 'Proposed Site & Block Plan' received on 18.03.2021
 - Drawing number: 015-012-400 Revision Z 'Proposed Plan – Plot One (Approved Plan Overlay)' received on 17.03.2021
 - Drawing number: 015-012-401 Revision Z3 'Proposed Elevations (Approved Elevations Overlay)' received on 19.03.2021
 - Drawing number: 015-012-004 Revision Z3 'Proposed Plan – Plot One' received on 19.03.2021
 - Drawing number: 015-012-005 Revision Z2 'Proposed Elevations' received on 19.03.2021.

Reason: To clarify the terms of this planning permission, to ensure that the development is carried out in accordance with the submitted details and to allow the Local Planning Authority to consider the effect of any changes.

2. Before the rear balcony platform area hereby permitted are first brought into use, the 2 metre tall screen in the north facing elevation of the approved first floor balcony shall be fitted with obscured glazing or opaque acrylic (or alternative similar materials) to prevent overlooking on the neighbouring premises/ gardens and the obscured glazing/ acrylic panels in the screens shall thereafter be retained in perpetuity and shall not be reinstated to clear glazing or be altered or removed without the prior express written consent of the Local Planning Authority. (Replacement of the glass/ acrylic panels of an identical obscured type would not necessitate the Local Planning Authority being notified).

Reason: In the interest of preserving the residential amenities and privacy of the adjacent occupiers and users of the application property.

3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no development shall be carried out which falls within Classes A to E inclusive of Part 1 of Schedule 2 to the Order without the prior express consent of the Local Planning Authority.

Reason: To ensure that the appearance of the approved development within a Special Landscape Area and within the open countryside is not harmed by subsequent unsympathetic permitted alterations and in the interest of residential amenity.

4. The development hereby approved shall proceed in accordance with the recommendations of the contaminated land report previously submitted in accordance with planning application DA/2015/0459, reference: 'Stage 1: Desktop Study and Risk Assessment Report at Tythe Farm, Holdenby Road, East Haddon, Northamptonshire, NN6 8DW', report no: YE2764 (Revision 1) dated November 2016, by Your Environment, Chilgrove Business Centre, Chichester. This shall include any further works or measures as subsequently identified by Local Planning Authority with respect to identified on-site sources of potential

contamination. The site shall be remediated in accordance with the approved measures before development begins.

Reason: In the interests of the health and wellbeing of future occupants that any contamination is satisfactorily addressed and dealt in accordance with Paragraph 179 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

5. If during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the Local Planning Authority, and the implementation of any necessary remediation works has taken place and a verification report has been approved in writing by the Local Planning Authority.

Reason: In the interests of the health and wellbeing of future occupants that any contamination is satisfactorily addressed and dealt with in accordance with Paragraph 179 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

Notes

- 1. In making this decision, the Local Planning Authority has had regard to the requirements of Paragraph 38 of the National Planning Policy Framework and Article 35 (2) of the Town and Country (Development Management Procedure)(England) Order 2015 (as Amended).**
- 2. The applicant's attention is drawn to the fact that the Council has identified this development as liable for Community Infrastructure Levy (CIL) payments under the 'Daventry District Council Community Infrastructure Levy Charging Schedule – Approved' on 31 July 2015 which has been implemented by the District Council under the provisions of 'The Community Infrastructure Levy Regulations 2010 (as amended).' Accordingly, unless exemptions have been sought under the provisions of the CIL Regulations, payment of CIL charges will be payable to the Council upon commencement of development. Further information on CIL can be found on the Council's website.**

- 3. The applicant is advised that Northamptonshire has varying levels of radon due to its underlying geology. Radon can enter buildings and affect the health of the occupants living in affected areas. Advice should be sought from local authority building control officers or from approved inspectors to establish if radon protection is necessary and if this is the case radon protection measures will need to be installed in accordance with BRE Report (BR 211 Radon: guidance on protective measures for new dwellings).**