



South Northamptonshire Local Area Planning Committee

A meeting of the South Northamptonshire Local Area Planning Committee will be held at the The Forum, Moat Lane, Towcester, NN12 6AD on Tuesday 5 October 2021 at 2.15 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 12) To confirm the Minutes of the meeting of the Committee held on 9 September 2021.
4.	Chair's Announcements To receive communications from the Chair.

Planning Applications	
5.	Land West of Boundary Road, Brackley (Pages 15 - 42)
6.	Land North of Blackmires Lane, Silverstone (Pages 43 - 60)
7.	Colready Farm, Farthinghoe Road, Charlton (Pages 61 - 80)

8.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
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Catherine Whitehead
Proper Officer
27 September 2021

South Northamptonshire Local Area Planning Committee Members:

Councillor Stephen Clarke (Chair)	Councillor Ken Pritchard (Vice-Chair)
Councillor Anthony S. Bagot-Webb	Councillor Dermot Bambridge
Councillor William Barter	Councillor Maggie Clubley
Councillor Karen Cooper	Councillor Alison Eastwood
Councillor Lisa Samiotis	

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

Tel: 01327 322043

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

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

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South Northamptonshire Local Area Planning Committee

Minutes of a meeting of the South Northamptonshire Local Area Planning Committee held at The Forum, Moat Lane, Towcester, NN12 6AD on Thursday 9 September 2021 at 2.15 pm.

Present	Councillor Stephen Clarke (Chair) Councillor Anthony S. Bagot-Webb Councillor Dermot Bambridge Councillor William Barter Councillor Maggie Clubley Councillor Alison Eastwood
Substitute Members:	Councillor Rosie Herring (For Councillor Karen Cooper) Councillor Ian McCord (For Councillor Ken Pritchard)
Apologies for Absence:	Councillor Ken Pritchard (Vice-Chair) Councillor Karen Cooper Councillor Lisa Samiotis
Officers	Paul Seckington, Interim Head of Development Management, Enforcement and Land Charges Emily Shaw, General Planning Team Manager Ashley Bidwell, Senior Planning Officer Jamie Parsons, Planning Solicitor Richard Woods, Democratic Services Officer

8. **Declarations of Interest**

6. Land West of Whitfield Road, Radstone, NN13 5PZ

Councillor Rosie Herring, Disclosable Pecuniary Interest, as the co-applicant concerned in this application, would leave the meeting for the duration of the discussion on this item.

9. **Minutes**

The minutes of the meeting of the Committee held on 5 August 2021 were agreed as a correct record and signed by the Chairman.

10. **Chairman's Announcements**

There were no Chairman's announcements.

11. **Thorpe Barn, Thenford Road, Thorpe Mandeville, OX17 2FG**

The Committee considered application WNS/2021/0349/FUL for the change of use of an agricultural building to a wedding venue and external alterations to close open bays at Thorpe Barn, Thenford Road, Thorpe Mandeville, OX17 2FG for Mr Paul Ormond.

Jeremy Greenhalgh, a local resident, addressed the Committee in objection to the application.

Paul Ormond, the applicant, addressed the committee in support of the application.

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

Resolved

- (1) That authority be delegated to the Assistant Director – Growth, Climate and Regeneration to grant permission for application WNS/2021/0349/FUL subject to the following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

Time limit

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

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

Approved plans

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

- Proposed Floor Plans (drawing ref: A-01 rev B)
- Proposed Elevations (drawing ref: A-02 rev A)

Both received 4th May 2021

- Proposed parking plan, received 19th July 2021
- Site Location Plan (drawing ref: SP5244SW), received 29th July 2021

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

Vision splays

3. Prior to first use vision splays shall be provided at the proposed car park access to give clear visibility over a distance of at least 43 metres to the north and south along Thenford Road from a point at least 2m metres back from the centre line of the access, measured from and along the near edge of the carriageway. The vision splays shall be kept clear of all obstructions, levelled and maintained at a height not exceeding 0.6 metres above the adjacent carriageway level.

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

Materials

4. A schedule of materials and finishes to be used in the external walls and roof(s) of the building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 and NE2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

Parking

5. Notwithstanding the approved drawings, details of the proposed parking provision for vehicles to be accommodated within the site (including details of the proposed surfacing and drainage of the provision to allow parking in wet conditions), shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The approved parking facilities shall be laid out and completed in accordance with the approved details before the first use. The car parking spaces shall be retained for the parking of vehicles at all times thereafter.

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

Lighting

6. Further details of the external lighting including the design, luminescence, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of

those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

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

Security

7. Prior to the first use of the development hereby permitted, a Crime Prevention and Security Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include an assessment of the crime and security risks associated with the development. The development shall be carried out and the use operated thereafter in full accordance with the approved Statement.

Reason : To ensure the crime and security risks associated with the development are properly taken into account, and to ensure the mitigation measures are compatible with the rural character and appearance of area, in accordance with Policy SS2 of the South Northamptonshire Local Plan (Part 2).

Access

8. Prior to first use of the development, details shall be submitted to and approved in writing by the Local Planning Authority of how guests will be encouraged to access the site from the north only. This shall include details of signage, promotional material, marshalling, and any other means of controlling access to the site.

Reason : Notwithstanding that Thenford Road is adopted highway, the proposed development is only acceptable in highway safety terms if accessed from the north. Therefore, the proposed details are needed to ensure access from the south is minimised insofar as possible and to comply with Policy SS2 of the Part 2 Local Plan for South Northamptonshire and Paragraph 111 of the NPPF.

9. The car park access shall be paved with a hard bound surface (no gravel) for a distance of at least 5 metres from the highway boundary and shall be retained as such thereafter. The applicant's attention is also drawn to the licensing requirements specified in the informative below.

Reason : To ensure that an adequate and safe access is provided to the site in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

Amenity

10. The development shall be carried out in accordance with Noise Impact Assessment and Management Plan prepared by ParkerJones Acoustics and received by the Local Planning Authority on 6th August 2021.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy SS2 of the South Northamptonshire Local Plan.

11.No sound amplification equipment shall be used at any time outside of the building. Inside the building sound amplification equipment shall be restricted to the Saros PD6T 2-way Pendant Speaker, as per details received by the Local Planning Authority on 13th July 2021. No sound amplification shall take place after 11pm.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy SS2 of the South Northamptonshire Local Plan.

12.No external light displays or laser equipment shall be used in association with the use hereby approved at any time.

Reason : To protect the amenities of nearby residents and to comply with Policy SS2 of the South Northamptonshire Local Plan.

12. Land west of Whitfield Road, Radstone, NN13 5PZ

The Committee considered application WNS/2021/0686/FUL for the erection of outbuildings to be ancillary to dwelling approved under permission S/2020/2890/FUL at Land West of Whitfield Road, Radstone, NN13 5PZ for Mr & Mrs A.M. and R.J. Herring.

Andy Smith, on behalf of Radstone Parish Meeting, addressed the Committee in objection to the application.

Mike Edwards, a local resident, addressed the Committee in objection to the application.

Tony Herring, the applicant, addressed the Committee in support of the application.

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

Resolved

(1) That authority be delegated to the Assistant Director – Growth, Climate and Regeneration to grant permission for application WNS/2021/0349/FUL subject to the following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

Time limit

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

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

Approved plans

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

Site Location Plan (drawing ref: 377.01), received on 3rd June 2021

Proposed Site Layout (drawing ref: 516.05C), received on 17th June 2021.

Proposed Outbuildings Plans, Elevations, and Sections (drawing ref: 516.126A), received on 25th March 2021.

Indicative Site Profile (drawing ref: 516.106D), received on 16th July 2021.

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

Materials

3. A schedule of materials and finishes to be used in the external walls and roof(s) of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 and HE5 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

Ancillary use

4. The buildings hereby permitted shall be used solely as ancillary accommodation to the dwellinghouse approved under application S/2020/1890/FUL and as such shall not be sold, leased, let, sub-let or used as an independent dwelling unit nor used for any other purpose whatsoever. In addition, the car shelter hereby approved shall be used solely for the garaging of motor vehicles.

Reason : The site is unsuitable to accommodate a separate dwelling without it being cramped or causing harm to the amenities of the occupants of the adjoining dwelling(s) and in order to comply with Policy SS2 of the South Northamptonshire Local Plan.

Drainage

5. Surface water for each of the outbuildings hereby approved shall be directed to a soakaway or otherwise directed to a domestic water butt.

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

Tree protection

6. No beneath ground works that are necessary to construct either the car shelter or garden store hereby approved shall commence unless and until a revised method of tree protection is submitted to and approved in writing by the Local Planning Authority. Any revised tree protection method shall be put in place prior to any beneath ground works taking place.

Reason : The car shelter and garden store are located within the Root Protection Areas of trees that are to be protected and retained as part of the Tree Report (reference SB/JS/712, incorporating protection plan [drawing ref: SB/JS/712/TS] and root protection plan [drawing ref: SB/JS/CW]) that was approved in granting permission for the host dwelling (S/2020/1890/FUL). Revised methods of protection may therefore be required if new below-ground works are necessary to construct either building.

13. Urgent Business

There were no items of urgent business.

The meeting closed at 3.30 pm

Chair: _____

Date: _____

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West Northamptonshire Council
 South Northamptonshire Local Area Planning Committee
 Tuesday 5 October 2021

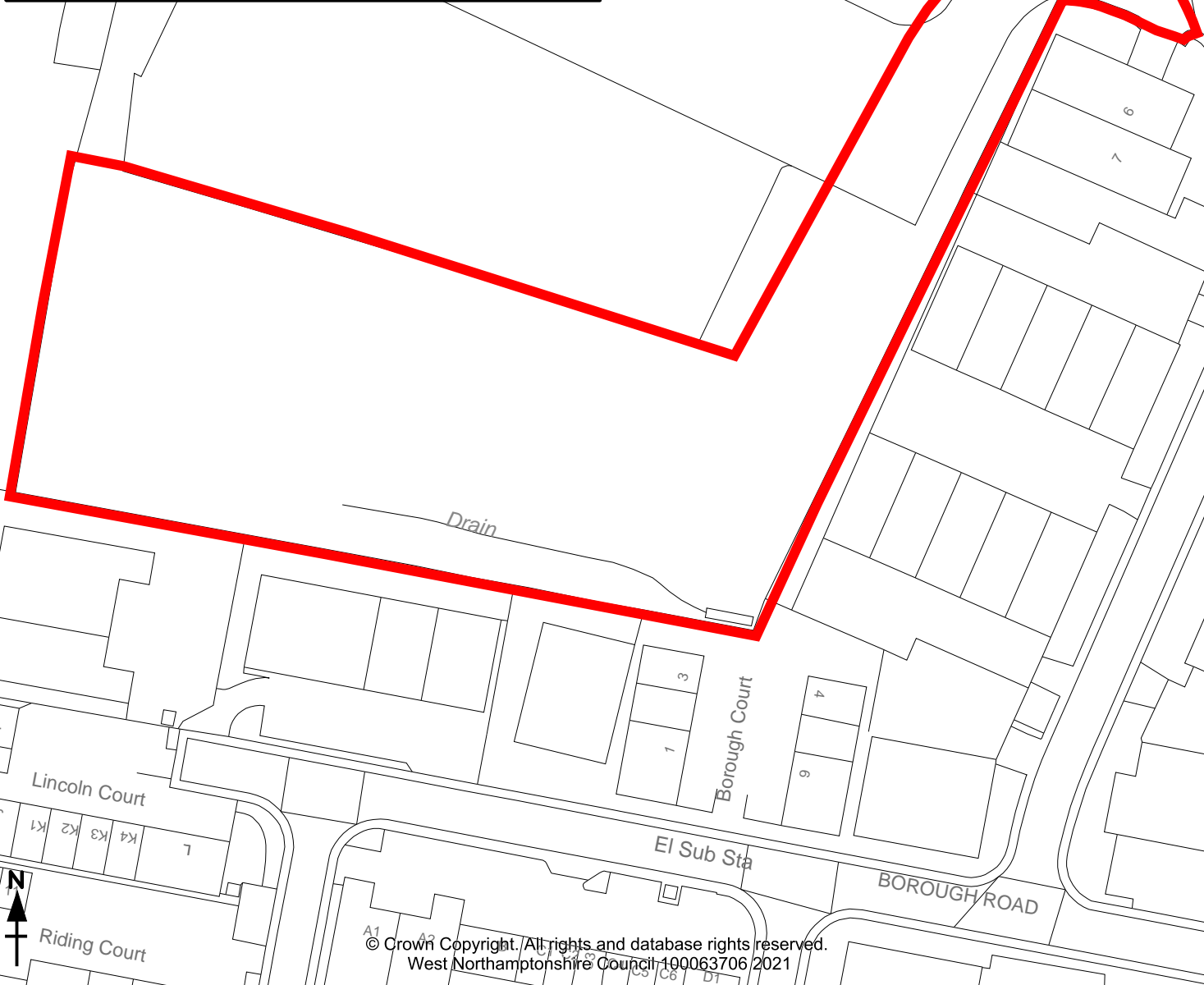
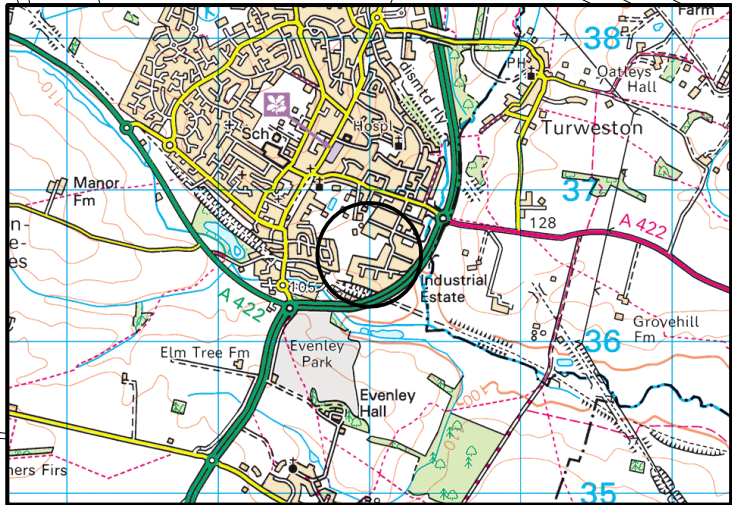
Agenda Item	Ward	Application Number	Location	Recommendation	Officer
5	Brackley	WNS/2021/1091/MAF	Land West of Boundary Road, Brackley	Grant Permission*	Clare Caldwell
6	Silverstone	WNS/2021/0707/OUT	Land North of Blackmires Lane, Silverstone	Grant Permission*	Geraldine Hardcastle
7	Middleton Cheney	WNS/2021/0625/MAF	Colready Farm, Farthinghoe Road, Charlton	Grant Permission*	Geraldine Hardcastle

*Subject to conditions

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Application Number: WNS/2021/1091/MAF

Parish: Brackley CP



Town/Village: Brackley

 Site

Site Area: 1.2004 Ha

Grid Location: SP 58983 36556

Map Scale: 1:1250

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Application Number: WNS/2021/1091/MAF

Parish: Brackley CP



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Map Scale: 1:1250

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 Site

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Application Number: WNS/2021/1091/MAF

Location: Land West of Boundary Road, Brackley

Proposal: Erection of commercial units (Use Classes E(g)(iii), B2 and B8) together with access, parking and landscaping.

Applicant: Chancerygate (No. 9) Limited

Agent: Savills UK

Case Officer: Clare Caldwell

Ward: Brackley

Reason for Referral: Major development

Committee Date: 05/10/2021

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO THE SATISFACTORY RESOLUTION OF MATTERS CONCERNING DRAINAGE, NOISE AND LAND CONTAMINATION, CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT

Proposal

The erection of buildings for commercial uses falling with Use Classes E(g)(iii) (*any industrial processes which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit (i.e. light industrial uses)*); B2 (*general industrial*) and B8 (*storage or distribution*).

The total floorspace proposed amounts to 5057.3 sqm and the development includes 61 car parking spaces, 14 disability spaces, 5 motorcycle spaces and 40 cycle spaces.

Consultations

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

- Lead Local Flood Authority (LLFA), Minerals and Waste, Key Services, Ecology, Anglian Water, Environmental Protection (Air Quality)

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

- Planning Policy, Highways, Northants Police CPDA, Building Control, Brackley Town Council, Highways England

The following consultees are **in support** of the application:

- WNC Economic Development

No letters of objection or support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted

Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of development
- Economic impacts
- Design/Layout and impact on character of the area
- Sustainability and Energy Efficiency
- Highway safety including access, parking and manoeuvring
- Environmental Protection and any impacts on neighbouring residents
- Drainage and flooding
- Ecology and biodiversity

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

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is located within the Buckingham Road Industrial Estate, adjacent to (and accessed from) Boundary Road.
- 1.2 The site extends to 1.1 hectares (2.5 acres) and is broadly rectangular in shape. It is bounded to the north, east and south by existing industrial/commercial development. To the west are the stands and pitch of Brackley Town Football Club.
- 1.3 Surveyed levels on the application site show a fall of circa 1.3m from the west to the east with a raised 'table' towards the centre of the site.
- 1.4 There is an open foul water overflow/drainage ditch towards the southern boundary which is to be culverted and filled over as part of the proposed works. The site is predominantly covered by rough scrub vegetation.
- 1.5 The previous use of the site was as an Anglian Water sewage treatment works. The majority of associated structures were demolished when the use ceased however some concrete hardstandings and other structures remain. There is also above and below ground drainage pipework within the site.
- 1.6 Current access is onto Boundary Road via the adjacent De Boer site to the north.

2. CONSTRAINTS

- Within Brackley Town Confines
- Within an area with Medium/Low Risk of Surface Water Flooding

- Within a 2km buffer of various Local Wildlife Sites - Evenley Fishpond; Brackley Railway Embankment; Brackley Disused Railway (West); South Ground Covert and Brackley Marsh.
- Within a Waste Development Allocations and Buffer
- There is a drainage ditch running east/west along the site's southern boundary and drainage easements across southern and western parts of the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. This is a full application for the erection of buildings for commercial uses falling with Use Classes E(g)(iii) (*any industrial processes which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit (i.e. light industrial uses)*); B2 (*general industrial*), and B8 (*storage or distribution*). The total floorspace proposed amounts to 5057.3 sqm.
- 3.2. The floorspace is spread over 4 terraced 'blocks' which are divided into 14 individual units in total although they are designed to be combined to allow flexibility for future occupiers. The buildings are finished in a variety of cladding in shades of silver and grey with feature flashing in green.
- 3.3. 61 car parking spaces are proposed along with 14 disability spaces, 5 motorcycle spaces and 40 cycle spaces.
- 3.4. Access to the site is currently onto Boundary Road via the adjacent De Boer site to the north. This access is to be extended into and through the application site with new fencing to define De Boer's boundary. The existing De Boer gates and vehicle barrier at Boundary Road are to be removed.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
S/2001/0774/P	Erection of buildings and associated external works	Approved 20/09/2001

- 4.2. The above permission included both the application site and land to the north now occupied by DeBoer. The buildings proposed were all to the north of this application site which was shown on the plans as reserved for a subsequent phase of development.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted

Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

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

5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S7 – Provision of jobs
- S8 – Distribution of jobs
- S10 – Sustainable Development Principles
- S11 - Low Carbon and Renewable Energy
- C2 - New Developments
- E1 - Existing Employment Areas
- BN2 - Biodiversity
- BN7A - Water Supply, Quality and Wastewater Infrastructure
- BN7 - Flood Risk
- BN9 - Planning for Pollution Control
- INF1 - Approach to Infrastructure Delivery
- INF2 - Contributions to Infrastructure Requirements
- B1 - Spatial Strategy for Brackley

South Northamptonshire Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- SS1- Settlement Hierarchy
- SS2 – General development and design principles
- EMP2 – Existing commercial sites
- EMP3 – New employment development
- INF4 – EV charging points
- NE5 – Biodiversity and Geodiversity

Minerals and Waste Local Plan (MWLP)

5.5. The relevant policies of the MWLP are:

- Policy 13
- Policy 30

Material Considerations

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance and Documents especially Parking: Standards and Design 2018; Energy and Development 2007; Energy Efficiency 2013; Developer Contributions 2011; Air Quality and Emissions Mitigations 2019 and Planning Out Crime 2003 esp chapter 10.
- SNC Design Guide – chapter 6
- Brackley Masterplan 2011

6. RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Brackley Town Council	No Objections	Good for local business
WNC Economic Development	Support	<ul style="list-style-type: none"> • See para 8.12 below in the main report • seeking a S106 contribution toward the WNESS service OR a Local Labour Strategy
Northants Police CPDA	No Objection	<ul style="list-style-type: none"> • Palisade fencing to be retained along one boundary is not a secure fencing system and it is recommended that this is replaced with weld mesh • The covered bike shelter/shelters should be located further into the site and in full view of the units they serve. • The management of the site to ensure that the gates are locked at the end of business is an important factor to ensure the security of the site • All doors and windows in the units should meet the requirements of a recognised security standard such as LPCB LPS 1175 not just the rear fire escape doors. • All units should be constructed with the necessary cabling and trunking for a fit for purpose intruder alarm.
Anglian Water	Comment	<ul style="list-style-type: none"> • The foul drainage from this development is in the catchment of Brackley (New) Water Recycling Centre that will have available capacity for these flows • The sewerage used water network system at present has available capacity for these flows.
Building Control	No Objections	<ul style="list-style-type: none"> • All surface water to soak away • Radon Protection to be ascertained • Fire Risk Assessment required • Fire Vehicle access to be required • Fire Authority consult required

Planning Policy Team	No Objection	<ul style="list-style-type: none"> The WNJCS incorporates the site within the Brackley Employment Area, which is identified as a focus for employment uses in Brackley; whereas Policy EMP2 (SNP2LP) identifies that on existing employment sites, employment generating development, will normally be permitted, subject to compliance with other policies in the plan and other material considerations.
Environment Agency	No Comment	<ul style="list-style-type: none"> The site is not located upon a Principal Aquifer or within Source Protection Zone, and we do not regard the previous land uses (sewage farm, lorry park) as presenting high pollution potentials. It falls below our current risk bar and as such we are unable to provide site-specific advice on land or groundwater contamination issues.
Minerals and Waste Planning Service	Comment	<ul style="list-style-type: none"> The proposed site is located within a separation area for WL3: Brackley - Boundary Road, designated as being acceptable in principle for waste management uses under Policy 13 (Locations for waste management facilities) of the Minerals and Waste Local Plan (MWLP) (adopted July 2017). As a location where waste management uses are acceptable, the applicant should demonstrate how the proposal meets Policy 30 (Preventing land use conflict) of the MWLP.
Highways	No Objections	
Health and Environmental Protection	Comment	<ul style="list-style-type: none"> Air Quality - the proposal will have negligible effects on air quality within the area, however the mitigation measures proposed for the site should be conditioned. Noise – no objections subject to an amended Construction Management Plan and conditions Contaminated Land - it is considered unlikely that the Site would require remediation. However, from the information provided in the report, site

		mitigation measures will be required to ensure the site is fit for the purpose of the erection of commercial units.
Ecology	Comment	<ul style="list-style-type: none"> • The level of surveys undertaken and the methodology followed are appropriate and fit for purpose • The habitats present on site are of limited ecological value. • the development will result in a net loss of biodiversity and enhancements are detailed to limit this loss including seeding of wildflower grassland and planting of trees/shrubs within the proposed landscaping. • No evidence of bats or Badgers was found and there are limited opportunities for other protected species • Based on the findings of the report it is unlikely that the development proposed will have a significant impact on protected species or habitats if the mitigation and enhancements identified in Ecological Appraisal are followed fully and successfully. • Conditions are recommended
Lead Local Flood Authority	Comment	<ul style="list-style-type: none"> • there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.
Highways England	No Objections	
Key Services	Comment	<ul style="list-style-type: none"> • A fire hydrant will be needed – can be secured by condition • Superfast Broadband should be provided

7. RESPONSE TO PUBLICITY

7.1. There have been no responses received.

8. APPRAISAL

Principle of Development

- 8.1. Policy S7 of the LPP1 sets a target for the provision of jobs up to 2029¹. The distribution of development and jobs set out in Policies S1 and S8 of the LPP1 makes it clear that whilst development will be concentrated in and around Northampton, the development needs of South Northamptonshire will also be provided for. This includes the renewal and regeneration of existing employment sites as set out in Policy E1.
- 8.2. The spatial strategy for Brackley set in Policy B1 (b) supports employment development through regeneration and renewal within the Brackley Business District Employment Area (shown on Inset 15 and which includes the application site).
- 8.3. At a more local policy level, the site lies within the adopted town confines for Brackley as designated in the LPP2. The market towns of Towcester and Brackley are the focus for new development in the south Northamptonshire part of the District to ensure that the sustainable development principles set out in the LPP1 are met and policies SS1 (which establishes a settlement hierarchy) and EMP3 (which considers new employment development) of the LPP2 reinforce this.
- 8.4. The site also lies within an existing commercial site whereby Policy EMP2 of the LPP2 supports intensification of such development (subject to compliance with other plan policies and material planning considerations).
- 8.5. The Brackley Masterplan (2011) is a material planning consideration. This seeks to reduce the town's need for out commuting and to create local employment opportunities. Rather than identifying a specific number of new jobs for Brackley the Masterplan places emphasis on providing a diverse range of quality local employment opportunities within all employment sectors from retail, office, local manufacturing, tourism and leisure and distribution that best reflect the local skills base of Brackley. Brackley Business District is identified as an area comprising both the town centre and adjoining employment areas including Buckingham Road Industrial Estate where employment provision is seen as key (including the application site).
- 8.6. It is noted that the application site lies within a Waste Development Allocation and Buffer and therefore Policies 13 and 30 of the MWLP are relevant. Policy 13 relates to designations for waste management facilities; these are industrial area locations within which waste management uses would be acceptable in principle. This is not an 'allocated' site per se but a designated waste location that has been adopted in the MWLP.
- 8.7. Policy 30 requires new development within such locations to only be permitted where it can be demonstrated that it would not adversely affect the operation of an existing waste facility; or prevent or prejudice the waste location into the future.
- 8.8. In this case there are no existing or committed waste uses in the surrounding area. The proposals relate to the introduction of a commercial development within an existing employment site and which is wholly compatible with the surrounding area which already hosts a number of similar uses. Other than the application site, there is no vacant land in proximity to the site which could be used for waste development. All sites immediately adjacent to the site are currently in active use for various industrial and commercial uses (and recreational, in the case of the football club).

¹ Minimum of 28,500

- 8.9. It is not considered that the proposals are any more sensitive in nature to those in the surrounding area and given that there are no committed or existing waste facilities in the vicinity it is not considered that the application conflicts with the MWLP.
- 8.10. In conclusion, as a matter of principle, employment generating development can be supported under the policy framework set out above.

Economic Development impacts

- 8.11. The application is accompanied by an Economic Benefits Statement. In summary, this concludes that the development will generate the following;
- circa 65 jobs over the build out period (9 months) in construction related employment.
 - An estimated £3.1 million gross value added during the construction phase
 - Between 72 and 133 permanent FTE jobs once operational depending on nature of occupiers
 - An estimated £6.5 million per annum contribution to economic output
 - Circa £107,000 pa Business Rates
- 8.12. The Council's Economic Development Team support this application commenting that;

"In order to effectively develop the local economy, it is essential to allocate non-residential floorspace with appropriate employment opportunities based on the needs of the local region, the existing calibre of employers and the high skills of the local labour market. Given the infrastructure surrounding West Northamptonshire, this area offers a unique opportunity to fulfil class uses E (formerly B1), B2 and B8, which is further enhanced by the region's position within the Oxford-Cambridge Arc and Motorsport Valley. This application aligns with West Northamptonshire Council's vision to support the local economy and the community.

Prior to the Covid-19 pandemic, South Northamptonshire boasted a consistently low unemployment rate, meaning that as the area is developed with new homes, it is essential to ensure appropriate employment opportunities are available for residents. The impact of Covid-19 has made it critical to ensure appropriate employment opportunities are created through all developments, both temporary in the development of new premises, as well as long-term employment. This proposal achieves this as outlined in the application for this site comprising over 5,000sqm of non-residential floorspace, potentially creating over 100 jobs."

- 8.13. The Team seeks a S106 contribution towards the West Northamptonshire Employment Support Service (WNESS) to help it continue its work to act as a vital delivery partner in terms of creating and fulfilling local employment opportunities. The applicant is agreeable to making a contribution.

Design/Layout and Impact on Character of Area

Policy Context

- 8.14. The NPPF recognises the importance of delivering well-designed, attractive and healthy places. The creation of high-quality buildings and places is considered fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development. Achieving high quality design is also a key strategic objective of the council's with appropriate policy safeguards set out in both the LPP1 and LPP2.

- 8.15. Policy SS2 of the LPP2 sets out general development and design principles and seeks to protect the identity of its towns and villages; to ensure that development integrates with its surroundings and distinctive local character; provides a safe, accessible and inclusive environment; includes integral landscaping and sensitive lighting; provides a good standard of amenity, safe and suitable access and contributes to a healthy community.
- 8.16. The Council adopted a Design Guide in 2017 which is a material planning consideration for all development throughout the district. This document establishes a benchmark for high quality design standards for new development; improves understanding of the specific character and context of south Northamptonshire and brings greater certainty to the design element of the planning process to help speed up delivery and maintain a high quality of development within the District. Chapter 6 is of relevance to commercial development.

Assessment

- 8.17. Layout - The new buildings take the form of four terraced blocks, subdivided into units of varying floor area. The blocks are paired together and oriented north/south. Service/parking areas are generally sited immediately in front of each unit, as well as alongside the internal access road. The layout incorporates sufficient car and other vehicle parking provision, provides some soft landscaping where possible (including trees), provides adequate manoeuvring and servicing space as well as pedestrian and cycle access and overall is considered appropriate for a development of this scale and type. More detail is provided as necessary elsewhere in this report.
- 8.18. Scale and appearance – the units vary in height between 8.2m (at their lowest) and 11.5m (at their highest) (externally from FFL). The heights are informed by height to haunch measurement needed for a potential variety of uses.
- 8.19. At their highest, this is higher than many immediately neighbouring buildings. The nearest DeBoer building for example sits at around 6.4m to eaves and an adjacent development recently given consent to the south extends to 8.6m in height (S/2019/1849/FUL). Buildings to the east are lower still. That said, the site's position within an existing commercial site and surrounded by built development does minimise the impact and whilst views of the top of buildings may be glimpsed from some aspects, this will be within the wider context of the existing site and therefore will not give rise to a significantly harmful impact. Views from the football club are screened by existing planting for the main part. The footprint of the buildings is not out of keeping with that of other buildings within the wider site. Overall the scale of the buildings is considered acceptable.
- 8.20. The buildings are to be finished in metal cladding coloured grey and silver with feature green flashings which is considered appropriate for buildings of this type in this location.
- 8.21. Crime prevention - The site has existing fencing along three sides which is to be retained/replaced as required. The applicant is proposing to install new black powder coated paladin weldmesh fencing to the north, west and southern boundaries of the site. To the east the existing fencing will remain as galvanised palisade fencing. Matching vehicle and pedestrian gates are proposed which will secure the site out of hours and minimise the opportunities for crime and antisocial behaviour.
- 8.22. The Police CPDA would like the fencing replaced on all sides (i.e replace the galvanised fencing) but this boundary fencing is not within the ownership of the applicant.

- 8.23. The CPDA would also prefer the cycle parking to be relocated to an area with better surveillance. However, the applicants have advised that this is not possible. This cycle parking area is within the site and the site fenceline and when the site is not operational the gates will be locked. The applicants have advised that the bike store would be an enclosed and lockable double stacked unit. The exact specifications are not known at this time and therefore a condition is recommended to be attached. The CPDA's concerns are noted but it is not considered that this would merit a refusal of planning permission.
- 8.24. Waste - It is envisaged that occupiers of the new units will make third party arrangements for the collection of refuse which is to be stored within the units pending collection. Collections are expected to take place either within the individual units' yard space or the refuse lorry would reverse to the loading door. Tracking drawings have been provided.
- 8.25. Lighting – An external lighting scheme and assessment has been prepared which is designed to minimise artificial light overspill beyond site boundaries.
- 8.26. Lights are a combination of column and wall mounted LED fittings. Lighting will be controlled to switch off when the development is not in use and, when on, controlled according to day light levels. Lights will generally be mounted on the buildings to direct light into areas which accommodate vehicle servicing and the majority of car parking. Emergency lighting to paths serving escape doors provides a low level of illumination and the lights will generally only be activated in an emergency situation.
- 8.27. Landscaping - New soft landscaping including trees and specimen plants are proposed to the perimeter of the site. Soft planting is also proposed within the site to soften the internal environment and break up hard paved areas.

Conclusions

- 8.28. Having regard to the above assessment, the proposed development is considered acceptable in respect of its design and layout and its impact on the surrounding area and does not conflict with the above-mentioned development plan policies subject to the attachment of relevant conditions.

Sustainability and Energy Efficiency

Policy Context

- 8.29. Policy S11 of the LPP1 requires that major development contributes to reductions in carbon emissions by measures including using sustainable design and construction, maximising energy efficiency and the provision of low carbon and renewable energy. It includes the requirement for all new non-residential developments over 500m² GIA to achieve a minimum rating of at least BREEAM very good standard (or equivalent) or any future national equivalent zero carbon standard from 2019.
- 8.30. Policy S10 of the LPP1 requires the highest standards of sustainable design and for developments to maximise the generation of their energy needs from renewable or low carbon sources.
- 8.31. The Design Guide also provides further detail chapter 6. Paragraph 6.87 states that the Council “*will therefore require, where technically possible, all new industrial/ business park office buildings to utilise their roofs for solar photovoltaic energy generation.*”

Assessment

- 8.32. The application is supported by an Energy and Sustainability Statement. This states that energy and carbon savings are to be achieved through passive design, energy efficient measures incorporating design features such as energy efficient lighting, submetering of relevant areas, upgrading of 'U' values and occupancy sensing in relative areas.
- 8.33. To reduce the energy demand of the development as well as help to conserve water resources within the local area, it is anticipated that the fit out works will provide for sanitary fittings which will be water efficient through measures such as dual flush toilets and low flow taps.
- 8.34. In addition, air source heat pumps will be used for mezzanine spaces. Photovoltaics are not proposed; the applicants stating that carbon saving requirements can be sufficiently achieved by the air source heat pumps. Overall, the measures allow for a 4.40% energy saving from a base Part L 2013 compliant build. The sustainability features will allow for a 4.81 tonnes reduction in annual CO2 emissions.
- 8.35. The applicants have also provided a BREEAM Pre-assessment Report which demonstrates that a 'Very Good' rating can be achieved.

Conclusion

- 8.36. Overall, if the measures set out are incorporated into the development the development will not conflict with the above-mentioned policies.
- 8.37. It is also noted that the development will include one EV dual-charging point (equivalent to 2 EV spaces per charging point) for each unit. This totals 28 EV parking spaces across the site which is significantly in excess of the Council's policy which requires 10% of spaces to be provided with EV charging (= 8 spaces).

Access, parking and manoeuvring

Policy Context

- 8.38. Policy C2 of the LPP1 requires development to mitigate its impacts on highway safety. Policy SS2 of the LPP2 requires development to include a safe and suitable means of access for all people including pedestrians, cyclists and those using vehicles.
- 8.39. The NPPF also requires provision of a safe and suitable access for all users. Para 109 however makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Assessment

- 8.40. Access and highway impacts – The existing site access is onto Boundary Road via the adjacent De Boer site to the north. This access is to be extended into and through the application site with new fencing to define De Boer's boundary. The existing De Boer gates and vehicle barrier at Boundary Road are to be removed.
- 8.41. The application is accompanied by a Transport Assessment (TA). This shows that the development has the potential to generate around 50 two-way people trips during the a.m. peak and around 45 in the p.m. peak. Junction capacity analysis identifies that the Boundary Road/Buckingham Road junction will continue to operate well within capacity during weekday peak periods.

- 8.42. The TA demonstrates that there are no residual cumulative impacts in terms of highway safety or operational capacity.
- 8.43. The Highways Team has raised no objections to the proposal on traffic generation, highway capacity or highway safety grounds.
- 8.44. Parking - There are 75 car parking spaces proposed (1 per 67sqm) Of these 75 spaces, 14 will be disabled spaces sited at the entrance of each unit (this exceeds the Council's adopted standards of 10% disabled spaces).
- 8.45. In addition, there is provision for 5 motorcycle parking spaces and space for 40 bicycles.
- 8.46. The Council's parking standards are set out in its adopted SPD dating from 2018. Standards differ between the various use classes². This application seeks a flexible permission between the use classes and so has applied a 'blended' ratio of car parking spaces which amounts to 1 space per 67sqm. This is equivalent to 81% of the total requirement IF Class E (g) (iii) and B2 were applied across the whole site. There will however be an element of B8 uses which has a much lower car parking requirement.
- 8.47. The TA also includes TRICS data which shows that the development could generate a maximum parking demand for 43 spaces over a typical weekday.
- 8.48. Given that the site lies within the town centre and so is accessible by a range of travel options and given that it provides motorcycle and cycle spaces it is considered that the amount of car parking is sufficient. The Highway Authority has raised no objections on parking grounds, nor has it raised objections in respect of the site layout and manoeuvrability.

Conclusion

- 8.49. In light of the Highway Authority's response and the submitted supporting information, there is no evidence to demonstrate that a safe and suitable access cannot be achieved, and that the development would result in significant or severe impacts on the highway network or an unacceptable impact on highway safety. Therefore, the proposal complies with the above-mentioned policies and national planning policy in the NPPF (paras 108-109).

Environmental Protection

Policy Context

- 8.50. National planning policy in the NPPF recognises that focussing growth in sustainable locations can help reduce emissions and improve air quality and public health. Para 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by, amongst other things, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality. Para 180 states that planning policies and decision should take into account the effect of pollution on health and mitigate and reduce to a minimum potential adverse impact arising from noise and avoid noise giving rise to significant adverse impacts on health and quality of life.

² 1 car parking space per 30sqm for B1 (office) (Now E) uses; 1 per 50sqm for B2 and 1 per 120sqm for B8.

8.51. Policy SS2 similarly seeks to avoid harmful effects from noise and other sources of pollution and to have appropriate regard to the effect of development on air quality. LPP1 policies S10 and BN9 also seek to minimise pollution from noise and air.

Assessment

8.52. The application is supported by a Noise Impact Assessment, Air Quality Assessment and a Geo-Environmental Site Assessment; their findings are summarised below.

8.53. Noise - No construction noise impacts are predicted. The site layout has been designed to minimise the potential operational noise impact, with the proposed new units providing significant noise-shielding at the nearby residential receptors, which are a considerable distance from the site. As such, the predicted noise levels at existing sensitive receptors from vehicle operations is predicted to be lower than existing ambient noise levels (which consists of vehicle movements and existing industrial noise) and to comfortably meet the criteria for good living and resting conditions for dwellings.

8.54. With regards to fixed plant noise, noise levels are assumed to be below existing background noise and easily masked by existing noise sources such as fixed plant from other industrial units and road traffic, therefore no impacts are predicted. In summary, no adverse noise effects are predicted as a result of the construction or operation of the development, either during the daytime or night-time periods.

8.55. The Council's Environmental Protection Officer has highlighted some shortcomings about the content of the noise assessment and has requested amendments to the Construction Management Plan (CMP). He has however confirmed that he has no objection in principle given the site's location. Subject to some amendments to the CMP and conditions to ensure that appropriate safeguards will be put in place where necessary he raises no objections. A written or verbal update will be provided to Members.

8.56. Air Quality - The site is not located within, nor within close proximity to, an AQMA. A desktop study of baseline air quality has been undertaken. A construction dust risk assessment has also been undertaken. The assessment demonstrates there will be a medium risk from dust. Mitigation measures have been proposed and are formalised within a Construction Environmental Management Plan. With the implementation of the mitigation measures, the overall impact is considered to be 'not significant'.

8.57. An assessment of operational impacts has been undertaken and found to be negligible. The proposals include 28 EV charging spaces and 40 secure cycle spaces to encourage sustainable transport methods. The overall impact of the operational phase on local air quality and sensitive receptors is considered to be 'not significant'.

8.58. In summary, the Air Quality Assessment concludes that the proposed development will have insignificant impacts on local air quality during its construction and operation.

8.59. The Council's Environmental Protection Officer concludes that the proposal will have negligible effects on air quality within the area, and requests that the proposed mitigation measures proposed for the site should be conditioned. This includes EV charging, secure cycle parking and the mitigation set out in the Construction Method Statement and Air Quality Assessment.

8.60. Contamination - A Phase I and II assessment has taken place, including intrusive investigations, soil sampling and groundwater monitoring. Based on the findings from the assessments the applicant considers it unlikely that the site would require remediation. Although minor concentrations of contaminants were identified in the soils,

none exceeded the assessment criteria for a commercial end use. In addition, the proposed development will largely be covered in hardstanding, providing a barrier and mitigating against any potential risk to future site users. Minor groundwater contamination is said to be unlikely to trigger a requirement for remediation.

- 8.61. The Council's Environmental Protection Officer considers it unlikely that the site will require remediation.
- 8.62. However, she considers further assessment and mitigation may be required to ensure the site is fit for purpose due to the presence of Made Ground. However, it is understood that there are no objections as a matter of principle. A written or verbal update will be provided to Members.

Conclusions

- 8.63. In light of the information provided, and subject to the receipt of further information and the satisfactory resolution of outstanding matters raised by the Council's Environmental Protection Officers in respect of noise and contamination, it can be concluded that the development will not give rise to unacceptable impacts in respect of noise, air quality and contaminated land and that there is no conflict with national or local planning policy in this regard. Where necessary, conditions can be attached to any planning permission to secure delivery of safeguarding measures. A written or verbal update will be provided to Members.

Drainage and flooding

Policy Context

- 8.64. LPP1 Policy BH7 requires appropriate flood risk assessment to be completed and for development not to result in an increased risk of flooding to existing or proposed properties. Policy SS2 of the Part 2 Local Plan also requires development to be adequately serviced with infrastructure and to consider flood risk.

Assessment

- 8.65. The application is supported by a Flood Risk Assessment (FRA). The site lies within FZ1 and risk from fluvial flooding is considered to be low. The proposed use is one which is suitable for such a location.
- 8.66. It can be seen from the surface water flood map that the site is shown to have a low risk of flooding, although an area along the western boundary (outside of the site boundary) is shown to have a medium risk from surface flooding. It is proposed that the surface water discharge will be reduced by 50% thereby reducing peak flows and contributing to reducing surface water flooding.
- 8.67. Risk from other sources of flooding is also found to be low.
- 8.68. Surface Water Drainage – There are existing surface water pipes serving the site. The application proposes to drain the site by gravity and discharge at a restricted rate (to 50% capacity from the existing discharge) to the existing outfall for the site which connects to the existing Anglian Water overflow ditch along the site's southern boundary. This ditch accepts flows from the existing private surface water sewers.
- 8.69. The LLFA have requested further information in respect of surface water drainage and this information has been received and further comments sought. A written or verbal update will be provided to Members.

8.70. Foul Drainage - The site will form a new foul water connection point to the public Anglian Water sewer via a new connection.

8.71. Anglian Water advise that the foul drainage from this development is in the catchment of Brackley (New) Water Recycling Centre. They confirm that the water recycling centre and the used water network have available capacity for these flows.

Conclusion

8.72. Having regard to the submitted information and the responses from technical consultees, and assuming the LLFA raises no objections in respect of surface water drainage, there is no evidence to suggest that this development would be at risk from flooding or increase flood risk elsewhere. Nor is there any evidence to suggest that the site cannot be adequately drained. A written or verbal update will be provided to Members.

Ecology and biodiversity

Legislative context

8.73. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the Regulations, competent authorities such as the Council have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.

8.74. In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:

- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
- b. That there is no satisfactory alternative.
- c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

8.75. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 8.76. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.77. National Planning Practice Guidance (PPG) states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.78. Policy NE3 of the LPP2 seeks to conserve and wherever possible enhance green infrastructure. Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.
- 8.79. Policy BN2 of the LPP1 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

Assessment

- 8.80. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. The Standing Advice sets out habitats that may have the potential for protected species. In this case the site contains recently cleared scrub along with areas of remaining scrub, recolonising ground, tall ruderal and semi-improved grassland and therefore has the potential to be suitable habitat for a variety of species including EPS.
- 8.81. In order to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.
- 8.82. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.

- 8.83. The application is supported by an ecological appraisal. This appraisal finds that there are no statutory designations of nature conservation value within the site or immediately adjacent to it and that non-statutory designated sites nearby (various LWS) are sufficiently removed and buffered from the site as to be unaffected by the proposed development.
- 8.84. It finds that the majority of the site comprises bare ground following site clearance but with areas of semi improved grassland, scrub and tall ruderal. Overall, the site is said to be of limited nature conservation value. The majority of the habitat on site is likely to be lost as part of the development. New landscape planting will contribute towards offsetting the loss through new areas of wildflower grassland together with areas of new shrub and ornamental planting with trees.
- 8.85. No protected or notable species were recorded during the surveys undertaken. Precautionary measures will be taken before and during development to limit risks to any species such as Badger, Hedgehog and nesting birds.
- 8.86. The Council's Ecologist is satisfied that the level of surveys undertaken and the methodology followed are appropriate and fit for purpose, and that they follow the appropriate industry guidelines and best practice. He agrees that the habitats present on site are of limited ecological value and recognises that whilst the development will result in a net loss of biodiversity, enhancements are detailed to limit this loss including seeding of wildflower grassland and planting of trees/shrubs within the proposed landscaping.
- 8.87. He recognises that no evidence of bats or Badgers were found and that there are limited opportunities for other protected species.
- 8.88. Based on the findings of the ecological appraisal he finds it unlikely that the development proposed will have a significant impact on protected species or habitats if the mitigation and enhancements identified in the appraisal are followed fully and successfully. Conditions are recommended.
- 8.89. Officers are satisfied, on the basis of the advice from the Council's Ecologist and subject to conditions, that the welfare of any EPS found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

9. FINANCIAL CONSIDERATIONS

- 9.1. The development is not CIL liable.
- 9.2. See also section in report above in respect of economic impacts, including business rates.
- 9.3. *Officer comment:- 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.*
- 9.4. *In this particular instance, the above financial payments are not considered to be material to the decision as they would not 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 and hence the above is provided on an information basis only.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. Legislation requires that planning applications be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise. The NPPF, at paragraph 11, states that decisions should apply a presumption in favour of sustainable development. For decision taking this means approving development proposal that accord with an up-to-date development plan without delay.
- 10.2. As set out above it is considered that the development proposed accords with an up to date development plan and it is considered that on balance the proposal would result in sustainable development. The development would create economic benefits for the town and wider district, would result in the development of one of the last remaining areas of an existing employment site within the town, would be appropriately designed and laid out, can be accessed safely by both vehicles, motorcyclists, cyclists and pedestrians and without significant adverse effects on the highway network. Measures to protect and enhance biodiversity can be secured and matters of environmental protection can be addressed if necessary through attaching suitable conditions.
- 10.3. Assuming the concerns of the Surface Water Drainage Team can be satisfactorily addressed the scheme will not cause flooding off-site nor will it have any other significant adverse environmental impact that would warrant the refusal of planning permission.
- 10.4. Paragraph 8 of the NPPF emphasises that there are three dimensions to sustainable development; economic, social and environmental. The proposals address each of three dimensions in order to deliver a sustainable development.
- 10.5. In light of the above appraisal it is considered that the planning balance in this case comes down in favour of approval. It is therefore recommended that planning permission be granted for the development, subject to the resolution of the outstanding matters, the imposition of the conditions (draft listed in the attached schedule) and the completion of a satisfactory Section 106 Agreement.

11. RECOMMENDATION / CONDITIONS AND REASONS

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

- 1. THE RESOLUTION OF OUTSTANDING MATTERS AND NO OBJECTIONS FROM LEAD LOCAL FLOOD AUTHORITY AND ENVIRONMENTAL PROTECTION IN RESPECT OF NOISE AND CONTAMINATION.**
- 2. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS/ADDITIONS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- 3. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 (Unilateral Undertaking) OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**

a) Payment of a financial contribution towards the West Northamptonshire Employment Support Service (WNESS) of £25,500

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

Time Limit

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

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

Approved Plans

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

- Site Location Plan Drg No 041.80.01 Rev C dated 21.10.20
- Proposed Site Layout Plan Drg No 041.80.05 dated 21.10.2020
- Proposed Wider Area Site Layout Fencing Drg No 041.80.04 FG dated 02.07.2021
- Proposed Wider Area Site Layout Drg No 041.80.04 dated 04.05.2021
- Proposed Floor and Roof Plans Block A Drg No 041.80.12 dated 10.05.2021
- Proposed Floor and Roof Plans Block B Drg No 041.80.13 dated 10.05.2021
- Proposed Floor and Roof Plans Block C Drg No 041.80.14 dated 10.05.2021
- Proposed Floor and Roof Plans Block D Drg No 041.80.15 dated 10.05.2021
- Proposed Elevations Sheets 1 and 2 Drg Nos 041.80.10 and 041.80.11 dated 05.02.2021
- Proposed Site Sections Drg Nos 014.80.19 and 041.80.20 Rev A dated 06.05.2021 and 02.02.2021 respectively
- Soft Landscaping Planting Plan Drg no 04 dated 06.2021
- Schedule of External Materials dated 28th June 2021
- External Lighting Assessment 6096-CBC-AS-LA-001-REV002
- Energy and Sustainability Statement dated 13th July 2021 ref 6096-CBC-HM-RP-Z-001-P04
- Framework Travel Plan June 2021
- Construction Environmental Management Plan xxxxx TBC

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

Compliance with ecological appraisal

3. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Ecological Appraisal by Ecology Solutions dated July 2021 unless otherwise agreed in writing by the Local Planning Authority.

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

Dust mitigation measures

4. The development shall proceed in accordance with the construction dust mitigation measures outlined in paragraph 6.1 of the Air Quality Assessment ref 437651.0000.0000 prepared by TRC dated July 2021.

Reason: To minimise potential adverse impacts from construction dust in accordance with Policy SS2 of the South Northamptonshire Local Plan Part 2.

BREAAM Standard

5. The development hereby permitted shall be constructed to at least a BREEAM Very Good standard.

Reason : To ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework.

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

Revised protected species survey if necessary

6. If the development hereby approved does not commence by May 2023 a revised protected species survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on protected species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority prior to commencement of development. Thereafter, the development shall be carried out in accordance with the approved details.

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

Finished floor levels

7. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

Reason : In order to safeguard the visual amenities of the area in accordance with advice within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

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

Fire hydrants

8. A scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. The fire hydrants, sprinkler systems 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.

Unexpected contamination

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

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

Landscaping maintenance

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

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

Broadband

11. Each building shall be provided with the necessary services to enable the provision of high speed broadband (no less than 100mbs).

Reason : To facilitate information delivery in accordance with Government guidance contained within the National Planning Policy Framework. The vision for West Northamptonshire is to be at the leading edge of the global digital economy. To meet this challenge there is a target of 40% full fibre connectivity by December 2023. To

deliver on this, it is essential that new developments (both housing and commercial) are served by high quality full fibre networks.

EV Charging

12. The development hereby approved shall be provided with one EV dual-charging point serving 2 EV parking spaces marked out for use by electric vehicles only for each commercial unit. At least 8 of the EV parking bays should be served by DC fast charging equipment or equivalent charging equipment providing no less standard of efficiency.

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

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

Cycle parking

13. Prior to the first occupation of the development hereby permitted, covered and secure cycle parking facilities for at least 40 bicycles shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

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

Noise assessment

14. No unit hereby approved shall be occupied until a noise impact assessment and mitigation scheme for that unit has been submitted to and approved in writing by the local planning authority. The noise impact assessment shall identify noise source(s) that will be introduced by the proposed development and predict the impact on the nearest non ancillary offices and residential dwellings. The noise assessment shall be undertaken in accordance with procedures detailed in BS 4142:2014:+A1 2019 Method for Rating and Assessing Industrial and Commercial Sound and any proposed mitigation scheme shall achieve the design aims of the National Planning Policy Framework and Planning Practice Guidance. Any works which form part of the scheme shall be completed in accordance with the approved details prior to occupation of the relevant unit.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with advice in the National Planning Policy Framework, Noise Policy Statement for England, Planning Practice Guidance regarding Noise, and Policy SS2 of the South Northamptonshire Local Plan Part 2.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

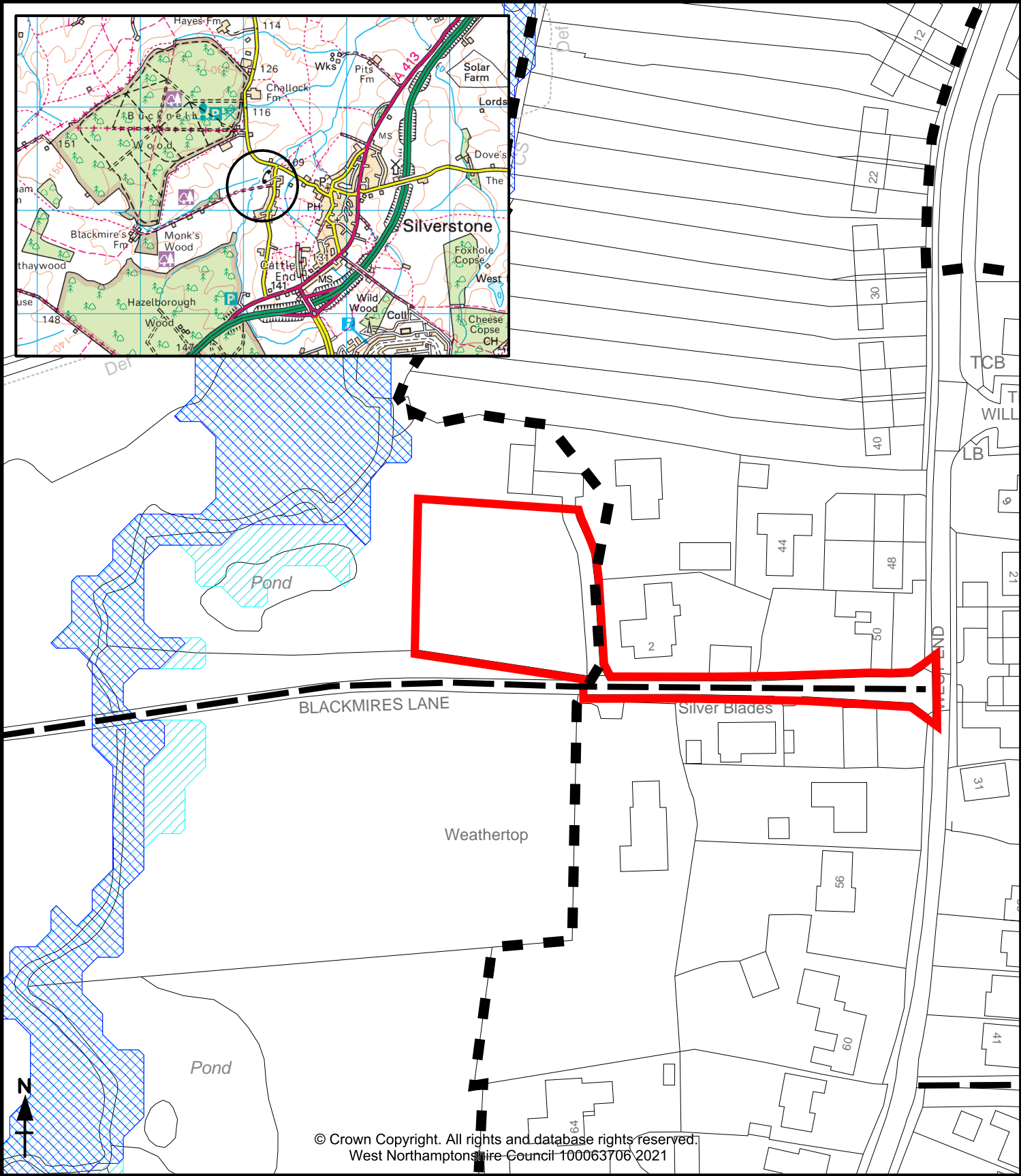
Use classes

15. The employment units hereby permitted shall be used only for employment/industrial uses falling within Use Classes E (g) (iii), B2 and B8 and for no other purpose whatsoever of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order.

Reason : To ensure the buildings are retained for employment uses in accordance with relevant development plan policies and given the nature of surrounding uses and to ensure sufficient on-site parking is provided in the interests of highway safety and to accord with Policies SS2 and EMP2 of the South Northamptonshire Local Plan, Policy B1 of the West Northants Joint Core Strategy and the Brackley Masterplan 2011.

Application Number: WNS/2021/0707/OUT

Parish: Silverstone CP



Town/Village: Silverstone

Site Area: 0.1650 Ha

Grid Location: SP6618144235

Map Scale: 1:1250

Site

Flood Zone 2

Public Right of Way

Village/Town Confines

Flood Zone 3

*Special Landscape Area covers whole map frame

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Application Number: WNS/2021/0707/OUT

Parish: Silverstone CP



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Map Scale: 1:1250

Date Flown: 'Latest Available'

 Site

Page 45

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Application Number: WNS/2021/0707/OUT

Location: Land North of Blackmires Lane, Silverstone

Proposal: Outline planning application with all matters reserved except for access for a Detached Self Build Dwelling, Garage and Associated Works

Applicant: P Smith

Agent: Dave Collins

Case Officer: Geraldine Hardcastle

Ward: Silverstone

Reason for Referral: Called-in by Cllr Dermot Bambridge

Committee Date: 09/09/2021

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

The proposal is for a single self-build dwelling with all matters reserved except for access. The site is located to the west of the main part of Silverstone village and along Blackmires Lane. The settlement confines for the village end immediately to the east of the proposed site. The site is currently used as a paddock for the enjoyment of the applicant, there are no agricultural uses on site. The site has an existing access and track serving a green metal clad storage building which is owned by the applicant.

Consultations

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

- Highways, Crime Prevention Design Advisor, WNC Ecology and Silverstone Parish Council.

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

- Natural England.

3 letters of objection or comments have been received and 0 letters of support have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Highway Safety
- Impact on Ecology
- Impact on Archaeology

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

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is located to the west of Silverstone village at the end of a cluster of dwellings along Blackmires Lane. The site is part of a closely mown paddock which lowers down to a pond area which is more densely vegetated. The boundary of the paddock is denoted by hedgerows and trees to the south and west and a copse of mature trees to the north. The site does not form the residential curtilage of either of the adjacent dwellings, nor is it used for agricultural purposes, though it is owned by the applicant.
- 1.2 The dwellings along Blackmires Lane range in design and scale, however, the material palette is quite consistent with stone walls and slate roofing. The two dwellings adjacent to the application site were approved and constructed within the last 10 years.

2. CONSTRAINTS

- 2.1. The application site is within the open countryside but adjoining the settlement confines to the immediate east of the site. The site is within a Special Landscape Area and is within 2km of 5 local wildlife sites.
- 2.2. To the west of the site are Flood Zone 2 and 3 areas around the pond and stream. The site itself is in Flood Zone 1. Blackmires Lane is also a Public Right of Way.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The proposal is for outline permission for a self-build dwelling. The dwelling is proposed to be constructed from stone and will either use slate or tiles for the roof, although this will be clarified at the reserved matters stage. No details of scale or number of bedrooms has been provided, however, these are also reserved for future determination. The application includes details and seeks detailed permission for the vehicle access into the site from Blackmires Lane, which will be sited where the existing vehicular access into the field is located.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
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S/2016/1342/FUL	Variation of condition 2 (plans) to planning permission S/2014/1727/FUL (Detached Dwelling & garage and replacement garage) To allow revised layout & design of garages	Approved
S/2014/1727/FUL	Detached dwelling and garage and replacement garage	Approved
S/2012/0054/FUL	Variation of condition 2 on planning permission S/2010/0433/FUL (detached dwelling and garage) to allow alterations to the position & design of various windows & doors & minor internal re-work	Approved
S/2010/0433/FUL	Detached dwelling and garage	Approved

4.2 The above applications are relevant as they are examples of recent development extending the siting of dwellings further along Blackmires Lane.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- R1 – Spatial Strategy for the Rural Areas
- S10 – Sustainable Development Principles
- H1 – Housing Density and Mix and Type of Dwellings
- BN2 – Biodiversity

South Northamptonshire Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- SS1 – The Settlement Hierarchy
- SS2 – General Development and Design Principles
- LH1 – Residential Development Inside and Outside Settlement Confines
- LH5 – Self and Custom Built Homes
- HE2 – Scheduled Ancient Monuments & Archaeology

- NE2 – Special Landscape Areas
- INF4 – Electric Vehicle Charging Points

Material Considerations

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

- National Planning Policy Framework (NPPF) – section 5, 12, 15 and 16
- Planning Practice Guidance (PPG) – Self-build and custom housebuilding.
- Supplementary Planning Guidance – Housing SPD

6. RESPONSE TO CONSULTATION

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

Consultee Name	Comment
WNC Highways	<p>Comment - If the proposed development is intended to share access with a farming interest; this is contrary to NCC adopted highway policy which does not permit private residential dwellings sharing access with commercial and industrial interests; of which farming is included, this policy is made in the interests of highway safety in order to prevent private motorists finding themselves in conflict with, and in opposition to the large vehicles associated with the commercial interest, in this case farming. The LHA objects to the proposal on this basis.</p> <p>However, if it is intended that the dwelling be occupied by persons associated with the farming interest carried out at the site, then this part of the objection is waived. In this case the LHA would request that the LPA include a suitably worded planning Condition tying the proposed dwelling to the farming interest.</p>
Natural England	No comments to make
WNC Archaeology	<p>Comment - There is the potential for archaeological remains to be present in the application site. This potential can however be addressed by the use of a suitable pre-commencement condition for a programme of archaeological work. The programme of work should comprise trial trenching in the first instance to establish the presence, extent, date and preservation of any remains present and to guide a suitable programme of mitigation. Any mitigation would be covered by the same condition.</p>
Crime Prevention Design Advisor	<p>Comment - Recommended that the dwelling addresses the 'street' with front door and windows visible to passing pedestrians/traffic. Any front boundary treatment should be 1 metre in height or less. Rear garden should include boundary treatment of 1.8m to open countryside. The car parking should be under surveillance from routinely inhabited ground floor rooms.</p>
WNC Ecology	<p>Comments and condition -</p> <p>Having reviewed the following submitted report for this application, Preliminary Ecological Appraisal, by CGO Ecology, dated 5th February 2021, I have the following comments. I confirm the report is appropriate and fit for purpose. It follows the appropriate industry guidelines and best practice.</p> <p>See comments for list of conditions.</p>

Silverstone Parish Council	Comment - ensure that the site passes all archaeological site investigations and tests for access which have been referred to by Highways.
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7. RESPONSE TO PUBLICITY

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

7.1. There have 2 letters of objection and 1 letter of comments raising the following matters:

- Dwelling is outside the village confines.
- Unnecessary and impactful extension of built development into the open countryside, impacting important views and wildlife corridors.
- Traffic concerns – single file lanes already busy, not suitable for another dwelling.
- Development is in close proximity to archaeological area.
- Silverstone Parish Plan identified Blackmires Lane as unsuitable for new development.

8. APPRAISAL

Principle of Development

- 8.1. Policy SS1 from the South Northamptonshire Local Plan (Part 2) directs new development to within confines of existing settlement in accordance with a hierarchy. Silverstone is identified as a Secondary Village (A) which recognises it benefits from more services than the smaller Secondary Villages (B) and therefore is more suitable for limited development within the housing policies of the plan (LH1-LH11). Development outside of these settlements is classed as within the open countryside and is considered unsustainable and not acceptable in principle.
- 8.2. There are exceptions in the case that sites fall outside the village confines, which include conversions of existing buildings, agricultural workers dwellings, replacement dwellings, and self-build dwellings. This application is proposing a self-build dwelling and these are considered under Policy LH5 of the South Northamptonshire Local Plan (Part 2) and are considered an appropriate exception where the site immediately adjoins the existing settlement confines and represent a natural extension to confines (as per the Council's Housing SPD). The policy also seeks to secure occupiers who can demonstrate a local connection and secure the ongoing involvement of the intended occupier in the design and planning process of the dwelling to meet the definition of self-build and meet the policy requirements. These matters are secured by a legal agreement as required under this policy. The legal agreement applies to the land and so will apply even in the event the applicant sells the site.
- 8.3. The eastern side of the application site immediately adjoins the settlement confines of Silverstone and therefore the site is suitable in principle under policy LH5. The applicant appears to meet all the local connection criteria outlined in policy LH5, nevertheless, a legal agreement is in place to ensure the final occupier of the dwelling meets all the tests and has ongoing involvement in the design process.
- 8.4. The site itself is also clearly a natural extension of the village confines as per the guidance of the Housing SPD. Comments regarding the Silverstone Parish Plan identifying this site as unsuitable for new development are noted, however, the Silverstone Parish Plan carries limited statutory weight as it is not a formally adopted

document and thus does not override Policy LH5 of the Local Plan and the adopted Housing SPD.

- 8.5. The principle of a self-build dwelling on this site is therefore considered to meet the requirements of Policy LH5 of the South Northamptonshire Local Plan (Part 2).

Impact on character of the area

- 8.6. Policy SS2 from the South Northamptonshire Local Plan (Part 2) outlines the design principles for new development. The policy outlines that development will be approved where it maintains the character of the area in terms of scale, massing, form and materials; incorporates a suitable landscape treatment; provides a safe and suitable means of access; and will not adversely impact any built heritage in the area.
- 8.7. The site in its current form has a limited contribution to the overall character of the area, it is a small, self-contained, and not widely appreciable site due to its clearly defined boundaries and screening. Therefore, development of this site is unlikely to have significant effects on the wider character of the area.
- 8.8. The proposed works to improve the vehicle access in the form of providing vehicle and pedestrian visibility splays and improvement to the construction of the access will not significantly alter the appearance of the access within the locality. There are already a number of residential access points along this section of Blackmires Lane and the proposed improvement works would be of a scale and form in keeping with the existing character and other examples of vehicle accesses in this area.
- 8.9. Due to the outline nature of this application the design and scale cannot be assessed, however, the dwellings in the immediate vicinity have varying designs and scales and therefore it is considered that a simple and traditional design that accords with the South Northamptonshire Design Guide will preserve the built form and character of the area.
- 8.10. It is noted that the dwelling will have some impact on the views to and from the open countryside, however, this impact is considered low. The new dwelling will be situated adjacent to the existing dwelling to the east (number 2 Blackmires Lane) and will therefore be viewed against the existing built form of Blackmires lane when viewed from the open countryside. Moreover, the use of sympathetic materials, a modest scale and traditional design will lessen the impact further in accordance with policy SS2. Furthermore, distant views from the open countryside can be softened through robust landscaping, which can be secured as part of the detailed reserved matters applications.

Impact on neighbour amenity

- 8.11. As is the case for the impact on the character of the area, neighbour amenity can only be fully assessed at the reserved matters stage. However, the scale of the site will allow for sensitive placing of the dwelling to feasibly achieve the separation distances (i.e. 18m for facing windows) in accordance with chapter 4.7 of the South Northamptonshire Design Guide. Consequently, the development will accord with policy SS2(f) of the South Northamptonshire Local Plan (Part 2).

Impact on highway safety

- 8.12. The application site currently comprises a gated field access serving the applicants storage building located to the north of the application site. This existing building is not in agricultural use and is owned by the applicant. Concerns have been raised by the Local Highway Authority about the access being shared with an agricultural use however there is no agricultural use on the site.

- 8.13. Concerns have been raised regarding Blackmires Lane being unsuitable for another dwelling, it is a private road and a Public Right of Way, and is not an adopted highway maintained by the LHA. As such, the standing advice of the LHA is that only 5 dwellings should be served by such roads, although this 'limit' is already exceeded in this instance with 6 dwellings being served off Blackmires Lane. The proposal comprises one additional dwelling to be served from this access and this increase is not considered to cause harm to highway safety.
- 8.14. The plans demonstrate a safe access/exit onto the site for vehicles and pedestrians through improvement to the access providing unobstructed visibility splays, and through proposing to reposition the wall and existing hedgerow to achieve the required visibility splays. During the assessment of the application officers noted that an existing hedgerow to the west could be obstructing visibility splays and therefore an amended access plan has been received which shows adequate vision splays in both directions. With adequate visibility in both directions the proposed is considered to maintain highway safety levels for all users.
- 8.15. The existing access gates front the road, with no setback. The proposed access details show the new gates which will be set back from the lane to achieve the 5.5m setback required in the Local Highway Authority's guidance and allow vehicles to pull off the road before entering the gates into the site. This is an improvement from the current situation.
- 8.16. As such the impact on highway safety for all users is considered minimal. Paragraph 111 of the NPPF specifically states that permission should only be withheld on highway grounds where the residual cumulative impact is 'severe' or there is an unacceptable impact on highway safety, neither of which are considered to be the case here.

Impact on archaeology

- 8.17. Policy HE2 from the LPP2 states that "Development that would harm locally important archaeological remains or their settings will only be permitted where the public benefits of that development are significant and can be demonstrated to outweigh the harm to the archaeological interest of the asset and its setting". It goes on to outline that where there is a potential for archaeological remains to be present an investigation of the site is required.
- 8.18. Concerns have been raised that the development will have an impact on archaeological assets. The Silverstone Parish Plan outlines that this site was part of a Royal Hunting Lodge, however, the Archaeological advisor has explained that the County Historic Environment Record places the hunting lodge elsewhere in the village. The Archaeological advisor did outline that an abundance of pottery was discovered to the north east of the site and that there is a chance some further remains could be present within the application site. Therefore, an archaeological investigation of the site, comprising trial trenching and a programme of suitable mitigation for any findings will be required before any works commence on the site and this is therefore covered by a condition in the recommendation section below. By securing archaeological investigation and mitigation to proposal will not harm locally important archaeological remains and complies with Local Plan Policy HE2.

Ecology Impact

Legislative context

- 8.19. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the

Regulations, competent authorities such as the Council have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.

- 8.20. In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:
- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - b. That there is no satisfactory alternative.
 - c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

- 8.21. Paragraph 174 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 8.22. Paragraph 185 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.23. National Planning Practice Guidance (PPG) states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.24. Policy NE3 of the Part 2 LP seeks to conserve and wherever possible enhance green infrastructure . Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.

8.25. Policy BN2 of the JCS 2014 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

Assessment

8.26. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. , The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site and local area contain mature trees and hedgerows, a pond and a stream, and therefore has the potential to be suitable habitat for a variety of species including EPS; such as bats, breeding birds, badgers, reptiles, great crested newts, water voles and invertebrates.

8.27. In order to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.

8.28. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.

8.29. The application is supported by a Preliminary Ecology Survey, this has been reviewed by the Council's Ecology Officer and is considered suitable. The red line site is considered to have a low biodiversity, however, areas within the blue line (land owned by the applicant) – the pond, stream and copse – are likely to contain protected species and thus careful management of the site is required.

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

8.31. The site is within a Red zone on the district wide Impact Risk Mapping for Great Crested Newts and thus the Ecology Officer has recommended a condition for the submission of detailed mitigation strategy at the later planning stages (e.g. reserved matters). Equally the applicant can enter into the District Level Licensing scheme with Nature Space.

8.32. Overall, despite the likely presence of protected species the impact of the development will be limited through conditions and mitigation strategies and thus is considered acceptable in accordance with local and national policy.

9. FINANCIAL CONSIDERATIONS

- 9.1. This will be a CIL liable development as it is a new dwelling, however, the liability cannot be calculated at this stage as there is no indication of scale and thus floorspace. This will be completed in the reserved matters stage.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The development is considered acceptable in principle in accordance with policy LH5, SS2, HE2 and NE2 of the South Northamptonshire Local Plan (Part 2). The applicant is also able to demonstrate a local connection and this matter alongside others required for self-build plots under Policy LH5 of the Part 2 Local Plan will be bound by a legal agreement in due course. The recommendation is therefore subject to the completion of this.

11. RECOMMENDATION / CONDITIONS AND REASONS

11.1. RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO:

- 1. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- 2. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE OCCUPATION OF THE DWELLING TO A PERSON WITH A LOCAL CONNECTION WHO WILL DEMONSTRATE ONGOING INVOLVEMENT IN THE DESIGN AND BUILD OF THE DWELLING (I.E. TO ENSURE THE DEVELOPMENT MEETS THE DEFINITION OF SELF-BUILD)**

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. Details of the layout, scale, appearance, and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason : To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

2. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason : To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

3. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are: Location Plan (ref: 2117.10A) received on the 17/09/2021 and Access Plan (ref: 2117.20 Rev A) received 24/09/2021.

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

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

4. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for great crested newts, which shall include timing of works, exclusion fencing, the location and design of alternative ponds/habitats together with the timing of their provision, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out in accordance with the approved details.

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

5. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

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

6. A method statement for enhancing of biodiversity shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to the first occupation of the dwelling and retained in accordance with the approved details.

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

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

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

8. Before any works to the access here by approved are commenced details of the proposed construction, materials and surfacing of the proposed access shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the dwelling hereby approved, the access shall constructed in accordance with the approved details and shall be retained for use in connection with the development for those purposes only.

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

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

9. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 7 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

10. The width of the access shall be a minimum of 3 metres for a distance of at least 5.5 metres from the highway boundary and any gate(s) shall be set back 5.5 metres from the edge of the carriageway and hung to open inwards only.

Reason : To accord with Government guidance in Section 12 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan which requires that development shall have a satisfactory means of access.

11. The gradient of the access hereby permitted shall not exceed 1 in 15 for a minimum of the first five metres from the highway boundary and the access shall be paved with a hard bound surface (no gravel) for a distance of at least 5 metres from the highway boundary and shall be retained as such thereafter.

Reason : To ensure that an adequate and safe access is provided to the site in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

12. Notwithstanding the provisions of Classes A-D (inc) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement alteration or improvement of the dwellinghouse shall be undertaken at any time without the prior planning permission of the Local Planning Authority.

Reason : Taking into account the sensitivity of the site it is considered to be in the public interest to ensure the merits of future proposals can be assessed by the Local Planning Authority so that visual amenity is conserved and to accord with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

13. Notwithstanding the provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no building or structure shall be erected or placed within the curtilage of the dwelling hereby permitted without the prior planning permission of the Local Planning Authority.

Reason : To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the character and appearance of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

14. The development hereby permitted shall be carried out in accordance with the mitigation, recommendation and enhancements in section 5 of the Preliminary Ecological Appraisal, by CGO Ecology, dated 5th February 2021 unless otherwise agreed in writing by the Local Planning Authority.

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

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

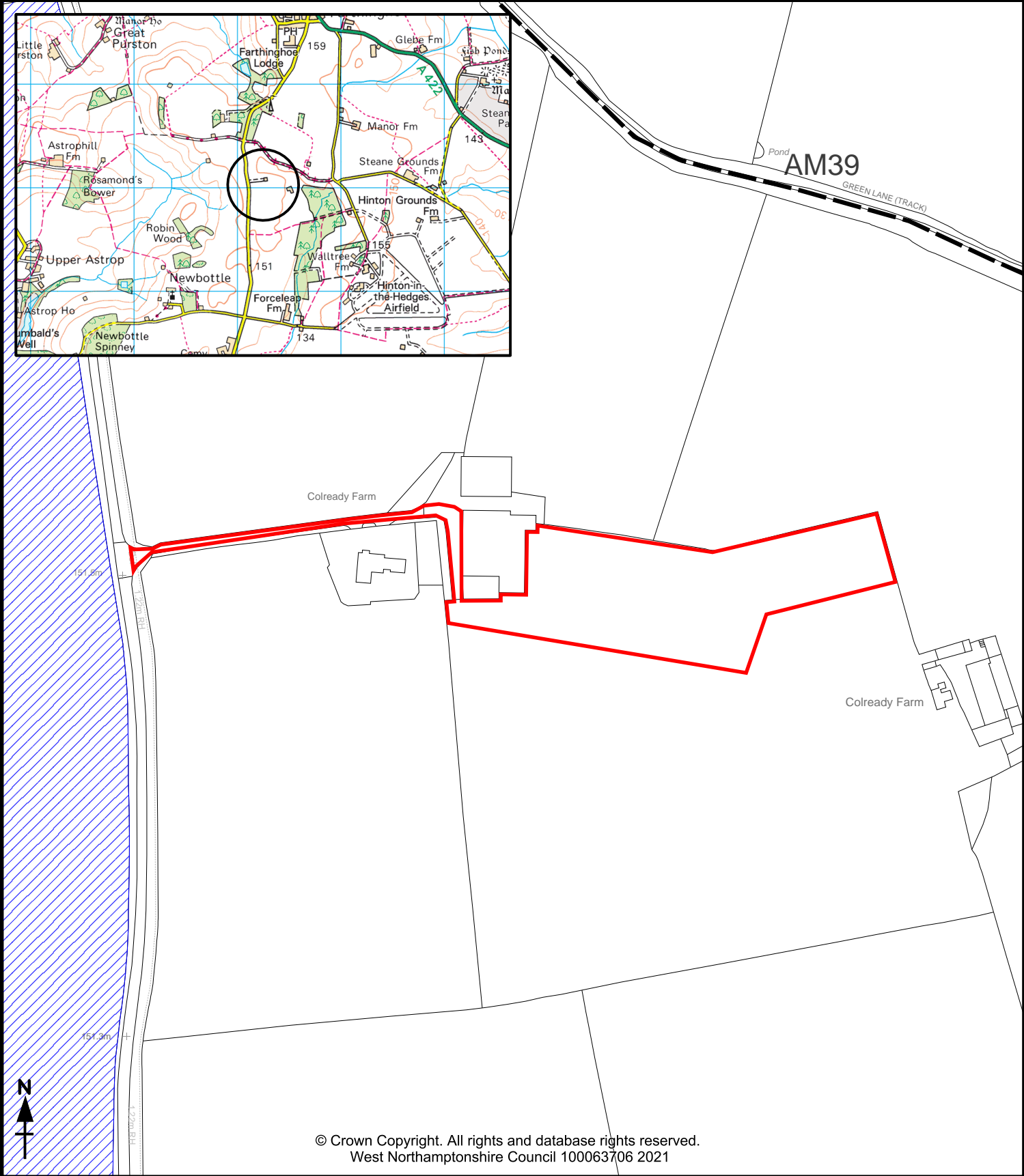
Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

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

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

Application Number: WNS/2021/0625/MAF

Parish: Newbottle, Farthinghoe



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West Northamptonshire Council 100063706 2021

Town/Village: Charlton

 Site



Special Landscape Area

Site Area: 1.5037 Ha

 Public Right of Way

Grid Location: SP 53310 38028

Map Scale: 1:2500

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Application Number: WNS/2021/0625/MAF

Parish: Newbottle, Farthinghoe



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Map Scale: 1:2500

Date Flown: 'Latest Available'

 Site

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Application Number: WNS/2021/0625/MAF

Location: Colready Farm, Farthinghoe Road, Charlton, NN13 5NR

Proposal: Erection of 2 No. livestock buildings with associated feed bins, hardstandings, manure midden, dirty water tank and drainage attenuation pond.

Applicant: Mr Tom Dyer

Agent: Ian Pick Associates Ltd

Case Officer: Geraldine Hardcastle

Ward: Middleton Cheney

Reason for Referral: Major Application

Committee Date: 05/10/2021

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The proposal is to erect two pig rearing buildings to accommodate 1980 pigs, measuring 60.96m by 15.24m and an overall ridge height of 6.4m and a manure midden area adjacent to the new buildings measuring 40.42m by 12m to support a new pig rearing and finishing business venture at Colready Farm. The proposal also includes an underground dirty water containment tank and an attenuation pond.

Consultations

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

- Highways, Parish Council

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

- Planning Policy, Environment Agency
- Environmental Protection
- Ecology

The following consultees are **in support** of the application:

- Farthinghoe Parish Council

No letters of objection have been received and No letters of support have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Impact on character and appearance of surrounding area
- Environmental Impact and Residential amenity
- Highway Safety
- Ecology

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

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is an existing farm enterprise for the rearing of cattle and hay production. The original farm buildings to the east of the site are traditional stone buildings that have prior approval granted for conversion to residential. Two larger more modern agricultural buildings have been constructed nearer to the farmhouse.
- 1.2 The surrounding land is fairly flat. The farm buildings are accessed via a 137m access drive from Farthinghoe Road. There are no residential properties within close proximity other than the prior approval barns which are linked to the existing farm. Colready Plantation lies approximately 300m to the east and there is a belt of trees which runs along a public footpath to the north of the site approximately 180m away. A further public footpath runs to the south of the site over 400m away

2. CONSTRAINTS

- 2.1. The application site is within open countryside.
- 2.2. Local Wildlife Site Colready Plantation 300m away
- 2.3. The site lies just outside a special landscape area (to the west of Farthinghoe Road)
- 2.4. A public footpaths run to the north and south of the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The development is to construct two identical pig rearing buildings measuring 60.96m by 15.24m and ridge height of 6.4m to house 1980 pigs (not sows). The proposal also includes a manure midden area, underground dirty water containment tank and attenuation pond.

- 3.2. The buildings would be constructed of concrete panels with 2m gale breaker curtains above in green and fibre cement sheet roof. The buildings would be sited on an existing field immediately to the east of the existing agricultural buildings. A concrete apron would be created between the existing and the new buildings. The total ground area of the development including concrete apron would be 4325sqm. The manure storage area is to be sited to the eastern end of the building enclosed within a concrete wall and the dirty water tank sited adjacent to the wall of the manure store. The attenuation pond would be located in the eastern corner of the field.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
S/2014/1724/PA	Determination as to whether prior approval is required (under Class MB of Part 3 of the above Order) for the change of use of the agricultural buildings to a dwellinghouse (Use Class C3) in respect of: the transport and highways impacts of the development; noise impacts of the development, contamination risks on the site; flooding risks on the site; whether the siting and location of the buildings makes it impractical or undesirable to change the use; and the design and external appearance of the building.	Prior Approval Granted
S/1988/1669/PO	Erection of farmhouse and general purpose agricultural building (outline)	Approved
S/1989/0776/P	Erection of agricultural building	Approved
S/1989/1026/PR	Erection of a farmhouse with attached double garage (details pursuant to S/1988/1669/p)	Approved

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S10 – Sustainable Development Principles
- R2 – Rural Economy

South Northamptonshire Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- SS1 - The Settlement Hierarchy
- SS2 - General Development and Design Principles
- EMP6 - Farm Diversification

Material Considerations

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance

6. RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Farthinghoe Parish Council	Support	Helps to develop an existing local business. However, also aware that infrastructure should be developed to take account of the modernisation of industry & agriculture. The vehicular needs of this project will add to what is already a difficult situation which is becoming contentious. Over recent years we have seen a considerable escalation in the size of Commercial/Construction/Agricultural Plant. Queen Street (A422 to Charlton Road) & New Road/Clarks Lane are both typical examples of rural roads which are not designed to cope with these large vehicles. We therefore ask the Planning & Highway Authorities to consider what action can be taken to make these 2 examples more fit for modern purpose.
Newbottle Parish Council	Support	No objections, however concerns regarding vehicle movements through the

		village. If minded to approve, please give consideration to a condition for alternative routes by large and heavy farm vehicles to ensure they do not drive through the village of Charlton. Village roads are unsuitable and cars are frequently parked on the road, which narrows considerably, the space for vehicles to get through.
Planning Policy		Whilst the overarching principle is acceptable in policy terms, it is the balance of the wider assessment against the criteria of Policy R2 of the WNJCS.
Environment Agency		No comments to make on the application.
Thames Water	No Objection	With regard to Waste Water Network and Sewage Treatment Works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
Highways	No objection	
Environmental Protection	No objection	Originally requested additional information regarding The additional information requested has been provided to a satisfactory level.
Ecology	No objection	Based on the findings of the report it is unlikely that the development proposed will have a significant impact on protected species or habitats if the recommendations, mitigation and enhancements identified in the Preliminary Ecological Appraisal, by Craig Emms, dated 22nd March 2021 are followed fully and successfully. Recommend the inclusion of conditions.
Economic Development	No objection	
Lead Local Flood Authority	No objection	Recommend condition of Verification Report for the installed surface water drainage system for the site based on the Floor Risk Assessment.
Crime Prevention Design Advisor	No objection	Unlikely to give rise to increased crime and disorder
Northamptonshire Fire and Rescue Service		Suggest standard condition for securing fire hydrants and sprinkler systems. <i>Officers are in discussion with Northamptonshire Fire and Rescue Service regarding the requirement to apply a condition securing to fire hydrants/sprinkler system and an update will be provided to the Planning Committee on the outcome of these discussions.</i>
Building Control	No comments received	
Northants and	No comments	

Beds Wildlife Trust	received	
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7. RESPONSE TO PUBLICITY

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

- 7.1. There have been 0 objections/letters of support.

8. APPRAISAL

Principle of Development

Legislative and policy context

- 8.1. Paragraph 47 of the NPPF states that 'Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'. The Councils adopted planning policies seek to strictly control new development in the open countryside to protect its rural character and beauty and in the interests of sustainable development. Policy R2 of the WNJCS is generally supportive of proposals which sustain and enhance the rural economy where they are an appropriate scale for the location, respect the environmental quality and character of the rural area and protect the most versatile agricultural land and will support the expansion of businesses in their existing locations as well as the use of land for agriculture.
- 8.2. Paragraph 83 supports the growth and expansion of all types of businesses in rural areas, through the conversion of existing buildings and well-designed new buildings. It also supports the development and diversification of agricultural businesses.
- 8.3. Policy EMP6 of Local Plan Part 2 further supports Farm Diversification and advises that; Development that relates to the diversification of an existing farm, agricultural estate, or other land-based rural business will be acceptable in principle provided that:
- a. The proposal would not prejudice the continued viable operation of the existing use; and;
 - b. The character, scale and type of proposal is compatible with its location and landscape setting; and
 - c. Existing buildings are reused wherever possible; and
 - d. Where new or replacement buildings are required, the proposal is in scale with the surroundings and well related to any existing buildings on the site.

Assessment

- 8.4 In this case the applicant currently has a cattle enterprise and hay production business at Colready Farm. They are now seeking to diversify the business through the construction of 2 agricultural buildings positioned side by side for the straw-based rearing and finishing of pigs. The piglets won't be bread but will be brought to the farm newly weaned and will be housed for 20 weeks until they reach finished weight. They will then be removed from the buildings and then the buildings washed down and prepared for the next batch.

- 8.5 The buildings will be constructed from a steel portal frame with fibre cement sheet roofing. The external walls will comprise concrete panels for the lower half, with adjustable gale breaker curtains for the upper half. The buildings will be subdivided into pens, and each pen includes a deep straw bedding area, and a concrete dunging area in the form of a scrape through passage. The buildings will be equipped within an automated auger feeding system which delivers feed from the proposed feed bins to the feed troughs within the pens. Ventilation within the buildings will be natural and controlled by a thermostat. The thermostatic controls trigger the gale breaker curtains to open and close to maintain the desired temperature within the buildings.
- 8.6 The layout of the development includes a hardstanding at the western end of the proposed buildings, between the existing farm yard and the proposed buildings, for parking and turning of delivery vehicles. The feed bins are located at the western end of the proposed buildings. A concrete manure midden is proposed at the eastern end of the site. The manure midden area will be drained into a sealed dirty water containment tank. The proposed development is clearly for agricultural use and has been specifically designed for the pig rearing enterprise. This diversification would provide a new viable business venture for an existing farm holding. It is supported by policies within the NPPF and Local Plan. Therefore, the principle of development is supported in the open countryside.

Conclusion

- 8.7 The proposal is consistent with advice in policy EMP6 of the Local Plan Part 2 and R2 of the Joint Core Strategy in that it will provide an additional new agricultural enterprise to support the local economy and support an existing farm holding. Whilst the proposal would extend the built form of the existing curtilage of the farmyard the buildings would be sited as close as practically possible to existing buildings and will be read in the context of the existing farm and would be satisfactorily integrated into the surrounding rural landscape. The proposal is therefore acceptable in principle.

Impact of scale and design on character of surrounding open countryside

Legislative and policy context

- 8.8 Whilst farm diversification is supported to help farms remain viable business propositions, this should not be at the expense of spoiling the character and appearance of the surrounding countryside by inappropriate development. Paragraph 83 of NPPF requires new development to respect the character of the countryside. Policy EMP6 of the Local Plan Part 2 advises that diversification should be seen within the context of the future of the farm as a whole. Policy R2 of the Joint Core Strategy states that development for the use of land for agriculture will be considered favourably where the character, scale and type of proposal is compatible with its location and landscape setting. As in this case, where new buildings are required, they should be in scale with the surroundings and well related to any existing buildings on the site.

Assessment

- 8.9 The proposed siting of the pig rearing buildings are in an existing field to the east of the main farm complex and would be viewed as a group with the existing complex of buildings and enclosed within an existing field boundary. The buildings would be purpose designed and are clearly of an agricultural nature and a feature which is not unusual to see within the rural landscape. The buildings would be partially screened

from the west by existing buildings, whilst they would be visible from all other directions, existing hedgerow boundaries and trees within the vicinity would offer some screening to views from the wider landscape. The proposed materials and colour scheme are considered acceptable for this rural setting. A condition has been attached to secure screen planting on the southern and eastern boundaries to provide additional screening to the existing planting.

- 8.10 Whilst there are public footpaths to the north and south they are some distance away, north over 170, and south over 400m and these footpaths follow a belt of trees and will have limited public vantage points of the buildings. As such it is considered that the proposed development has been appropriately sited adjacent to existing buildings and will not be visually prominent in the landscape.

Conclusion

- 8.11 The proposal is consistent with policy advice given in policy SS2 of the Local Plan Part 2 and R2 of the Joint Core Strategy. The proposed buildings are constructed of appropriate materials that are akin to modern farming found in open countryside locations, with the scale and design reflecting the proposed nature of the new business venture. The proposal is not considered to have a detrimental impact on the character of the surrounding open countryside.

Environmental Impact and residential amenity

Legislative context

- 8.12 Policy SS2 of the Local Plan Part 2 requires that proposals will not unacceptably harm the amenity of occupiers and users of neighbouring properties and the area through amenity impacts including noise and odour, and seeks to ensure that appropriate regard is had to a proposals effect on air quality. Paragraph 183 of the NPPF states that “the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities”.

Assessment

- 8.13 The proposed pig rearing enterprise is not considered intensive farming in accordance with Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulation 2017, as there will be no sows on the site and the proposal is to house 1980 production pigs. The piglets will be brought onto the site for 20 weeks to be fattened up and then sold. Given the nature of the farming enterprise it is not considered to require an Environmental Impact Assessment.
- 8.14 The Environmental Protection team have been consulted and requested further information regarding ammonia levels and the disposal of fallen animals. An odour impact assessment was carried out and submitted and the agent confirmed that the buildings will be inspected twice daily, and any dead animals will be removed from the buildings. Dead animals will be placed in a sealed plastic bag, and stored within a sealed and locked carcass bin. All carcasses will be collected when required under the National Fallen Stock Scheme. The Environmental Protection officer has confirmed that she is

happy with the odour impact assessment and measures to be taken surrounding fallen stock.

- 8.15 With regards to impact on residential amenity, the nearest residential property is a barn conversion which was granted permission under Class Q permitted development to be converted to a dwelling and is located approximately 100m away to the east. This residential conversion is not yet completed but is under construction and will be occupied by the applicants mother who currently works on the farm and will be responsible for the management of the new pig enterprise. A condition was also attached on the Class Q prior approval requiring the dwelling to be only occupied by a person working in agriculture in the locality. Officers are satisfied that the Local Planning Authority will retain sufficient control over the occupation of the nearest dwelling to ensure the proposal would not result in any adverse amenity issues to residents not working in agriculture.

Conclusion

- 8.16 Based on the Odour Impact Assessment and providing the measures surrounding disposal of fallen stock are followed and the occupation of the dwelling created under Class Q is within occupancy condition relating to agriculture, the proposal is considered to comply with the NPPF and policy SS2 of the Local Plan Part 2.

Highways Impact

Legislative context

- 8.17 Policy SS2(j) of the Local Plan Part 2 seeks to ensure that all new development includes a safe and suitable means of access for all. Policy R2 of the Joint Core Strategy supports the expansion of rural businesses in their existing locations, dependent upon the nature of the activities involved, the character of the site and accessibility to the site.

Assessment

- 8.18 The proposed pig rearing buildings will be served off the existing farm. A breakdown has been provided of the number and type of vehicles that will be accessing the site as a result of the proposed new buildings. This breakdown averages out to 5 visits per week. Whilst the parish council have raised concern about the number of large agricultural vehicles going through the village of Charlton, vehicles can currently access the farm buildings via the existing public highway network as do many existing farms in the area and which is currently uncontrolled. There are two possible routes for vehicles to access this proposal either via Farhthinghoe to the north turning right to head to the A43, or south through Charlton and heading for the A43 south of the village. Agricultural vehicles within the locality are already using these roads without any control measures. The concerns raised by the parish council were forwarded to the Highways team and they have not raised any concerns about highway safety.

Conclusion

- 8.19 The additional vehicle trips associated with the proposed development would not introduce an unacceptable highway safety issue and would therefore not be detrimental to highway safety of the local road network. The proposed development is therefore considered to be in accordance with Policy SS2 of the Local Plan Part 2 and government guidance within the NPPF which states that permission should only be withheld on highway grounds where the residual cumulative impact is 'severe' or there is an unacceptable impact on highway safety, neither of which are considered to be the case here.

Ecology Impact

Legislative context

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

Policy Context

- 8.22 Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 8.23 Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.24 National Planning Practice Guidance (PPG) states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

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

Assessment

- 8.27 Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. , The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site consists of improved grassland, with mixed native hedgerows with trees on northern and eastern boundary. With farmland pasture and farm building in the surroundings and a number of ponds within the locality. The proposal therefore has the potential to be suitable habitat for a variety of species including EPS; such as bats, breeding birds, badgers, reptiles, great crested newts, water voles and invertebrates.
- 8.28 In order to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.
- 8.29 In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.
- 8.30 The application is supported by a detailed protected species survey which concluded that there is a low risk to Great Crested Newts during there terrestrial phase given the "very poor habitat" present within the development site boundary and outlines mitigation measures in the recommendations including a supervised land clearance with a pre-commencement finger-tip search, vegetation management to keep the habitat unsuitable and pre-cautionary construction working methods. There is a potential for reptiles to be present at the base of the hedgerows, the hedgerows are to be retained and mitigation measures followed as recommended. Nesting birds are likely to be present within the

hedgerows on the site boundaries, these will be retained, there is a risk to disturbance to nesting birds during the breeding season, mitigation measures are therefore detailed.

- 8.30 No evidence of other protected species was found on site or the habitats on site were deemed unsuitable to support them. Mitigation measures are detailed in the recommendations section including a sensitive lighting strategy for bats avoiding light spill onto adjacent habitats.
- 8.31 In line with NPPF there is a need to ensure a net gain in biodiversity is achieved, the ecology report details enhancements that will be made for biodiversity and to offset the loss of grassland, these include the installation six bat boxes of mixed designs on trees within the curtilage of the farm, installation of six bird boxes of mixed designs (including one barn owl box erected within the derelict barn to the SE) on trees within the curtilage of the farm and hedgehog nesting boxes at hedgerow bases within the curtilage of the farm. Given the enhancements are not shown on the submitted plans I would recommend a condition to secure these enhancements. Although not specified the planting of native species rich hedgerows of a mix of species of local provenance on the eastern and southern boundaries of the site would also provide biodiversity enhancement, this in the long term would provide a more valuable habitat for nesting birds that the proposed bird boxes if the hedge is managed favourably in the long term, the hedge would also provide some landscaping and potential screening around the new agricultural buildings.
- 8.32 Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, and subject to conditions, that the welfare of any EPS found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Other matters

- 8.34 The proposed development has been screened against the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA). The proposed pig rearing enterprise is not considered intensive farming under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulation 2017, as there will be no sows on the site and the proposal is to house 1980 production pigs. The proposal is schedule 2 development under the EIA Regulations and has been screened. Due to the site not being located within a sensitive area, the distance of the proposal from unrelated dwellings and other uses as well as the buildings open countryside location the nature of the farming enterprise it is not considered to require an Environmental Impact Assessment.

9 FINANCIAL CONSIDERATIONS

- 9.21 The application is not CIL liable as no retail or residential floorspace is being created.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development complies with the relevant Development Plan policies and guidance listed at section 5 of this report. The proposed development would be consistent with policy advice for farm diversification and would be sited and viewed within

the context of the existing agricultural holding. The development support an existing agricultural enterprise within the open countryside. There are no other material considerations that dictate otherwise, and so in accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

11 RECOMMENDATION / CONDITIONS AND REASONS

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

CONDITIONS

TIME LIMIT

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

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

COMPLIANCE WITH PLANS

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Site Location Plan; Site Plan Drawing No. IP/TD/02; Elevations Drawing No. IP/TD/03; Flood Risk and Drainage Assessment; Preliminary Ecology Appraisal Report and Design and Access Statement received 19th May 2021.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY APPROVAL OR TO BE COMPLIED WITH PRIOR TO SPECIFIC WORKS COMMENCING

3. No works above ground level shall take place until a scheme of planting to provide a screen for the site along its eastern and southern boundaries consisting of native tree and hedge planting, has been submitted to and approved in writing by the Local Planning Authority. The approved planting scheme shall be completely implemented within the first planting season following the first date on which any part of the approved development is brought into use.

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

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

4. The drainage works shall be constructed and completed in accordance with the Flood Risk and Drainage Assessment Prepared by Alan Wood and Partners Dated May 2021 before the first occupation of any of the buildings hereby approved.

Reason - To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy SS2 of the South Northamptonshire Local Plan Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

5. The buildings hereby permitted shall be used only for the purpose of agriculture, as defined in Section 336 (l) of the Town and Country Planning Act 1990, and only be used for the housing of pigs and no other livestock. The building shall house no more than 1980 pigs at any one time.

Reason: To limit the intensiveness and nature of the farming activity to minimise the noise and odours in the interests of residential amenity and to accord with Policy SS2 of the South Northamptonshire Local Plan.

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

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

7. The development hereby permitted shall be carried out in accordance with the recommendations set out in Preliminary Ecological Appraisal, by Craig Emms, dated 22nd March 2021 unless otherwise agreed in writing by the Local Planning Authority.

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

8. Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site

clearance, demolition or construction shall take place which are likely to impact on [bats/newts] until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

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

9. If the development hereby approved does not commence by 23rd March 2023. A revised protected species survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on protected species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

10. A method statement for enhancing of biodiversity including the location, number and type of bird, bat and hedgehog boxes, shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

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

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

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

INFORMATIVES

1. Your attention is drawn to the need to have regard to the requirements of UK and

European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. If any vegetation or trees are to be removed, it should first be ensured that they do not contain nesting birds or roosting bats. For further information or to obtain approval contact Natural England.

2. With reference to Condition 3 above, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure.