



Daventry Local Area Planning Committee

A meeting of the Daventry Local Area Planning Committee will be held in the Council Chamber, Lodge Road, Daventry NN11 4FP on Wednesday 2 November 2022 at 6.00 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 8) To confirm the Minutes of the Meeting of the Committee held on 5 th October 2022.
4.	Chair's Announcements To receive communications from the Chair.
Planning Applications	
5.	Planning application - DA/2020/0479 Flore (Pages 13 - 40)
6.	Planning application - WND/2022/0246 Moulton (Pages 41 - 58)
7.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.

8. Exclusion of Press and Public

In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: "That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them"

Catherine Whitehead
Proper Officer
25 October 2022

Daventry Local Area Planning Committee Members:

Councillor Kevin Parker (Chair)

Councillor Alan Chantler (Vice-Chair)

Councillor Daniel Cribbin

Councillor Rupert Frost

Councillor Rosie Humphreys

Councillor Cecile Irving-Swift

Councillor David James

Councillor Peter Matten

Councillor Wendy Randall

Information about this Agenda

Apologies for Absence

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

Declarations of Interest

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

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

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

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Queries Regarding this Agenda

If you have any queries about this agenda please contact Marina Watkins / Jeverly Findlay, Democratic Services via the following:

Tel: 01327 302236 / 01327 302324

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
Lodge Road
Daventry
NN11 4FP

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Daventry Local Area Planning Committee

Minutes of a meeting of the Daventry Local Area Planning Committee held in the Council Chamber, Lodge Road, Daventry NN11 4FP on Wednesday 5 October 2022 at 6.00 pm.

Present	Councillor Kevin Parker (Chair) Councillor Alan Chantler (Vice-Chair) Councillor Daniel Cribbin Councillor Rupert Frost Councillor Cecile Irving-Swift Councillor David James Councillor Peter Matten Councillor Wendy Randall
Apologies for Absence:	Councillor Rosie Humphreys
Officers	Keith Thursfield, Development Management Manager Eamon McDowell, Area Planning Officer Simon Aley, Planning Solicitor Jeverly Findlay, Committee Officer

67. Declarations of Interest

None advised.

68. Minutes

RESOLVED:

That the Minutes of the Daventry Local Area Planning Committee of 7th September 2022 be approved and signed as a correct record.

69. Chair's Announcements

The Chair announced that application DA/2020/0479 Flore had been deferred.

The Chair advised that this was Keith Thursfield's last meeting, having worked in the Daventry planning department for 33 years. Keith had provided support to many Councillors over the years and had assisted them in navigating the planning process. The Committee wished him all the best for the future.

Consideration was given to the report detailing the planning applications which had been previously circulated.

RESOLVED:

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

70. **Planning Application - WND/2021/0482 Woodford Halse**

OUTLINE PERMISSION (TO INCLUDE DETAILS OF ACCESS, LANDSCAPING, LAYOUT AND SCALE) TO EXTEND THE EXISTING INDUSTRIAL ESTATE COMPRISING THE CONSTRUCTION OF DETACHED BUILDINGS PROVIDING UNITS WITHIN USE CLASS B2 (GENERAL INDUSTRIAL) AND USE CLASS E(G)III (LIGHT INDUSTRIAL) WITH ASSOCIATED PARKING, ROADS, LANDSCAPING AND INFRASTRUCTURE. APPEARANCE OF THE BUILDINGS TO BE A RESERVED MATTER - LAND TO NORTH OF MANOR BUSINESS PARK, GRANTS HILL WAY, WOODFORD HALSE

The Area Planning Officer outlined the application and drew Members' attention to the list of late representations. The application was in outline and included landscaping, access, layout and scale and the only reserved matter was the appearance of the units. Woodford Halse was a primary village in the Local Plan hierarchy and the site was in a strategic employment area. The proposed modest extension to the north of the existing industrial estate would comprise of 5 small domestic scale units. Members were advised that Grants Hill Way was not adopted highway but had been built to an adoptable standard. The proposed landscaping around the edge of the site would mitigate and soften the impact of the scheme. Members were shown photographs of various views of the site.

It was considered that the application was in accordance with policy EC4 as it was an extension to an existing employment area. It would not impact adversely on the village or residential amenity. The existing industrial estate was fully occupied and therefore this application would address an employment need in the local area.

The main concerns relating to the proposal were regarding highway safety, particularly at the Doll's Hill roundabout. The Highway Authority had not raised any objections but were seeking contributions for the local bus service and a bus pass for employees for one month to be secured by a Section 106 agreement.

Mr McCallum, the Agent, reported that there was a waiting list for industrial units at the site. The new businesses would obviously create an increase in the amount of traffic in the area, but they would provide local employment.

Further to a discussion regarding the proposal for bus passes to be provided for one month for employees, it was highlighted that this was a standard request from the Highway Authority which was designed to act as an incentive to use public transport. It was noted that the 200 bus service would be stopping in January, which the Agent was aware of; it was expected that an alternative for that service would be provided.

Councillor Rupert Frost, the local ward Member, raised concerns that the proposal was contrary to the Woodford cum Membris Neighbourhood Development Plan (NDP), which stipulated that any new business development in the village should be small and proportionate. As this extension would be approximately a third of an increase in size of the existing unit, Councillor Frost queried if this was small and proportionate. The Area Planning Officer advised that all the relevant policies had to be considered when assessing the application. When the application was assessed against policy EC4 of the Local Plan and the Joint Core Strategy, both of which were afforded more weight than the NDP, the proposal was considered acceptable. However, Members could attach greater weight to the NDP if they deemed that to be appropriate.

Further to a suggestion that an alternative means of transport to the site be promoted in the Section 106 agreement, the Council's Solicitor added that a car sharing scheme could be included, which would also be of benefit by reducing the traffic on the road network.

Councillor Cecile Irving-Swift proposed that the application be approved, subject to the amendment that a clause be included in the Section 106 agreement that other alternative means of transport such as cycling and car sharing be promoted to employees and that solar panels be added to the roofs of the buildings and electric vehicle charging points be provided. The Area Planning Officer clarified that solar panels and EV charging points could be secured by condition, but the applicants could appeal if they felt that such conditions did not satisfy the tests. The proposition was seconded by Councillor David James and on being put to the meeting was declared carried with 6 voting in favour and 2 against.

RESOLVED:

That the application be approved subject to securing the legal agreement, as amended and conditions.

71. **Planning Application - WND/2021/0717 Boughton**

OUTLINE APPLICATION FOR CONSTRUCTION OF UP TO 65 DWELLINGS ALL MATTERS RESERVED EXCEPT ACCESS, COMPRISING 50% AFFORDABLE HOUSING, COMMUNITY HUB (CLASS E/F), PARKING, LANDSCAPING & ASSOCIATED WORKS INCLUDING DEMOLITION OF EXISTING STRUCTURES ON SITE. LAND OFF HOLLY LODGE DRIVE, BOUGHTON

The Development Management Manager outlined the application and drew Members' attention to the list of late representations and the typographical error in the report which referred to a provision of 40% affordable housing which was amended to 50%. All matters were reserved except for access. The site was in Boughton Parish on the edge of Northampton, but it was some distance from the allocated Sustainable Urban Extensions which were the sites allocated within the Daventry area to deal with the housing requirement for the Northampton Related Development Area (NRDA). One boundary of the site was formed by the hard urban edge of Northampton and the other boundary was formed from hedges and trees. The site was in a Green Wedge

which was designed to protect the village of Boughton from coalescing with Northampton, indeed building on this site in open countryside would undermine this objective. Daventry district area currently had a 7.5 year housing land supply. This application was contrary to policy and it was recommended for refusal. A previous application for housing on the site had been refused as it had been contrary to policy and this had been lost at appeal.

Councillor Sam Rumens, a local ward Member, raised concerns regarding the current significant amount of traffic in the area which would be exacerbated by an increase in housing in the area.

Emily Bishop, the Agent, highlighted that there was a demand for local homes and that local pre-schools were oversubscribed. This proposal would provide a new pre-school, 50% affordable housing and it was in a sustainable location.

The Development Management Manager added that since the previous dismissal of the appeal for development on the site, which had been upheld at the High Court and Court of Appeal, Daventry District Council had adopted its Part 2 Local Plan and this application was also contrary to that plan. He also pointed out that in the Local Plan it stated any sites purporting to be for the NRDA requirement should be promoted through the plan led process as part of the review of the Strategic Plan and not through piecemeal applications. The Council's Solicitor added that the court decision to refuse the previous application on the site was a material consideration and it was irrelevant that this application was from a different developer.

Councillor Daniel Cribbin proposed that Officer's advice to refuse the application be accepted. The proposition was seconded by Councillor Cecile Irving-Swift and on being put to the meeting was declared unanimous.

RESOLVED:

That the application be refused for the reasons set out in the report.

The meeting closed at 7.00 pm

Chair: _____

Date: _____

PLANNING APPLICATIONS

PLANNING AGENDA

02-Nov-2022

BACKGROUND PAPERS

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

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

List of Planning Applications on this Agenda

<u>Application Number</u>	<u>Location</u>
DA/2020/0479	Flore
DA/2022/0246	Moulton

The latest version of the National Planning Policy Framework was published and came into force on 20 July 2021 and took immediate effect for decision making on planning applications superseding the previous version.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

The policies in the Framework are material considerations which should be taken into account in dealing with applications.

The presumption in favour of sustainable development remains:

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 219 states:

...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

In the case of the Daventry Area of West Northamptonshire Council, this includes the West Northants Joint Core Strategy 20 July 2021, and the various neighbourhood plans that had been made before 19 February 2019.

Significantly, following the decision of the Council to adopt the Settlements and Countryside Local Plan (part 2) for Daventry District on 20th February 2020 the saved policies of the Daventry District Local Plan 1997 now fall away as they are superseded. Adopted supplementary planning documents and guidance can continue to be given weight where they are in accordance with the new Local Plan and the NPPF and National Planning Guidance.

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<u>Application Number</u>	DA/2020/0479
Location Description	LAND TO EAST OF BRINGTON ROAD, FLORE, NORTHAMPTONSHIRE
Site Details	OUTLINE PLANNING APPLICATION OF UP TO 45 DWELLINGS, TO INCLUDE 40% AFFORDABLE DWELLINGS (7 ONE BED HOMES, 5 TWO BED HOMES AND 6 THREE BED HOMES), INFRASTRUCTURE AND OPEN SPACE. (ALL MATTERS RESERVED OTHER THAN ACCESS).

Applicant	BARWOOD HOMES LTD
Agent	MS JENNY KEEN, MARRONS PLANNING
Case Officer	NISAR MOGUL

Ward	LONG BUCKBY WARD
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Reason for Referral	MAJOR APPLICATION
Committee Date	2 NOVEMBER 2022

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION:

That the application be approved subject to conditions and subject to a section 106 agreement being completed.

Proposal:

This proposal is for an outline application for up to 45 dwellings to include 18 affordable dwellings. The means of access is the only detailed matter to be considered at this outline stage and everything else is to be considered at the reserved matters stage. An illustrative layout has been submitted in order to show how the site could be developed.

Consultations – Based on final amended plans under consideration:

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

- Flore Parish Council

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

- WNC Conservation Officer, WNC Landscape Officer, WNC Local Highway Authority,
- WNC Environmental Health Officer, WNC Ecology Officer, WNC Archaeology Officer, Natural England, Environment Agency and WNC Planning Policy

17 letters of **objections** were received following the final amended plans relating to (up to) 45 dwellings to include 40% affordable dwellings and 0 letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Development Plan and other relevant guidance as listed in detail below in the report.

The key issues arising from the application details are impact on:

- Principle of the development
- Impact on the area and the adjacent Conservation Area
- Impact on neighbour residential amenity
- Impact on highway safety
- Impact on ecology
- Impact on archaeology

The report looks into the key planning issues in detail below, and Officers conclude that the proposal is acceptable and should be approved.

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

MAIN REPORT

APPLICATION SITE AND LOCALITY

The application site lies on the east side of Brington Road on the corner with High Street on the edge of the village of Flore. The village is around 1.8 miles from Junction 16 of the M1 motorway. The nearest railway stations are located in Northampton and Long Buckby, providing national rail services to

urban centres including Rugby, Birmingham and London. Flore benefits from a range of local services and public amenities including a primary school, a post office and convenience store and public house.

The application site is roughly rectangular in shape and approximately 2.9 hectares of pasture land, located on the north-east edge of the village. The site is bounded by open fields to the east, residential properties to the south and a recently completed residential development immediately west of Brington Road. The A45 Daventry Development Link Road and M1 motorway run to the north of the site.

The site is relatively flat, with a gentle fall from north to south. The site is split into three paddocks, with some small sheds but no other built structures. Existing established trees and hedgerows line the site boundaries and internal paddock boundaries. There is also a small group of trees in the north-east corner of the site.

The site is not located within a conservation area or area of outstanding natural beauty. The boundary of the Flore Conservation Area runs along High Street directly to the south of the site. The raised bank between the north of High Street and the application site forms part of Flore 'linear village green', as set out on the Flore Neighbourhood Development Plan 2016. A public Right of Way runs along the southern and south west and south eastern boundaries of the site.

The site is accessed directly off Brington Road and the proposals would provide a single dedicated point of vehicular access, with a new access road built to adoptable standard.

CONSTRAINTS

The site is situated on the edge of the village with open fields to the north and east and does not form an intrinsic part of the character of the village but is seen in the wider context of open countryside. The site is largely contained and bounded by trees which are to be retained and there still remains open countryside beyond the site to the north and east of the site. The Flore Conservation area lies adjacent to the south of the site boundary.

DESCRIPTION OF PROPOSED DEVELOPMENT

The initial proposal was for up to 70 dwellings, to include 28 affordable units, associated site infrastructure and open space.

Following, concerns raised by various consultees and following the completion of the Flore Housing Needs Survey undertaken by the WNC (Daventry Area) the proposal has been reduced to up to 45 dwellings with 40% affordable dwellings which equates to 18 affordable units in total. On a site of 45 dwellings, 12 affordable or social rented dwellings and 6 shared ownership

would be expected, which should reasonably reflect the needs identified in the 2021 Housing Needs Survey Report.

The indicative affordable need and mix breakdown is as follows:

1 bed flat/maisonette - 4 identified need and 4 are proposed

2 bed houses – 2 identified need and 2 are proposed

3 bed houses – 5 identified need and 6 proposed

1 and 2 bed bungalows – 7 identified need and 3 one bed and 3 two bed proposed.

The overall indicative mix of house types proposed are as follows:

7 one bed homes (15%)

10 two bed homes (22%)

24 three bed homes (53%)

4 four bed homes (9%)

The proposal includes a single vehicular access via the existing access from Brington Road and it is proposed to retain the existing service run (with easement) which crosses the site from west to east and enhancement of this to make it a feature of the site by way of a Green Corridor through the site.

The surface water drainage system includes the formation of an attenuation basin located in the south eastern corner of the site which can also act as additional wetland habitat.

The proposal includes the creation of recreational walking and cycling routes throughout the site (including the retention of the existing public right of way) providing linkages into the wider village and a significant area of public open space whilst retaining existing trees and hedgerows where possible and the provision of new trees and planting as part of a landscaping scheme.

RELEVANT PLANNING HISTORY

There are no relevant planning applications on this site. However, planning permission was granted for 67 dwellings to the west of the site (separated by Brington Road) under application DA/2013/0703 – Approved 02/04/2015.

RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Development Plan

The Development Plan comprises: the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029; and the adopted Settlements and Countryside Local Plan (Part 2) (2020). The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (2014) (Part 1) (LPP1)

- Policy S1 Development will be primarily in and adjoining the principal urban area of Northampton. Development in the rural areas will be limited with the emphasis being on maintaining the distinctive character and vitality of rural communities. Priority will be given to making best use of previously developed land.

- Policy S3 Provision to be made for 12,730 additional dwellings in Daventry District 2011 – 2029.

- Policy S10 Sustainable Development Principles

- Policy BN5 Historic environment and landscape

- Policy H2 Affordable housing

- Policy R1 Spatial Strategy for the rural areas

Daventry District Settlements and Countryside (Part 2) Local Plan (2019) (LPP2)

- Policy SP1 Daventry District Spatial Strategy
- Policy RA2 Secondary Service Villages

- Policy HO8 Housing Mix and Type

- Policy ST1 Sustainable transport infrastructure
- Policy CW1 Health and wellbeing
- Policy CW2 Open space requirements
- Policy ENV1 Landscaping

Policy ENV5 Biodiversity

Policy ENV8 Renewable energy and low carbon development

Policy ENV10 Design

Flore Neighbourhood Development Plan

F2 - Scale and type of new residential development

F5 – Design of Development

F9 –protection of local green spaces

F12 – the new linear village green

National Planning Policy Framework (NPPF) (2021)

Presumption in favour of sustainable development

Para 9 Take local circumstances into account

Para 11 Approve proposals that accord with the dev plan without delay. Where plan is absent, silent or out of date, grant permission unless adverse impacts significantly and demonstrably outweigh the benefits

Chapter 5 Delivering a sufficient supply choice of homes

Para 68 Need to maintain a 5 year land supply plus 5%

Chapter 9 Promoting sustainable transport

Chapter 12 Achieving well designed places

RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received under the second and final amended plans (Up to 45 dwellings):

Consultee Name	Position	Comment
Flore Parish Council	Object	it does not accord with planning policy in both the Flore Neighbourhood Plan (Made September 2016) and the adopted Daventry Settlements and Countryside Plan (Part 2) 2011-2029 (Adopted February 2020).

		Highways and drainage issues should be assessed at this stage. Harm to character and form of the village.
WNC Local Highways Authority	No Objection	S106 contributions required
WNC Archaeology	No objection	Condition relation to programme of archaeology works to be included
WNC Ecology	No objection	Conditions relating to CEMP and LEMP to be included
WNC Environmental Health Officer	No objections	Subject to conditions
Environment Agency	No objections	
Natural England	No comments on this application	
Crime Prevention Officer	No objections	
Lead Flood Authority (WNC)	No objections	Subject to conditions
Ramblers Society	No objections	Public rights of way should not be affected
NCC Developer contribution	No objections	Subject to S106 contributions towards schools and libraries
WNC Conservation Area Officer	No objections	The eastern boundary is now shown with a more continuous belt of green which is welcomed. With regard to the heritage impacts of the proposal I would conclude that, if the existing boundary vegetation is retained and, where appropriate, enhanced, there is unlikely to be substantial harm to the setting of the Flore conservation area. Main weaknesses of this scheme are the planning and design issues associated with the location and topography of the site and its relationship to existing built form.

<p>WNC Landscape Officer</p>	<p>No objections</p>	<p>Certainly positive that the northern edge of development has now been relocated south in line with line of existing development west of Brington Road.</p> <p>In addition to a full detailed landscape scheme and aftercare that can be conditioned there is also a need for details of temporary protective fencing as well as its location to also be conditioned if the application is to be approved.</p> <p>Need careful consideration especially the detailed planting on the bank impacted by the proposed roadside footpath.</p>
<p>WNC Planning Policy- (Daventry Area)</p>	<p>No objections</p>	<p>Policy H2 sets out the requirement for affordable housing and states that in the rural parts of the District all developments of 5 or more dwellings should provide 40% affordable housing. Therefore, in line with Policy H2 of the Joint Core Strategy, 40% or 18 affordable dwellings are being provided.</p> <p>Policy Ho4 of Daventry's Housing SPD specifies a preferred housing tenure mix of two thirds rented and one third intermediate housing. On a site of 45 dwellings, 12 affordable or social rented dwellings and 6 shared ownership would be expected, which should reasonably reflect the needs identified in the 2021 Housing Needs Survey Report.</p> <p>The mix largely meets the affordable housing needs identified in the most recent Housing Needs Survey Report (2021).</p>

Anglian Water	No objections	

RESPONSE TO PUBLICITY

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

Site Notice expired – 14/7/2022.

There have been 17 objections raising the following comments:

- It is firmly believed that the District does have more than a five years' housing land supply, and no doubt the District Council will prove that.
- The Design Statement infers the great importance to the setting of the site, which is contiguous to the Conservation Area immediately to the south anhighd which contains the highest concentration of Grade 2 Listed Building along the High Street, it then completely ignores this importance.
- No regard has been made to setting buildings back from the southern boundary so that they don't dominate from the substantially higher level above the road and the houses in the Conservation Area. Instead, it is proposed that there be a concentration of higher density units behind the hedge and with parking areas in front of them and behind that hedge, causing noise and disturbance to the residents opposite. I have to say that it is very, very noticeable that all of the Affordable Units have been positioned on the southern and western boundaries.
- Whilst a local area of play could be deemed appropriate for children to use during the day, it has the potential to become an area of anti-social behaviour outside of these times.
- Another concern would be that the development land falls from North to South (as referenced in 00198804.pdf - 1.3.6). Therefore any two storey properties constructed at the Northern end could have both a visual and physical impact on us.
- With an already very limited infrastructure to maintain and provide a quality of healthy, active living for existing and future residents, the development is not sustainable.
- Young families with children will be detached from the village, necessitating vehicle mobility to educational, childcare and open space facilities.
- With an increase of 97 dwellings within the last 6yrs, (providing the allocated rural allocation of expansion to 2029) this is not an ideal addition to the current inadequate living amenities.

- There are serious concerns regarding proper sewerage construction and flow.
- Inadequate village facilities
- This amended application is for appx 60% of the dwellings applied for previously on half the original site, potentially leaving that space for a later application for more houses.
- It will increase traffic on to the High Street and A4500.
- Inclusion of 40% affordable dwellings does not alter the fact the application is in violation of planning policy
- The proposed access and footway arrangements on Brington Road are potentially unsafe
- The Flore Neighbourhood Plan was developed over a period of years to conserve the character of the village, to meet the needs of its residents and should be respected.
- The site entrance would also be positioned shortly after a speed reduction from 60mph to 30mph which is likely to increase the danger of accidents from passing traffic.
- The area is part of a popular walking path used by many people in the local community. This path will end up being along a large number of rear gardens and will be totally spoilt by any proposed development.
- No economic, social or environmental benefits.
- The village school has limited land with which to expand and is almost at capacity when taking all year groups together. The occupants of the proposed houses would therefore need to travel to take their children to another school, causing further traffic problems.
- This proposal contravenes the principles of the Flore Neighbourhood Plan which is part of the Council's planning policy and which should form the basis for all planning proposals within the village.

Relevant Policies:

Applications should be determined in accordance with the development plan, unless other material considerations indicate otherwise. The development plan consists of the West Northamptonshire Joint Core Strategy (WNJCS) and the Settlements and Countryside Local Plan (Part 2). Other material considerations include the National Planning Policy Framework (NPPF).

West Northamptonshire Joint Core Strategy

Policy SA sets a presumption in favour of sustainable development.

Policy S1 seeks to ensure development is concentrated in and adjoining the principal urban area of Northampton. Then there is cascade of other towns and villages. Daventry, and then Towcester and Brackley.

Policy S2 clarifies the hierarchy of Centres.

Policy S3 provides clarity on the number of dwellings which should be constructed in the Daventry Area (Town, Rural Area and Northampton Related Development Area)

Policy S10 covers sustainable development principles.

Policy H1 seeks to ensure the housing density and mix and type are appropriate for the locality, including for the future.

Policy H2 sets out the requirement for affordable housing and states that in the rural parts of the District all developments of 5 or more dwellings should provide 40% affordable housing. Therefore, in line with Policy H2 of the Joint Core Strategy, 40% or 18 affordable dwellings are being provided

Policy H3 seeks to ensure developments for housing in the rural area, which are required to meet an identified housing need, and exception will be allowed. This is providing it adjoins the existing built form, it should be justified through a housing needs survey and arrangements of the management and occupation of the affordable dwellings for the future.

Policy Ho4 of Daventry's Housing SPD specifies a preferred housing tenure mix of two thirds rented and one third intermediate housing. In this case, for a development of this scale we would be expecting 18 affordable or social rented dwellings. Affordable Mix proposed is:

- 7 one bed homes
- 5 two bed homes
- 6 three bed homes

The mix largely meets the affordable housing needs identified in the most recent Housing Needs Survey Report (2021).

Policy BN2 seeks to ensure development maintains and enhances biodiversity.

Policy BN5 seeks to protect the Historic environment and landscape. Development should be sympathetic to locally distinctive landscape features, design styles and materials in order to contribute to a sense of place.

Policy INF2 seeks to ensure developments mitigates the impact on infrastructure off site.

Policy R1 seeks to ensure development in the rural area is guided by the rural hierarchy. Daventry has reached its requirements for dwellings within the rural area, therefore there is additional criteria that housing developments need to comply with the following; it would result in environmental improvements on a site including for example the re-use of previously developed land and best practice in design (i); or is required to support the retention of or improvement to essential local services that may be under threat (in particular the local primary school or primary health services) (ii); and has been informed by an

effective community involvement exercise prior to the submission of a planning application (iii); or is a rural exceptions site that meets the criteria set out in policy H3 (iv); or has been agreed through an adopted neighbourhood plan (v).

Settlements and Countryside Local Plan (Part 2)

Policy SP1 relates to the spatial strategy for Daventry District. Criterion G seeks to protect and enhance the built and natural environment.

Policy RA2 seeks to allow for development within its confines, however this policy allows for development outside the confines if it meets a local need. Development should be of small scale and protect the character and appearance of the village.

Policy RA6 seeks to recognise the intrinsic character, beauty and tranquillity of the open countryside. Development in the open countryside will only be supported if it is a rural exception site and meets policy H3 of the WNJCS and Policy HO7 where appropriate.

Policy HO7 seeks to ensure rural exception sites where they meet an identified need for two or more settlements that the dwellings are developed in the village that has the highest hierarchy.

Policy ENV1 seeks to protect the landscape. Proposals are supporting that maintain the distinctive character and quality of the Districts landscape (A).

Policy ENV5 seeks to conserve and enhance undesignated biodiversity sites.

Policy ENV7 seeks to ensure developments have a clear understanding on their impact to the designated heritage asset. Development should seek to protect and enhance designated heritage assets.

Policy ENV10 seeks to ensure design of developments promote local distinctiveness (i), incorporates crime prevention measures (iv), integrating existing landscape features (v), details of suitable comprehensive landscaping scheme (vi).

Other Material Considerations

National Planning Policy Framework (2021)

Paragraph 77 seeks developments reflect the need for housing in the rural area; paragraph 91 seeks to promote active and healthy communities; paragraph 109 relates to highway safety – development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 170 seeks development should contribute to and enhance the natural and local environment and 175 seeks to preserve and enhance biodiversity.

Housing Land Supply:

In respect of applications relating to residential development, the NPPF in footnote 7 to paragraph 11, sets out that relevant policies for the supply of housing should be considered out-of-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. As at 1st April 2021 for the Daventry area there is a 6.3 year supply. However the applicant has previously sought to challenge the 2020 position, stating they believe that land supply is 1.9 years based on a number of assumptions. Whilst the applicant has not provided an equivalent assessment of the 1st April 2021 position the points previously raised are addressed below.

The applicants have questioned the requirement figure used in the 5 year land supply report, stating that our five year land supply should be based on the requirement for the former Daventry District and those parts of the Northampton Related Development Area (NRDA) in the former Daventry district.

The basis for the 5 year land supply requirement for the former Daventry District is well-established. Following adoption of the WNJCS in 2014 DDC (as it was) has used the district-wide requirement set out in policy S3, It identifies a requirement for 6,980 dwellings in the period 2011 to 2029 for the former Daventry District outside the Northampton Related Development Area. The WNJCS is clear about this, paragraph 17.19 establishes that the basis for the 5 year land supply calculation is to be the housing trajectory set out in appendix 3 to the Core Strategy, and specifically the 'need' lines. This position has been endorsed in a number of appeal decisions across the former District. There are no cases in the former District where it has not been supported at appeal.

The applicants submissions argue that several sites identified in the Daventry area Five Year supply will not come forward at the rate envisaged by the Council. The applicant's reasons for this vary from site to site, but include suggestions that sites with outline permission will not come forward within the next five years. The Council's Housing Land Availability report is very thorough and sets out the reasons why assumptions about each site have been made. This includes liaison with developers and promoters of sites, where they are willing to engage with the Council, there is no obligation for them to do so.

For the reasons set out within the HLA report it is considered that there is a 6.3 year land supply in the former Daventry District and therefore it is considered that paragraph 11 of the NPPF is not engaged in respect of housing land supply.

Assessment of the Application:

The main considerations of this application are the following:

- The principle of development
- Highway Safety
- Impact on the character and appearance of the locality
- Impact of neighbouring residential amenity
- Biodiversity

The Principle of development

The initial proposal was for outline planning permission for up to 70 dwellings but negotiations with officers the proposal under consideration is for the construction of 45 dwellings, which will provide 7 one bed homes, 5 two bed homes and 6 three bed homes for affordable rent, and 27 units for local market housing. The site lies outside the confines of the village of Flore and is in the open countryside.

Policy R1 of the WNJCS allows for residential development, however as the rural area for Daventry has reached its housing requirement, there is an additional set of criteria development needs to adhere to. The site is a parcel of agricultural land adjacent to the edge of the village of Flore therefore any development on this site will not lead to an environmental improvement to the character and appearance of the locality, nor has the argument been put forward that the development is required for the retention of a local service. However, no evidence has been put forward to establish that there are any essential local services under threat that would need to be supported by the proposal. But it is acknowledged that proposed development could support the retention of or improvement of such services even though not directly under threat.

Therefore, the proposal does fail to meet Policy R1 (i&ii) however, the proposal does accord with iv), as it is for an rural exception site which accords with WNJCS policy H3 and hence overall it is considered that the proposal will accord with Policy R1 and H3 overall.

Policy H3 relates to rural exception sites, which this development would have to be considered under. The site is located on the edge of the existing settlement of Flore, therefore the main issue is if the proposal responds to the Housing Needs Survey (HNS).

A HNS was undertaken in March 2021, therefore there is an up to date survey for the village. Planning Policy has commented on the scheme and considers that the proposal meets the requirements of the HNS. Therefore, the proposal is considered to accord with Policy H3 of the WNJCS.

Policy RA6 of the Settlements and Countryside Local Plan (Part 2) allows for exceptions sites if they accord with Policy H3 and HO7 when applicable. The proposal accords with H3, and there is no need to consider Policy HO7 as this

relates to a housing need of two or more villages. The proposal seeks to address the need for the village of Flore only and as such the application accords with Policy RA6 of the Settlements and Countryside Local Plan (Part 2).

Policy RA2 of the Settlement and Countryside Local Plan (Part 2), allows for development which meets a local need, and providing it is small scale, the proposal for 45 dwellings are considered to be fairly small scale, and respects the character and appearance of the village. The impact on the locality and the landscape are considered below. Overall, it is considered the proposal accords with Policy RA2.

The SCLP is the most up to date policy (adopted 2020), therefore policy RA2 and RA6 carry greater weight in the determination of the principle of development on the site. Overall, the principle of a rural exception site is acceptable, and the proposal can be supported subject to entering into a S106 to ensure the retention of the 18 affordable dwellings in accordance with the Supplementary Planning Document on Housing.

Parking and Highway Safety

The site is situated to the east side of Brington Road and will use the existing access into the site.

The WNC Highways Authority were consulted on the application and had previously raised some queries regarding trip rates in the applicant's Transport Assessment. However, with the proposed reduction in the number of dwellings to 45 dwellings, the LHA consider that the development is now below the recommended threshold for both a Transport Assessment and Transport Statement as it considered that the impact on the local highway network below 50 dwelling units would be insignificant and hence the LHA are satisfied from a highways safety point of view and therefore no longer requires this information.

There are off-site highway improvement works proposed that connect the site with the wider footway infrastructure in Flore as well as the existing public transport services. Subject to a Section 278 Agreement, the LHA have no objections to these off site highway improvements proposed.

Subject to a section 106 agreement requiring £70, 000 for the provision, installation and maintenance of 2 wooden bus shelters, and the provision of a Midland 4 week Megarider Gold for each dwelling, the LHA have raised no objections to the proposal on highway safety grounds.

The proposal is therefore considered to be in accordance with policy ST1 of the SCLP and Paragraph 109 of the Framework.

Impact on the character and appearance of the locality

The site is located on the edge of the village confines of Flore and is on the corner of Brington Road and High Street and is in the open countryside,

however, the area is not designated as Special Landscape Area, and there is a public footpath that runs along the southern and south west and south eastern boundaries of the site.

The site circa 300m by 96m and is rectangular in nature. The original proposal for upto 70 dwellings proposed to spread the dwellings out within the full length and width of the site.

However, following the completion of the HNS survey and following comments from the Conservation Area Officer, the number of dwellings is reduced to 45 and these dwellings are now concentrated within two thirds of the plot with the rear of plot, circa 100m by 96m being left as green open space. To the south east of the site is an attenuation basin. The existing tree screening along High Street is to be retained. The nearest dwellings proposed to High Street will be set back from the nearest dwellings that exist on the newly built development to the other side of Brington Road. The dwellings proposed furthest away from High Street are also in line with the dwellings on the other side of Brington Road.

As the proposal is outline only, an indicative layout plan has been submitted which show a significantly improved layout. The indicative layout plan shows the majority of the dwellings to have a street frontage and are set back a reasonable distance from the main road, High Street, as well as Brington Road. The existing planting will be retained along the High Street and Brington Road with additional new planting proposed along the boundaries of the site. Parking areas are shown within close proximity to the prospective dwellings thereby enhancing the street scene and the outlook for future occupiers of the dwellings.

The site is largely contained and bounded by hedgerow which is to be retained and there still remains open countryside beyond the site. It is considered that the proposal would not result in an unacceptable incursion of development in the open countryside.

With regard to the heritage impacts of the proposal, it is considered that, if the existing boundary vegetation is retained and, where appropriate, enhanced, there is unlikely to be less than substantial harm to the setting of the Flore Conservation area as a result of this development.

The proposed development will have an impact upon the character and appearance of the locality, as it will result in an extension to the main village and will result in the loss of open countryside. However, the proposal relates well to the existing development on the opposite side of Brington Road and it will be seen as an extension of the streetscene rather than a stand-alone development.

Overall, it is considered that although there will be some limited harm to the character of the locality, as it will further urbanise the landscape, with the landscaping proposed including the pond to the south eastern boundary of the site the potential harm and loss of the open countryside is minimal and hence the visual impact of the scheme is considered to be acceptable in accordance

with Policy ENV1 and ENV10 of the Settlements and Countryside Local Plan Part 2.

Impact on residential amenity

The indicative layout appears to respect the adjacent surrounding dwellings although it is difficult to assess at this stage and these issues will be dealt with at the reserve matters stage. With regards to any existing residential amenity, the nearest dwelling on High Street is No.119 which lies to the east of the proposed attenuation Basin. Therefore, due to the substantial separation distance from plots 36-37 being circa 53m it is not considered that the proposed will harm the residential amenity of this property. Similarly, the proposed dwellings along Brington Road will have a minimal impact of the dwellings on the other side of Brington Road as there will be circa 35m separation from the nearest elevations of the proposed dwellings to the existing dwellings

Overall, it is considered that there will be no harm caused from the development by way of overlooking or loss of privacy on any surrounding dwellings and as such the proposal is considered to accords with JCS policy S10 and ENV10 of the SCLP in terms of impact upon surrounding residential amenity.

Drainage

The Lead Local Flood Authority were consulted on the proposal and have not objected subject to conditions being imposed to any planning approval requesting details of the surface water drainage system being submitted to the Local Planning Authority.

Biodiversity

The WNC Ecologist commented on the final proposal of 45 dwellings and was pleased to note that the new layout dwg 3436-SK06D will allow the proposal to deliver the net biodiversity gain required by local plan policy ENV5 and NPPF paragraph 174. Subject to conditions she would be happy for the application to proceed to determination.

Archaeology

WNC Archaeology Department were consulted on the application and have raised no objections subject to a condition relating to the submission of an archaeological programme of works being included in any approval of the application.

Environmental Health

WNC Environmental Health Officer commented on this application, however, raised no objections subject to the inclusion of conditions relating to noise and contamination amongst other informatives to be included should the application be approved.

Landscaping

The WNC Landscape Officer commented on the final proposal and stated that it is certainly positive that the northern edge of development has now been relocated south in line with line of existing development west of Brington

Road. It is also important that the northern boundary is positively landscaped as the line runs adjacent to the route of the existing service line and is not based or reliant on an existing hedge/boundary.

Subject to detailed landscaping scheme being submitted at the reserved matters stage has not raised any objections to the scheme.

Section 106/Community Infrastructure Levy:

The applicant has indicated a willingness to enter into a Section 106 agreement in order to secure the planning obligations considered to be necessary to mitigate the potential impacts of the development. Other matters would be funded via CIL contributions at the reserved matters stage. The draft heads of terms will need to address the following:

- **Affordable housing provision** – 18 no. affordable homes are required for the proposed 45 dwellings which will represent 40% of the total.

The 18 affordables shall be broken down as:

- 7 one bed homes
- 5 two bed homes
- 6 three bed homes

Primary Education, Libraries and Fire hydrants:

The County Council Education Authority have advised that this development would give rise to the need of a contribution towards: -

- Education - £145,864.
- Libraries - £9,339.
- 2 Fire Hydrants - £1,784

WNC Highways:

- Bus stop infrastructure and maintenance - £70,000
- And that the developer shall offer to all residents a Stagecoach Midland 4 week Megarider Gold Ticket, currently priced at £138, at the rate of one ticket per dwelling on request by the residents.

NHS Northamptonshire

- Primary Health Care - £22,878.21

Parish Council and Neighbour Objections

Whilst the Parish Council and a number of neighbours have objected to the proposal on grounds of impact on highway safety, biodiversity, archaeology, impact on area and residential amenity amongst other things, it is considered that the concerns raised have been adequately addressed within the main body of the Officer's report.

With regards to the request from the Parish of £158,000 S106 contribution for traffic calming measures, the WNC Highways Officer does not feel this is required for this proposal and as no justification has been submitted by the

Parish Council, the Applicants' have indicated that they would not be willing to agree to this being included in the S106 agreement.

Conclusion:

The proposal will result in an additional 45 residential properties, located on the edge of the village of Flore. The dwellings comprise of a mix of affordable rentals and market housing that are consistent with the demonstrated need for dwellings through the recent Housing Needs Survey carried out in March 2021.

Although there will be loss of open countryside as a result of the proposed development due to the inclusion of the storm water attenuation pond and the additional planting within the site it is considered that the harm of over-urbanisation of the open countryside is minimal.

It is considered that the proposal will comply with Policy R1 iv) of the West Northamptonshire Joint Core Strategy Local Plan (WNJCS) and the principle of these local needs dwellings in this countryside location is further supported by Policy H3 of the WNJCS.

The proposal will not lead to any detrimental highways safety issues and it is considered that the indicative layout of the proposal will not have a detrimental impact on the character and appearance of the locality nor will it have an undue detrimental impact on any surrounding residential amenity in terms of loss of light or overlooking issues. The benefits from the proposed dwellings will outweigh any potential adverse impacts on the open countryside and the adjacent conservation area given the social, economic and environmental benefits to be had for the development of the site.

On balance, it is considered the proposal is in accordance with WNJCS Policies SA, S10, R1, H2 and H3 and Policies SP1, RA2, RA6, HO8, ENV1, ENV10 and ST1 of the Settlements and Countryside Local Plan (Part 2) (2020) and having regard to chapters 5, 9, 11 and 12 of the Framework.

Advise:

That the application be approved subject to the signing of a Section 106 agreement to secure the necessary infrastructure, education, highways and fire hydrant contributions as set out above and subject to the following conditions:

CONDITIONS

- 1. Approval of the details of the appearance, landscaping, layout and scale ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced in respect of the particular unit (s) that is/are the subject of the reserved matters application.**

- 2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.**
- 3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**
- 4. The development hereby permitted shall be carried out in accordance with the amended plans reference 3436-SK04G and 3436-01 received by the LPA on 17/6/2020, 541.0004.001 Rev B, 541.0004.002 Rev B, 541.0004.003 Rev A and 541.0004.004 received by the LPA on 17th June 2022 and the amended plan 3436-SK06D (indicative layout plan only) received by the LPA on 17/6/2022.**
- 5. No development shall take place in any Reserved Matters area until samples of the materials to be used in the construction of the external surfaces of the walls and roofing for that area hereby permitted have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
- 6. No more than 45 dwellings shall be erected on the site and 18 shall be affordable dwellings consisting of 7 one bed homes, 5 two bed homes and 6 three bed homes (tenure mix of 12 affordable/social rented dwellings and 6 shared ownership)**
- 7. The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and 2 fire hydrants, necessary for fire fighting purposes at the site, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.**
- 8. No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0830 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.**
- 9. The development hereby permitted shall not be commenced until details of an investigation and risk assessment scheme to assess the nature and extent of any contamination on the site have been submitted to and approved in writing by the Local Planning Authority (LPA), the approved scheme has been carried out by competent persons and a written report of the findings has been submitted for the approval of the LPA. The assessment shall include, unless the LPA dispenses with any such requirements in writing, a site investigation to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-**

Pathway-Receptor principle and takes into account the proposed new house. The investigation must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11' and a written copy of the site investigation and findings shall be forwarded to the LPA. Two copies of the site investigation shall be forwarded to the LPA.

- 10. Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted for the approval of the LPA. No works, other than investigative works, shall be carried out on the site prior to the confirmation in writing of approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.**
- 11. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the remediation. No deviation shall be made from the approved scheme without the express written agreement of the LPA. The LPA must be given two weeks written notification of the date of commencement of the remediation scheme works.**
- 12. No development works other than that required to carry out the remediation shall be carried out until after the completion of the works required by the remediation scheme, the submission of a written closure report to the LPA and the LPA have confirmed the closure report is satisfactory. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved remediation scheme, and confirmation of the effectiveness of the scheme in ensuring the site can be considered as suitable for the end use of residential with plant uptake. Post remediation sampling and monitoring results shall be included in the closure report.**
- 13. If during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA in accordance with the terms of Condition 8 above and implementation of any necessary remediation works has taken place and a closure report has been approved by the LPA in accordance with the terms of Condition 15 above.**

- 14. The development hereby permitted shall not be occupied until the applicant has provided a sustainability pack for the occupiers.**
- 15. Before construction of the dwellings commences, details of the finished floor levels of the dwellings in relation to the existing and proposed levels of the site and the surrounding land shall be submitted to and approved in writing by the local planning authority. The dwellings shall thereafter be constructed in accordance with the details so approved.**
- 16. Prior to the commencement of development above slab level, a scheme of boundary treatments for the site shall be agreed. The approved boundary treatments must be implemented prior to the occupation of each respective dwelling and shall be maintained in perpetuity.**
- 17. The principle of the highway improvements (all works to the access, Brington Road footway extension and crossings on High Street) as detailed in the approved plans 541.0004.001 Rev B, 541.0004.002 Rev B, 541.0004.003 Rev A and 541.0004.004 received by the LPA on 17th June 2022 shall be in place prior to the first occupation of the site.**
- 18. Prior to the commencement of any works taking place on the site the applicant is required to provide the arrangement of the agreed highway improvement works as detailed in condition 17 above and associated infrastructure; bus shelters, by way of a Section 278 Agreement that the applicant will be required to enter into with the LHA for the purpose of undertaking these works.**
- 19. Prior to the commencement of works affecting any existing public right of way, full details of any enhancement, improvement, diversion or closure shall be submitted to and gain the approval of the local planning authority.**
- 20. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.**
 - a) Description and evaluation of features to be managed.**
 - b) Ecological trends and constraints on site that might influence management.**
 - c) Aims and objectives of management.**
 - d) Appropriate management options for achieving aims and objectives.**
 - e) Prescriptions for management actions.**
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).**
 - g) Details of the body or organization responsible for implementation of the plan.**
 - h) Ongoing monitoring and remedial measures.**

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

21. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

i. fieldwork in accordance with the agreed written scheme of investigation;

ii. post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);

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

22. Each dwelling hereby approved shall provide integrated bat and/or bird bricks and any close boarded fencing to be erected as part of the boundary treatment proposed in condition 16 above shall incorporate hedgehog holes at suitable points and shall thereafter be retained.

23. A Construction and Environment Management Plan must be submitted and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters: Air Quality, Dust, Water Quality, Lighting, Noise and

Vibration, Pollution Prevention and Control, and Monitoring Arrangements.

- 24. Prior to the occupation of the residential units a scheme for achieving the external and internal noise levels outlined in BS8233:2014 and World Health Organisation Guidelines shall have been submitted and approved in writing by the Local Planning Authority, and the approved scheme implemented. Thereafter it shall be maintained in the approved state at all times with no alterations made to the approved structures including roof, doors, windows and external facades, layout of the units or noise barriers.**
- 25. Prior to the commencement of development, provision of ducting to allow for installation of EV charging infrastructure will be required (one charge point per residential unit), in order to make resident parking places EV ready for future demand. The details and location of such provision should take into consideration the availability of electrical supply and should therefore be designed making reference to information held by the local distribution network operator. Subsequently, these details and designs should be submitted to and approved in writing by the Local Planning Authority. Such provisions shall be formed, and laid out in accordance with these details before usage of the parking spaces commences and shall remain in place thereafter.**
- 26. No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Strategy ref 541.5004/FRA&DS/2 rev 2 dated 20th May 2020 prepared by Paul Basham Associates have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include,**
- i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).**
 - ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations**
 - iii) cross sections and manufacturers hydraulic curves for all control chambers and flow control devices.**
- 27. No above ground work shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried**

out in full thereafter. Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted. A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

28. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood Risk Assessment and Drainage Strategy ref 541.5004/FRA&DS/2 rev 2 dated 20th May 2020 prepared by Paul Basham Associates. These shall include: a) Any departure from the agreed design is keeping with the approved principles b) Any As-Built Drawings and accompanying photos c) Results of any performance testing undertaken as a part of the application process (if required / necessary) d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc. e) CCTV confirmation that the system is free from defects, damage and foreign objects.

REASONS

- 1. To comply with Section 92 of the Town & Country Planning Act 1990) and the application is outline only and the reserved matters referred to will require full consideration by the Local Planning Authority.**
- 2. This is a statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.**
- 3. This is a statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.**
- 4. To ensure that the development is carried out in accordance with agreed amendments.**
- 5. In the interests of visual amenity and to ensure that the materials are appropriate to the appearance of the locality.**

- 6. The application is for 45 dwellings and any more dwellings will have a detrimental impact on open countryside in which the site lies and on highway safety.**
- 7. In the interests of fire safety.**
- 8. To ensure the protection of the local amenity throughout construction works.**
- 9. To ensure that potential risks from the historic use of the site have been appropriately assessed.**
- 10. To ensure the proposed remediation plan is appropriate.**
- 11. To ensure site remediation is carried out to the agreed protocol.**
- 12. To provide verification that the required remediation has been carried out to the required standards.**
- 13. To ensure all contamination within the site is dealt with.**
- 14. In the interest of sustainability.**
- 15. For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.**
- 16. In the interests of residential amenity and crime prevention.**
- 17. In the interest of highway safety.**
- 18. In the interest of highway safety.**
- 19. In the interests of highway safety.**
- 20. In the interest of biodiversity of the area.**
- 21. To ensure that features of archaeological and historic interest are properly examined and recorded and the results made available, in accordance with NPPF paragraph 205.**
- 22. For the protection and enhancement of biodiversity opportunities in the area.**
- 23. To protect residential amenity, highway safety and visual amenity.**
- 24. In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.**
- 25. In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.**
- 26. To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.**
- 27. To ensure the future maintenance of drainage systems associated with the development.**
- 28. To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.**

NOTES

- 1. As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.

- 2. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements:**
 - The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under Section 137 HA 1980.**
 - There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by the Area Rights of Way Officer, (as per Section 131 HA1980).**
 - If as a result of the development, i.e. the safety of the public cannot be guaranteed, the Right of Way needs to be closed, and a Temporary Traffic Regulation Order would become necessary. An Application form for such an order is available from West Northamptonshire Council's website, a fee is payable for this service and a period of six weeks' notice period is required. Please contact the highway authority at:- defmap.ncc@westnorthants.gov.uk
<https://www.northamptonshire.gov.uk/councilservices/northamptonshire-highways/rights-of-way/Pages/temporary-traffic-regulation-orders.aspx>**
 - Any new path furniture such as a gate can only be authorised if needed for the ingress or egress of livestock (Section 147 Highways Act 1980) and needs to be approved in advance with the Area Rights of Way Officer, standard examples can be provided.**
- 3. No works affecting any existing public right of way may commence without the express written permission of the local highway authority's Rights of Way or Definitive Map Teams.**
- 4. The developer is reminded to apply to the local planning authority for any proposed permanent diversion of a right of way under Section 257 of the Town and Country Planning act 1990 required to facilitate the development of DA/2020/0479.**

The alternative route for such a diversion must be agreed with the local highway authority's Area Rights of Way Officer and be available for public use prior to the closure of any existing route.

- 5. As nesting birds are protected by law under The Wildlife and Countryside Act 1981, a check for nesting birds will be undertaken prior to building work commencing. If nesting birds are identified, works in the area of the nest will be delayed until the birds have left the nest.**
- 6. The applicant will be required to enter into a Section 278 agreement with the LHA in order to carry out the highway improvements as outlined in condition 17 above.**
- 7. The Statement required to discharge the Construction Management Plan of this consent is expected to cover the following matters:**
 - the parking and turning of vehicles of site operatives and visitors;**
 - loading and unloading of plant and materials;**
 - storage of plant and materials used in constructing the development;**
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
 - details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;**
 - wheel washing facilities;**
 - measures to control the emission of dust and dirt during construction;**
 - a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works.**
 - design of construction access**
 - hours of construction work**
 - measures to control overspill of light from security lighting**
 - a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.**
- 8. With reference to Condition above, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure. For further information, please contact: Water Officer for NFRS (ljwilson@northantsfire.org.uk).**

<u>Application Number</u>	WND/2022/0246
Location Description	LAND WEST OF SANDY HILL LANE, MOULTON, NORTHAMPTONSHIRE
Site Details	CONSTRUCTION OF TWO COMMERCIAL OFFICE BUILDINGS (USE CLASS E)
<hr/>	
Applicant	ASPEXAN LTD
Agent	- RG+P LTD, RG&P LTD
Case Officer	REBECCA GRANT
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Ward	MOULTON
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Reason for Referral	MAJOR APPLICATION
Committee Date	2 NOVEMBER 2022
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The proposal is to erect two commercial buildings comprising office accommodation. One building is L-shaped at the front of the application site and a rectangular building is positioned to the rear of the application site. A total of 50 parking spaces is proposed. Landscaping forms part of the proposals.

Consultation.

No consultees have raised objections to the application:

The following consultees have raised no objections to the application:

- Moulton Parish Council, WNC Ecology, WNC Archaeology, WNC Environmental Health and Crime Prevention Design Advisor.

2 letters of objection have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Highway Safety
- Impact on residential amenity
- Ecology
- DesignFlood Risk

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

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

MAIN REPORT

APPLICATION SITE AND LOCALITY

The application site is approximately 0.36ha in area. To the east, south and west is residential development, part of the Sandy Lane development. To the north and north east is an active commercial/industrial area accessed from Sandy Hill Lane. To the north east is a horticultural wholesaler (Spinney Nurseries).

CONSTRAINTS

The application site has no constraints.

DESCRIPTION OF PROPOSED DEVELOPMENT

The development is for two commercial buildings, office development, comprising 1152sqm of floorspace. Both units are two storey design. An 'L' shaped building, positioned to the south of the application site, will provide a total of 1010sqm of office floorspace. The other rectangular building is positioned to the north of the application site and will provide a total of 152sqm of office floorspace.

The 'L' shaped building is 5.7m to the eaves with a ridge height of 8.1m. The length of the building running north/south is 38.2m, with the length running east/west is 23.6m with a width of 8.2m. Glazing is proposed to all elevations.

The rectangular building is 5.7m to the eaves with a ridge height of 8.1m. The length of the building is 31.4m with a width of 8.2m. Glazing is proposed within the front elevation and solid panels to the rear and side elevations.

Both buildings are proposed to be constructed in red facing bricks with a standing seam metal roof (light grey) and doors being anthracite aluminium frames.

Access to the site is from Sandy Hill Lane with a total of 53 parking spaces, 5 of which would be marked for disabled persons' use.

Landscaping forms part of the proposals.

RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
DA/2009/0995	Outline application for mixed use development comprising 150 dwellings, employment, open space and land for community uses with associated parking and access.	Refused 10.03.2010 Appeal allowed 01.12.2010
DA/2012/0578	Reserved matters application – 145 dwellings, open space and associated road layout, drainage and parking	Approved 17.12.2012
DA/2013/0686	Outline application for up to 85 dwellings, including affordable housing, access and associated works, open space and healthcare facility	Approved 28.08.2015
DA/2017/0071	Reserved matters	21.07.2017

	application – 85 dwellings with amenity space and associated works	
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RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – The Distribution of Development
- S7 – Provision of Jobs
- S8 – Distribution of Jobs
- S10 – Sustainable Development Principles
- S11 – Low Carbon and Renewable Energy
- C1 – Changing Behaviour and Achieving Modal Shift
- C2 – New Developments
- E2 – New Office Floorspace
- BN2 – Biodiversity
- BN9 – Planning for Pollution Control
- R2 – Rural Economy

Settlement and Countryside Local Plan (Part 2) (LPP2) for Daventry District

The relevant policies of the LPP2 are:

- SP1 – Daventry Spatial Strategy
- RA1 – Primary Service Villages
- ST1 – Sustainable Transport Infrastructure
- ENV1 – Landscape
- ENV5 – Biodiversity
- ENV9 – Renewable Energy and Low Carbon Development
- ENV10 – Design

Moulton Neighbourhood Plan (NHP) 2016

The relevant policies of the (NHP) are:

- SD1 – Promoting Sustainable Transport, by Providing Viable Alternative Modes to Move Around the Village
- SD2 – Adapting to Climate Change

Material Considerations

Below is a list of the relevant Material Planning Considerations

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

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
WNC Ecology	No objection	The Biodiversity Impact Assessment has determined that whilst the current plans would deliver a net gain loss, this could be converted to a net gain with some landscaping substitutions. This could make the proposal policy compliant so I recommend that a detailed soft landscape plan should be conditioned pre-occupation. A LEMP should also be conditioned.
Local Highway Authority (LHA)	No objection	Following clarification over the use of the units, no objection to the proposal. All other issues have been addressed. The Travel Plan is approved.
Moulton Parish Council	No objection	All existing employment units are single storey. Whilst there is no objection to this application in principle, the proposed height of the buildings would dominate the street scene in relation to the adjacent residential dwellings.
WNC Archaeology	No objection	Recommend a condition.
WNC Environmental	No objection	Recommends a number of condition in relation to noise, hours of occupation,

Health		construction phase, lighting, air quality and contaminated land.
Crime Prevention Design Advisor	No objection/comments	To minimise opportunities for crime it is recommended that the following measures are incorporated: All doors and windows to meet a certain security standard. Units to be fitted with intruder alarm. Consideration given to protecting the entrance with height restriction barrier. Car park should be lit with mast mounted white lighting. Site should be suitably fenced to create defensible space around the units.

RESPONSE TO PUBLICITY

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

There have 2 number of objections raising the following comments:

- Why do they keep building and ruining green space when we know these buildings will remain empty and that space could be made into a park.
- People will park their cars along Silverthorn Drive.
- Would like a sustainable fence put up.

APPRAISAL

Principle of Development

The NPPF refers to building a strong, competitive economy at section 6. Paragraph 84 of the NPPF states that planning decisions should enable the sustainable growth of all types of business in rural areas, both through the conversion of buildings and well-designed new buildings. Paragraph 85 of the NPPF states that planning decisions should recognise that sites to meet local businesses needs in rural area may have to be found beyond existing settlements. The use of previously developed land should be encouraged where suitable opportunities exist.

JCS Policy SA reiterates NPPF paragraph 11 in stating that plans and decisions should apply a presumption in favour of sustainable development which, for decision making, means approving developments that accord with an up-to-date development plan without delay, unless material considerations would indicate otherwise. In this case the proposed development is considered to accord with the up-to-date development plan as set out in this report. JCS Policy S1 (A) (B) (C) of the adopted West Northamptonshire Joint Core Strategy seeks to distribute development and economic activity to the main towns of Northampton and Daventry, yet the development needs of the rural service centres and the rural areas will also be provided for (C).

At paragraph 81 the NPPF refers Page 19 to how significant weight should be placed on the need to support economic growth and, at paragraph 84, to how planning decisions should enable the sustainable growth of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. The proposal is therefore supported in principle by Government guidance.

Policy SP1 of the Local Plan Part 2 seeks to ensure a sustainable pattern of development. At G the policy states a spatial principle of protecting the natural environment, including protecting the Open Countryside. At H a spatial principle of encouraging an efficient use of previously developed land is stated.

Policy RA1 relates to Primary Service Villages such as Moulton. The policy states that to ensure the role of these villages is maintained, all development must be in accordance with the cited criteria.

Notwithstanding the policy background, outline planning permission was granted in 2009 (DA/2009/0995) which permits employment uses upon the land. An illustrative layout was approved under the outline consent. It is noted that this permission is no longer extant as no reserved matter application was submitted. The principle of employment use is however still considered to be acceptable.

In conclusion with regard to the principle of development, it is considered that policy supports the proposal.

Highway Safety

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

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

Discussions have been ongoing with the LHA. Concern was originally raised by the LHA in relation to the potential use of the units falling with Class E. The agent confirmed that the units would be solely office development falling with Use Class E and on this basis the LHA do not have any objection/concerns with the development.

The submitted Travel Plan has been approved. There are no outstanding issues in relation to highway safety. As such, it is considered that the proposal will have no adverse impact upon highway safety and is in accordance with Policies C1 and C2 of the WNJCS.

Impact on residential amenity

Policy ENV10 states that 'development that is of a high quality and, in particular, proposals of an exemplary and innovative design that reflects and integrates with the surrounding area and create a strong sense of place, will be supported. High quality design is achieved by;

viii. Protecting the amenity of new and existing dwellings and not compromise the function of existing surrounding uses'.

The site is surrounded by residential development to the east and west. To the east (Sandy Hill Lane) is a three storey apartment block which will overlook the south east corner of the 'L' shaped building. There is 16.5m between the front elevation of the apartments and the side elevation of the proposed office building for a section of the development. The majority of the apartments will overlook the landscape and parking area of the site. The applicants have amended the plans to ensure that the windows in this section are obscure glazed.

To the west there are properties within Silverthorn Drive. The closest property (No. 11) has its side elevation facing towards the application site. There are no windows in this elevation. There is 18m between the side elevation of the proposed office building and the side elevation of No.11 Silverthorn Drive. There are no windows proposed in the side elevation of the office building.

The impact on residential amenity is considered acceptable and as such the proposal is in accordance with Policy ENV10 of the Settlement and Countryside Local Plan (Part 2).

Ecology

The NPPF states, at paragraph 174, that planning decisions should contribute to and enhance local environment by protecting and enhancing valued landscapes (in a manner commensurate with identified quality in the development plan). This paragraph also refers to recognising the intrinsic character and beauty of the countryside.

Policy ENV1 of the Local Plan (Part 2) is concerned with landscape.

Biodiversity Paragraph 174 of the NPPF states, at d), that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Policy BN2 of the Local Plan (Part 1) states development that has the potential to harm sites of ecological importance will be subject to an ecological assessment.

Policy ENV5 of the Local Plan (Part 2) states that development affecting sites that are not formally designated but which make a positive contribution to biodiversity will be required to take into account their current or potential role in the District's wider biodiversity network. Policy ENV5 also states, at C., that proposals should seek to achieve a net gain for biodiversity.

The Ecology Officer has commented that the Biodiversity Impact Assessment (BIA) submitted with the application has determined that while the current plans would deliver a net biodiversity loss, this could be converted to a net gain with landscaping substitutions. This would make the proposal policy compliant. It is therefore recommended that a soft detailed soft landscaping plan is conditioned pre-occupation.

Given that the proposal will create a net gain in biodiversity, the proposal is considered to be in accordance with Policy ENV5 of the Local Plan (Part 2).

Design

Policy ENV10 supports design of a high quality. When defining high quality design this policy talks about blending well with and enhancing surroundings, responding to wider landscape context and integrating with landscape features. The design of the proposed buildings would generally match the scale and overall appearance of agricultural buildings and as such would blend well with the wider surroundings.

Concern was originally raised in relation to the height of the units. Whilst this is not a reserved matters application, the Design and Access Statement submitted and approved in relation to the outline application included a section on the scale of future buildings. The units have been amended in scale to be in accordance with this guidance. The height of the unit to the front of the site has reduced by 0.45m. As a result, the unit is more in keeping with the surrounding residential properties which surround the site.

The design of the buildings is considered acceptable and in accordance with Policy ENV10 of the Part 2 Local Plan.

Flood risk

Policy BN7 of part 1 of the Local Plan is concerned with flood risk. Policy ENV11 of Part 2 of the Local Plan is concerned with local flood risk management and supplements Policy BN7.

The site lies within Flood Zone 1. The site is less than 1ha in area and as such a flood risk assessment is not required. No comments have been received from the Lead Local Flood Authority. Members will be updated at committee.

FINANCIAL CONSIDERATIONS

The proposal is for neither residential nor retail development and accordingly the levy is zero rated.

PLANNING BALANCE AND CONCLUSION

The site is within a sustainable location, within settlement confine of Moulton. The proposal offers benefits of employment and economic development and efficient use of employment land. The design is in accordance with the guidelines set out in the outline consent and it is not considered that the

proposal will have an adverse impact upon the amenity of surrounding residents.

RECOMMENDATION / CONDITIONS AND REASONS

The proposed development is recommended for approval subject to conditions.

CONDITIONS

1. Time

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

2. Approved Plans

The development shall be carried out strictly in accordance with the details shown on the following drawings:

Location plan 21-047/01A

Proposed office units floor plan 21-047/01B

Proposed offices elevations 21-047/04/02C

Proposed layout 21-047/02E

Proposed office units plans and elevations 21-047/03B

Levels plan 21-047/06

Street scene 21-047/10B

- #### **3. The vehicle parking and manoeuvring areas as shown on the approved layout drawing 21-047/02D shall be constructed and laid out prior to the buildings hereby approved being brought into use.**

4. Detailed soft landscaping plans

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

5. LEMP

Notwithstanding the submitted details, prior to above ground works, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include, but not limited to the following:

Description and evaluation of features to be managed;

- i. Landscape and ecological trends and constraints on site that might influence management;**
- ii. Aims and objectives of management (including those related to species);**
- iii. Appropriate management options for achieving aims and objectives, including appropriate enhancement measures;**
- iv. Prescriptions for management actions;**
- v. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-year period);**
- vi. Details of the body or organisation responsible for implementation of the plan;**
- vii. Legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer;**
- viii. Ongoing monitoring and remedial measures;**
- ix. Timeframe for reviewing the plan; and**
- x. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.**

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

6. Archaeology

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition: (i) fieldwork in accordance with the agreed written scheme of investigation; (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority); (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

7. CEMP

Prior to the commencement a Construction Management Plan shall be submitted to and approved in writing by the Local

Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction

8. Lighting

There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of the impact of the lighting on the vertical facades of sensitive properties and the measures necessary to reduce the impact. Any floodlighting shall be operated in accordance with the approved details at all times.

9. Contaminated Land

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

A. Site Characterisation

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

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

(ii) An assessment of the potential risks to:

- Human health,**
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,**
- Adjoining land,**
- Groundwater's and surface waters,**
- Ecological systems,**

- Archaeological sites and ancient monuments;

(iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination Risk Management (LCRM)'

B. Submission of Remediation Scheme

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

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

D. Reporting of Unexpected Contamination

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

accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

10. Materials

No development shall take place above ground floor slab level of the buildings hereby approved until samples of the materials to be used in the construction of the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

11. Use

This permission shall only be used as offices as set out within Class E (g)(i) of The Town and Country Planning (Use Class) Order 1987 (as amended) or in provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modifications.

12. Electric Vehicle Charging Points

No development shall take place above ground floor slab level of the buildings unless and until a scheme illustrating the provision of EV charge point infrastructure and the provision of an operational EV charge points has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

13. Details of bin and cycle storage

No development shall take place above ground floor slab level of the buildings unless and until a scheme illustrating the position and details of bin and cycle storage has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASONS

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

- 2. To clarify the terms of this planning permission, to ensure that the development is carried out in accordance with the submitted details and to allow the Local Planning Authority to consider the effect of any changes.**
- 3. To ensure that the approved vehicle parking is made available for use by commercial occupiers upon construction of the site and buildings in order to avoid the need for any parking outside of the designated area and/or outside of the site in accordance with Policies C1 and C2 of the WNJCS.**
- 4. To ensure that the visual impact of the development hereby approved is effectively mitigated by appropriate natural landscaping and that landscaping is used effectively to help protect the residential amenities and privacy of neighbouring properties in accordance with Policies ENV1 and ENV10 of the Local Plan Part 2.**
- 5. In order to secure a net gain in biodiversity in accordance with Policy ENV5 of the Local Plan Part 2.**
- 6. To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 205.**
- 7. In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.**
- 8. In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.**
- 9. Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 11 of the NPPF and in the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.**
- 10. To ensure that the finished building presents a satisfactory appearance in accordance with Policy ENV10 of the Local Plan Part 2.**
- 11. In order to clarify the use of the permission, to protect the amenities of adjacent residents in accordance with Policy ENV10 of the Local Plan Part 2 and in the interests of highway safety in accordance with Policies C1 and C2 of the WNJCS.**
- 12. In order to promote and ensure sustainable modes of transport in accordance with Policy ENV9 of the Local Plan Part 2.**

- 13. In order to ensure a satisfactory development and promote sustainable modes of transport in accordance with Policies ENV9 and ENV10 of the Local Plan Part 2.**

NOTES

1. Informatives:

Condition 7 - The Statement required to discharge the Construction Management Plan of this consent is expected to cover the following matters:

- **the parking and turning of vehicles of site operatives and visitors;**
- **loading and unloading of plant and materials;**
- **storage of plant and materials used in constructing the development;**
- **the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- **details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;**
- **wheel washing facilities;**
- **measures to control the emission of dust and dirt during construction;**
- **a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works.**
- **design of construction access**
- **hours of construction work**
- **measures to control overspill of light from security lighting**
- **a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.**

Noise

Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

Crime Prevention

To minimise opportunities for crime it is recommended that the following measures are incorporated:

All doors and windows to meet the requirements of a recognised security standard such as PAS24:2016 or LPCB

LPS1175 SR2.

Units to be fitted with intruder alarm capable of eliciting a response from a 3rd party if activated.

Consideration given to protecting the entrance with height restriction barrier which incorporate a lockable barrier to reduce opportunities for the site to be used after hours by youths congregating in vehicles and to reduce the likelihood of illegal traveller encampments.

Car park should be lit with mast mounted white lighting capable of providing a uniform level of illumination of 0.2Uo or above for the purpose of personal safety of users after dark and crime prevention.

Site should be suitably fenced to create defensible space around the units.

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