



# Strategic Planning Committee

A meeting of the Strategic Planning Committee will be held at The Forum, Towcester on Monday 9 May 2022 at 2.00 pm

## Agenda

1.	<b>Apologies for Absence and Appointment of Substitute Members</b>
2.	<b>Declarations of Interest</b> Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	<b>Minutes</b> (Pages 5 - 10) To confirm the Minutes of the meeting of the Committee held on 11 April 2022.
4.	<b>Chair's Announcements</b> To receive communications from the Chair.
<b>Planning Applications</b>	
5.	<b>WND/2021/0172 - Reserved Matter, Zone 10 Overstone Leys, Overstone Lane,</b> (Pages 13 - 36) The Officer's Addendum to the report to the Strategic Planning Committee for 13 December 2021 will be included as an update and published in advance of the meeting.
6.	<b>DA/2018/0526 Land at Mickle Well Park, Ashby Road, Daventry</b> (Pages 37 - 62)
7.	<b>N/2014/1429 Dallington Grange, Mill lane, Kingsthorpe, Northampton, NN5 7PZ</b> (Pages 63 - 82)

8.	<b>WNS/2021/1939/MAF Land adjoining Cherwell Valley Business Park OX17 3AA</b> (Pages 83 - 100)
9.	<b>Urgent Business</b> The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
10.	<b>Exclusion of Press and Public</b> In respect of the following items the Chair may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: "That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them"  None Identified.

Catherine Whitehead  
Proper Officer  
28 April 2022

**Strategic Planning Committee Members:**

Councillor Phil Bignell (Chair)

Councillor Penelope Flavell

Councillor Enam Haque

Councillor Rosie Herring

Councillor James Hill

Councillor Charles Manners

Councillor John Shephard

Councillor David James (Vice-Chair)

Councillor Andre Gonzalez De Savage

Councillor Jonathan Harris

Councillor Stephen Hibbert

Councillor Paul Joyce

Councillor Jake Roberts

## **Information about this Agenda**

### **Apologies for Absence**

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

### **Declarations of Interest**

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

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

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

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### **Queries Regarding this Agenda**

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

Tel: 01327 322195

Email: [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk)

Or by writing to:

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

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### Strategic Planning Committee

Minutes of a meeting of the Strategic Planning Committee held at The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Monday 11 April 2022 at 2.00 pm.

Present	Councillor Phil Bignell (Chair) Councillor David James (Vice-Chair) Councillor Enam Haque Councillor Jonathan Harris Councillor Rosie Herring Councillor Stephen Hibbert Councillor James Hill Councillor Charles Manners Councillor Jake Roberts Councillor John Shephard
Substitute Members:	Councillor Ken Pritchard Councillor Daniel Lister
Apologies for Absence:	Councillor Paul Joyce Councillor Penelope Flavell Councillor Andre Gonzalez De Savage
Officers	Surinder Atkar, Planning Solicitor Daniel Callis, Principal Planning Officer Katherine Daniels, Principal Planning Officer Paul Seckington, Interim Head of Development Management, Enforcement and Land Charges

#### 47. **Declarations of Interest**

None advised.

#### 48. **Minutes**

##### **RESOLVED:**

That the Minutes of the Strategic Planning Committee of 23 March 2022 be approved and signed as a correct record.

#### 49. **20/00074/WASFUL Mick George Ltd WTS, Lower Ecton Lane, Northampton**

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 reports now submitted be agreed.

**20/00074/WASFUL - Proposed extension to the existing waste recycling building (retrospective application) - Mick George Limited Waste Transfer Station, Lower Ecton Lane, Northampton, Northamptonshire NN3 5HQ**

The Minerals and Waste Development Control Manager outlined the application for an extension to the existing waste recycling building. The site had been in operation since 2015 and the current application did not change the principle of the original permission. Housing the recycling in a building would enable the process to be carried out in a more efficient manner and more materials to be recycled. Objections had been received from the Ecton Lane Park and the impact of the site on their amenity. Mick George Limited had undertaken dust and noise monitoring as part of the application process and the Environment Agency and Environmental Health had analysed the results and had not raised any objections as a consequence.

Mrs Hatfield spoke against the application; the Chair read out a statement from Councillor Danielle Stone, who was unable to attend the meeting and objected to the application and Mr Gough, the applicant, addressed the Committee.

In response to questions from Members, Mrs Hatfield raised concerns that the activity on the site had increased over the last few years and that the dust was causing health issues for people that lived at Ecton Lane Park. Residents at Cogenhoe had also raised concerns. Residents at Ecton Lane Park had commenced a dialogue with Mick George Limited and in December they had been provided with a 24 hour contact telephone number. People could feel the dust in their throats and could physically see it. Mrs Hatfield did not consider that the dust problem had improved since the extension had been built and it was sometimes worse.

In response to questions from Members, Mr Gough advised that the site was to the west and the prevailing wind was from the southwest; there were water sprayers and water carts on site and a dust sweeper out on the road when required. The Frisbee dust deposit gauges were monitored every 2-4 weeks; regular monitoring was required as part of the Environment Agency permit. There was a civic amenity facility adjacent to the site. The extension had been built in 2021, unfortunately without planning permission, which had been as a result of a miscommunication during the pandemic. With regard to potential future growth of the site there was no other land to extend into; however, some operations on the site were not taking place yet. Further to a suggestion, Mr Gough advised that the company had set up a charitable trust fund and he would refer the concerns raised to the management.

The Minerals and Waste Development Control Manager advised that there would be no change in the principle of the permission for the site as a result of this application. The building would in fact provide more shielding to the operation and therefore reduce dust. The Environment Agency were responsible for pollution control and if residents reported their concerns they would investigate.

Councillor David James highlighted that the dust monitors had recorded levels of dust that were a quarter of the actionable level. The building sheltered the site from the prevailing wind and the noisy, dusty adjacent road. The site was established and provided an essential process. The extension would make this process more efficient and would result in less waste being sent to landfill. Councillor James proposed that the application be approved, this was seconded by Councillor James Hill.

Councillor Charles Manners considered that the roads should be swept more frequently. The Minerals and Waste Development Control Manager advised that the requirement for road sweeping was covered in the Dust Action Plan; it was also the responsibility of the regulatory bodies to control pollution.

Further to an enquiry, it was noted that the Waste and Minerals Policy allowed for local liaison groups to be established where appropriate, currently there was no specific group for this site. However, there was a liaison group for Anglian Water Sewage Works which included the Mick George recycling site operations and the residents of Ecton Lane Park had been invited to those meetings.

The proposition to approve the application was put to the meeting and declared carried with 10 voting in favour and 1 abstention.

**RESOLVED:**

That planning permission is granted subject to the conditions set out in the report.

50. **WNS/2022/0173/MAR Land at Towcester Vale (H9) - Reserved Matter for 27 units**

**WNS/2022/0173/MAR Reserved Matter Application for 27 units including conversion of existing stables on parcel H9. (part phase 2) (pursuant to outline planning permission S/2007/0374/OUTWNS) The outline application was accompanied by an Environmental Statement - Land at Towcester Vale Towcester (H9)**

The Principal Planning Officer outlined the reserved matters application for 27 dwellings with a mixture of 2,3 and 4 bedrooms. There was no affordable housing provision in this parcel of the Sustainable Urban Extension (SUE) but the requirement would be provided elsewhere in the development. Members were shown a map of the whole SUE and all the affordable housing clusters within it. It was noted that the stables were a non-designated heritage asset. Some mature trees on the site would unfortunately be felled as a result of the development but overall there would be a net increase in trees across the site.

Members' attention was drawn to the committee updates and were advised that amended plans had been received from the applicant. A Section 106 agreement was not required for the application and the reference to it in the report had been made in error. The Ecology Officer had advised that they had no objections to the application.

Further to enquiries from Members, the Principal Planning Officer advised that it was not possible to provide a time frame as to when the Lead Local Flood Authority would be able to respond with regard to the outstanding issue of surface water.

Councillor Andrew Harris expressed his disappointment that mature trees would be felled as newly planted trees would take far longer to remove carbon. As the Council had signed up to the net zero pledge in the fight against climate change, it was important to retain mature trees.

Further to an enquiry regarding the objections raised by Anglian Water, the Principal Planning Officer advised that this would be addressed by conditions.

Councillor David James proposed that the application be approved, this was seconded by Councillor Jake Roberts and on being put to the meeting was declared carried unanimously.

**RESOLVED:**

That delegated authority be given to the Assistant Director for Growth, Climate and Regeneration to grant permission subject to: 1. no objections from the Lead Local Flood Authority and the Crime Prevention Design Advisor and 2. subject to the conditions set out in the report (and any amendments to those conditions as deemed necessary).

51. **WNS/2022/0179/MAR - Land at Towcester Vale (H12) - Reserved Matters for 52 units**

**WNS/2022/0179/MAR Reserved Matter Application for 52 units on parcel H12 (part phase 2) (pursuant to outline planning permission (S/2007/0374/OUT) The outline application was accompanied by an Environmental Statement - Land at Towcester Vale Towcester H12**

The Principal Planning Officer outlined the reserved matters application for 52 dwellings and advised that the conversion of the stables was not part of this application (as referenced in the committee updates). The site would provide a mixture of 2,3 and 4 bed houses and would provide 12 affordable housing units, which was greater than the 10% required. Comments and conditions were awaited from the Lead Local Flood Authority.

With regard to the comment made by Towcester Town Council, the Principal Planning Officer advised that affordable housing was retained in perpetuity as standard.

Councillor David James proposed that the application be approved, this was seconded by Councillor James Hill and on being put to the meeting was declared carried unanimously.

**RESOLVED:**

That delegated authority be given to the Assistant Director for Growth, Climate and Regeneration to grant permission subject to the conditions set out in the report and no objections from the Lead Local Flood Authority (and any amendments to those conditions as deemed necessary).

52. **WND/2021/0456 Phase 5 Monksmoor, Off Welton Lane, Daventry**

**WND/2021/0456 Reserved Matters Application (access, appearance, landscaping, layout, scale) - Phase 5 Country Park - Phase 5 Monksmoor, Off Welton Lane, Daventry**

The Principal Planning Officer advised that this was the last phase of the Monksmoor development and consisted of a basin, pond, meadow, sports pitches and 17 allotments. The Highway Authority had raised an objection to the application as they were concerned that there was no parking provision for the football pitches. However, the pitches were for informal use and there was no club house. The pitches would be maintained by a management company. The whole site had been developed by one developer and this site would provide a link from Daventry Country Park to the canal. Whilst the developer had been carrying out construction, they had found some ponds had naturally formed and these may be retained.

Members raised enquiries regarding the potential parking issues and the Principal Planning Officer advised that there would be a local community centre with parking provision and users could also park at the Country Park. The application was in line with the masterplan for the site and the area would be accessible to many people on foot or by bike. It was understood that some areas of the site would be maintained by the management company, some by West Northants Council and some by Daventry Town Council.

Councillor David James, the local ward Member, understood the concerns raised regarding parking, however there were many football pitches in the town already both for formal and informal use. Councillor James was impressed with the application and proposed that it be approved. This was seconded by Councillor Daniel Lister and on being put to the meeting was declared carried unanimously.

Councillor John Shephard considered that it would be useful to have a policy for the management of open space. The Interim Head of Development Management, Enforcement and Land Charges advised that this was currently being considered.

**RESOLVED:**

The development hereby permitted shall be carried out in accordance with the amended plans: reference Planting Plan 01 (1288513-5080 Rev P4), Planting Plan 02 (1288513-5081 Rev P3) General Arrangement Plan 01 (1288513-5180 Rev P4) General Arrangement Plan 02 (1288513-5181 Rev P3) Landscape Management Plan (1288513-5482 Rev P4) Tree Protection Plan (1288513-5881 Rev P3) deposited with the Local Planning Authority on the 4th November 2021 and Plant Schedule and Horticulture Notes (1288513-5482 Rev P2), Typical Tree Pit Details (1288513-5580 Rev P1), Typical details: Tarmac Cyclepath and Dusted Gravel Path (1288513-5680

Rev P1), Boundary Treatments (1288513- 5681 Rev P1), Standard Soil Specification (1288513-5481 Rev P1) deposited with the Council on the 2nd August 2021.

The meeting closed at 3.30 pm

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

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

West Northamptonshire Council  
Strategic Planning Committee  
9 May 2022

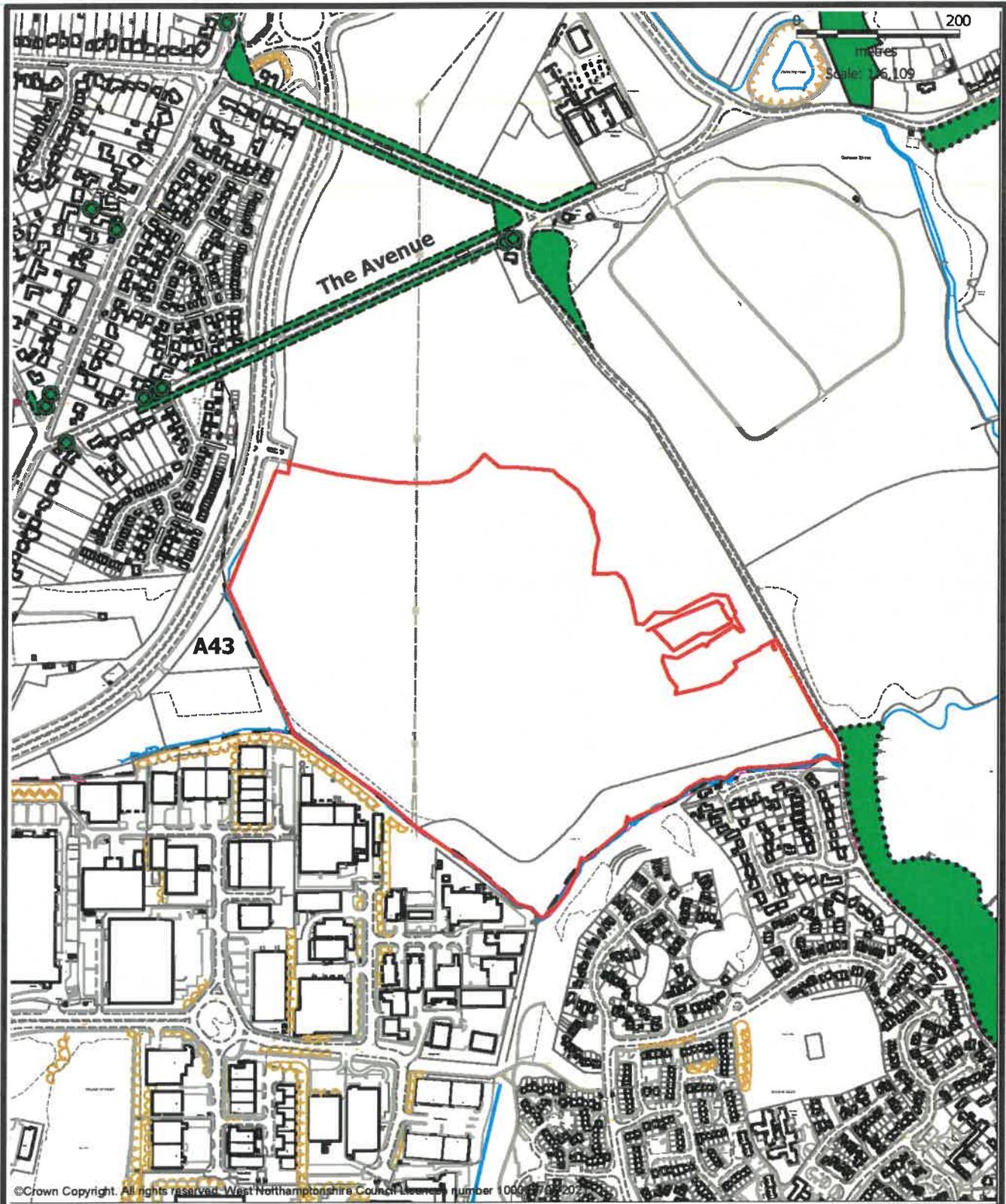
Agenda Item	Ward	Application Number	Location	Recommendation	Officer
5	Moulton	WND/2021/0172	Overstone Leys, Overstone Lane, Overstone	Refuse Permission	Rebecca Grant
6	Daventry East	DA/2018/0526	Land at Mickle Well Park, Ashby Road, Daventry, NN11 2JY	*Grant Permission	Choung Phillips
7	Dallington Spencer	N/2014/1429	Dallington Grange, Mill Lane, Kingsthorpe, Northampton, NN5 7PZ	*Grant Permission	Andrew Longbottom
8	Middleton Cheney	WNS/2021/1939/MAF	Land adjoining Cherwell Valley Business Park OX17 3AA	*Grant Permission	Sam Dix

\*Subject to conditions

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**Application Number: WND/2021/0172**

**Parish: Overstone**



Town/Village: Overstone  
 Site Area: 34.6ha  
 Grid Location: SP 265641 479478  
 Map Scale: 1:5,000

- Site
- TPO Tree
- TPO Wood
- TPO Area
- Parish
- Ward

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<b><u>Application Number:</u></b>	WND/2021/0172
<b>Location:</b>	Overstone Leys, Overstone Lane, Overstone
<b>Development:</b>	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 26 (noise) and Condition 37 (travel plan)
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<b>Applicant:</b>	Vistry Group
<b>Agent:</b>	McBains
<b>Case Officer:</b>	Rebecca Grant
<hr/>	
<b>Ward:</b>	Moulton
<hr/>	
<b>Reason for Referral:</b>	Relates to Overstone Leys Sustainable Urban Extension
<b>Committee Date:</b>	13/12/2021
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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

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

#### **Proposal**

The application is a reserved matters application for 350 dwellings (phase 10) within the southern part of the Overstone Leys Sustainable Urban Extension (SUE).

Part of the site fronts the A43 to the west, the approved spine road to the north, the approved Taylor Wimpey development (WND/2021/0152) to the east and Round Spinney Industrial Estate to the south.

The site proposes a total of 92 affordable units which is 26% of the units of which 70% will be affordable rent and 30% will be shared ownership.

#### **Consultations**

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

- Overstone Parish Council, Moulton Parish Council

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

- WNC Highways, WNC Archaeology, WNC Policy Team, WNC Environmental Health, Crime Prevention Advisor

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

#### **Conclusion**

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

The key issues arising from the application details are:

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

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

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

## **MAIN REPORT**

### **1. APPLICATION SITE AND LOCALITY**

- 1.1 Overstone Leys is located to the north of Northampton.
- 1.2 Outline planning permission (ref DA/2013/0850) was approved in 2015 for the Sustainable Urban Extension (SUE) which comprises up to 2,000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings.
- 1.3 The SUE application site is defined by the existing settlement edge of Northampton to the south, which includes the Round Spinney Industrial Estate. Immediately to the west of the SUE is the A43 and to the north is the extension to the SUE referred to as Overstone Green (DA/2020/0001). This application has not been presented to the Strategic Planning Committee.
- 1.4 The first phase was split into two sections phases 1A (104 dwellings) and 1B (96 dwellings). Construction of the approved Phase 1A development has commenced. Planning permission was granted in 2019 for the primary infrastructure to Zone 2 and 207 dwellings within Zone 2. Work has progressed on site and a number of dwellings are occupied. Planning permission has also been granted for Zone 3 of the residential element of the overall scheme and work has commenced.
- 1.5 The application forms Zone 10 of the overall SUE. The site lies to the south of The Avenue. The A43 forms the western boundary of the site, The Avenue is to the north and the approved Taylor Wimpey development (Zone 9) to the east. To the south is a large, mature tree belt beyond which is the established residential area of Crabb Tree Drive and Pine Ridge. Land levels fall considerably in the southern section of the application site. An industrial estate lies to the south west of the application site.

- 1.6 Planning permission was granted following the October Strategic Planning Committee for Zone 9 which is the site to the east of the application site. This development is also for 350 dwellings.

## **2. CONSTRAINTS**

- 2.1. There is a row of trees with Tree Preservation Orders attached to them along The Avenue.
- 2.2. Pytchley Gates are positioned to the north east of the application site on the junction of Billing Lane, Overstone Lane and Sywell Road. Pytchley Gates are Grade II listed (formerly listed as Gateway to Overstone Park, originally of Pytchley Old Hall). The gates are located over 300m from the application site.

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

- 3.1. The application is a Reserved Matters Application within Zones 9 of the SUE. The proposal is for 350 dwellings of which 93 units will be affordable. This equates to 27% affordable units.

- 3.2. The scheme will deliver:

Market dwellings:

Two bed x 14 units

FOG x 1 unit

Three bed x 129 units

Four bed x 78 units

Five bed x 27 units

Affordable rent:

One bed x 14 units

Two bed x 41 units

Three bed x 33 units

Four bed x 4 units

- 3.3. Access to the site will be from the A43 to the west. This spine road links to the spine road within the northern section of the SUE which already has planning permission and has been constructed, although not yet fully opened (planning application reference DA/2019/0067). Planning permission has now been approved for the spine road (WND/2021/0132). The spine road will provide a bus route through the development which will link to the wider Overstone Leys SUE. A number of bus stops are proposed along the route.
- 3.4. Secondary routes are taken off the main spine road. There is clear hierarchy of road typologies across the site, down to private driveways.
- 3.5. The site contains an area of open space in the northern part of the site, a smaller parcel in the western part of the site and a larger area of open space to the south of the application site together with a drainage basin.

## **4. RELEVANT PLANNING HISTORY**

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

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

NMA/2018/0077	Non material amendment to planning consent 15/00022/CCDFUL for the replacement of acoustic bund – withdrawn DA/2019/0067 Reserved matters application (access – primary infrastructure or Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015 for outline application of up to 2000 dwellings	Approved 15.04.2019
DA/2019/0067	Reserved matters application (access – primary infrastructure for Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015	Approved 04.07.2019
DA/2019/0260	Reserved matters application (appearance, landscaping, layout and scale) for construction of 207 dwellings (Phase 2) pursuant to Condition 1 of outline planning permission DA/2013/0859 in addition to the discharge of Condition 19 (surface water drainage)	Approved 24.10.2019
DA/2020/0490	Reserved matters application for 172 dwellings and supporting infrastructure including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approval of Condition 36 (Bus Stops), Condition 37 (Travel Plan) and Condition 38 (Public Rights Of Way).	Approved 17.03.2021
DA/2020/0950	Construction of 66 bedroom care home with associated access, car parking and landscaping	Approved 26.04.2021
DA/2020/1034	Reserved matters application (access, appearance, landscaping, layout and scale) relating to application DA/2013/0850 for the erection of a food store within the local centre, including discharge of Condition 18 (foul water disposal), Condition 19 - partially discharged (surface water drainage), Condition 20 (ground investigation), Condition 23 (closure report), Condition 25 (ground gas) and Condition 43 (Compensatory Habitat Creation)	Approved 27.04.2021
DA/2020/1178	Reserved matters application (access, appearance, landscaping, layout and scale) for 129 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 18 (foul water drainage), Condition 26 (acoustic report), Condition 30 (fire hydrants), Condition 37 (travel plan), Condition 39 (arrangements for management and maintenance of	Refused 29.10.2021

	proposed streets), Condition 41 (external lighting plan), Condition 42 (soil management plan) and Condition 43 (compensatory habitat creation and management scheme).	
WND/2021/0132	Reserved matters application (access - primary infrastructure for Zone 9) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015.	Approved 29.10.2021
WND/2021/0152	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Phase 9) pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (details of open space), Condition 26 (internal noise levels), Condition 36 (Bus stops), Condition 37 (Travel Plan) and Condition 41 (external lighting)	Approved 29.10.2021
WND/2021/0700	Reserved matters application – Zone 4 – 229 dwellings including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approval of Conditions 15 (open space), 36 (bus stops), 37 travel plan) and 38 (public rights of way).	To be determined

## 5. RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

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

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

- 5.3. The relevant policies of the LPP1 are:

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

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

Daventry Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

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

Neighbourhood Plan (NHP)

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

**Material Considerations**

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

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

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

**Daventry Supplementary Planning Documents**

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

**6. RESPONSE TO CONSULTATION**

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

Consultee Name	Comment
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Moulton Parish Council	<b>Objection:</b> Supports the views of Overstone PC. Housing stock needs to be in keeping with the local area. What strategies are in place to reduce noise element from the A43?
Overstone Parish Council	<b>Objection</b> Housing stock is not in keeping with character of local area. Lack of cycle/footpaths Lack of green space as a result of overdevelopment Flooding concerns Landscaping – concern over type proposed Impact on Grade II listed building
WNC Local Highway Authority	<b>Support:</b> All outstanding matters have been addressed.
WNC Environmental Health	<b>No comments</b> received on updated noise report at time of drafting the report
WNC Landscape Officer	<b>Support:</b> Landscape scheme is acceptable.
WNC Policy Team	<b>Support:</b> Mix and tenure are acceptable. Advise that some of the 2 and 3 bed units do not meet National Space Standards.
Crime Prevention Design Advisor	<b>Support:</b> Make a number of recommendation with regards to alleys being lockable, pulling back some plots from footpath and general safety points with regards to boundaries.
Archaeology	<b>Advise:</b> Archaeology investigations are ongoing.

## 7. RESPONSE TO PUBLICITY

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

## 8. APPRAISAL

### Principle of Development

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

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

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

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

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

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

#### Impact upon character of the area

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

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

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

8.8. The A43 is characterised by;

- Higher proportion of terraces/semi-detached
- Predominately front gardens
- Small gaps between buildings
- Contemporary design
- Consistent detailing
- Limited materials palette (Primary red/Secondary up to 40% buff – grey/red roof tiles)

8.9. The Primary Street is characterised by;

- Semi-detached/terraces/some large detached
- Symmetry and formality
- Regular set backs
- Boulevard trees with regular spacing

- More contemporary design
- Limited materials palette (Primary red/Secondary up to 20% buff, up to 20% render – grey/red roof tiles)

8.10. The General Neighbourhood is characterised by;

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

8.11. The Rural Edge is characterised by;

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

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

- Well defined linear form of development addressing A43 corridor and Primary Street frontage.
- Hierarchy of street types with distinctive character and surface treatments.
- Gateway buildings and key areas to aid way finding and act as visual focal points.
- Generally permeable layout, balanced with some non-through routes.

8.13. Along the A43 corridor building typologies predominately comprise smaller units arranged in blocks of mainly semi-detached properties with primary frontage parking. Occasional detached units are plotted at corner location. There are small gaps between dwellings. Dark casement windows with clean and simple lines combined with dark fascias and a limited and simple materials palette, contribute to a more contemporary architectural style.

8.14. With regards to the Primary Frontage, buildings are typically semi-detached 2 storey with regular gaps and set back behind parallel private drives. A key feature of this frontage is symmetry and formality of the building line. All parking is to the side of dwellings. Dark full height windows are proposed to add a distinctive character to the area.

8.15. The dwellings within the General Neighbourhood are typically 2 storey arranged in a variety of continuous and broken frontages. The building lines are consistent within groups which will enhance the key areas of development defining some formal groupings. There is a greater variation in street typology, varied gaps between buildings and varied parking arrangements.

- 8.16. Finally, larger units are proposed along the rural edge arranged in a more informal setting around the edges of the development facing the public open space. Regular gaps are proposed between dwellings with variation in the ridge line and set back. Detached dwellings are proposed with properties arranged mainly along private drives.
- 8.17. With regards to density, Policy H1 of the WNJCS requires development within SUE's to achieve a minimum average density of 35 dwellings per hectare. The density varies between character areas with the area fronting the A43 having the greatest density however this is 34 dwellings per hectare. Whilst this is slightly less than the policy requirement of Policy H1 of the WNJCS of 35dph, the level of density is considered to be appropriate for the development area given the constraints of the site.
- 8.18. Overstone Parish Council have objected to the application for a number of reasons. The Parish Council have stated that "the housing stock is characterless and lacks reference to the local area. Black window frames and dark cladding are not features representative of the local area. The impression is of a very urban, harsh looking development. The cladding should be less austere either lighter cladding or stone to reflect the area."
- 8.19. The dark cladding and dark window frames are proposed along the A43 frontage and primary frontage in order to provide a more contemporary architectural style as highlighted in the approved Design Code. The development at this point, is on the edge of Northampton. The application site is closer to Round Spinney Industrial Estate and the existing development at Southfields, Northampton, than the village of Overstone. It is therefore considered that a more contemporary design could be accommodated here creating a character area and ensuring legibility across the site. The use of contemporary design along the A43 is proposed within the Design Code. The use of stone is not considered to be appropriate here and is not highlighted with the Design Code.
- 8.20. It is considered the design of the layout is acceptable. It will provide a variety of house types in order to create an interesting residential environment and one which has character and should provide legibility.
- 8.21. In order to ensure that the materials palette is acceptable, a condition is proposed to require details and samples of materials to be submitted.
- 8.22. It is considered that the scheme now accords with the principles set out in the Design Code and as such is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

#### Impact on Highway Safety

- 8.23. Policy C1 of the WNJCS states that priority will be given to proposed transport schemes that will contribute towards behavioural change by, inter alia, providing access by walking, cycling and public transport, maximising the use of existing capacity within the transport infrastructure and managing the demand for car based travel within urban area.
- 8.24. Policy C2 of the WNJCS expects new development to achieve modal shift targets set out in the JCS by maximising travel choices from non-car modes.
- 8.25. A Transport Assessment was approved under the outline planning application. This reserved matters application is in accordance with the principles established under the outline consent and approved Transport Assessment.

- 8.26. An access link to Billing Road to the east has not been provided on the advice of the LHA in order to avoid creating a cut through which would likely be heavily used and not designed for this level of traffic.
- 8.27. A bus gate was also suggested during the outline stage and indicated in the Design Code. This has also been removed from the scheme at the advice of the LHA. As a result, the road design here has been downgraded as it will no longer need to meet the requirements for a bus route. The bus route serving the development will therefore follow the spine road.
- 8.28. The LHA have also noted that the bus stops locations as laid out in the S106 Agreement mean that all of the development is located within 400m of a bus stop and therefore the bus route also no longer has to go around the primary road loop through the southern part of the development.
- 8.29. WNC Highways have made a number of comments on the application and have been involved throughout the consultation process. A number of amendments have been made to take account of comments raised by Highways with regards to highways safety.
- 8.30. WNC Highways approve the submitted Travel Plan and are satisfied that the condition can be discharged.
- 8.31. Parking has been designed in accordance with Northamptonshire Highway Parking standards. Parking is accommodated in the following ways;  
Largely on-plot behind building line.  
To the front of each dwelling in block of 4 allowing at least 2.7m between each group to enable correct design of dropped kerb and adequate landscape strips.
- 8.32. Overstone Parish Council have raised concern that the cycle/footpath shown on the outline planning permission is not shown on the proposed layout. The indicative masterplan does indicate a cycleway/footpath extending from the public open space to the south of the site and coming west along the allotments and then heading north alongside the A43 to the vehicular access to the site. The proposed cycleway/footpath does extend up to the allotments but it then cuts into the development, following the finger of open space and then cutting back on the highway. The reason behind this is due to issues of levels in the south western side of the site and also walking adjacent to the A43 was not considered as attractive as the footpath coming into the site and only following the highway network for a short section.
- 8.33. WNC Highways have confirmed that the revised layout has addressed all previous comments raised and as such is acceptable.
- 8.34. Subject to final approval of WNC Highways, given that there are no highway reasons to warrant refusal of the application, the application is considered to be acceptable.

#### Impact upon residential amenity

- 8.35. The layout has been assessed to ensure that distances between habitable windows conform to our guidelines to prevent issues of overlooking. The nearest existing residential properties lie to the south of the site within South Fields Park residential area. The dwellings are over 100m from the boundary of the site and there is a significant tree screen forming the southern boundary. There are therefore no issues of overlooking from existing properties with the application site.

- 8.36. The application forms part of the southern development area where Zones Phase 9 and 10 are positioned. A reserved matters application for Zone 9 (WND/2021/0152), which is also for 350 dwellings, was approved at the October Strategic Planning Committee. The dwellings within this application form the closest properties to the application site. There are no issues of overlooking between phases 9 and 10 as minimum separate distances are complied with.
- 8.37. A significant constraint on the site is the difference in levels. The ground levels fall away to the east and south of the site and also west to east. The site has been designed to take account of the levels with dwellings being offset from each other, having tiered gardens, pushing back distances between properties as far as possible and removing the need for retaining walls. Sections have been provided to illustrate the relationship between dwellings. Four different sections have been provided to illustrate how boundary treatments will be dealt with around the site. Officers raised concern with the use of potentially 3m high retaining walls as well 1.8 boundary. Rather than use retaining walls where levels are most significant, the applicants propose to tier the gardens for both properties. This prevents overlooking from the properties on the upper side and creates private amenity space for residents. This results in the boundary only being a standard 1.8m close boarded fence with 0.3m trellising. A drawing has been provided to illustrate which section will be used in which scenario.
- 8.38. A plan has been provided as a number of dwellings to not have gardens 10m in length. The plan is to illustrate that whilst the length of the garden may not be 10m, the overall size of the garden is sufficient to meet the needs of the occupiers and does not result in any issues of overlooking. For example, there are a number of corner dwellings which have gardens to the side of the property. Whilst the length does not meet 10m, the overall area is in excess of 60sqm and there are no properties to the rear which prevents issues of overlooking.
- 8.39. On balance, it is considered the layout has been designed to take account of levels and how dwellings will relate to each other in terms of overlooking and overshadowing. It is therefore considered that the proposal is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

#### Landscape and Open Space

- 8.40. Policy ENV1 is concerned with ensuring that the proposal maintains the distinctive character and quality of the District's landscapes. ENV4 also aims to protect, enhance and restore the District's green infrastructure network, again relating to the Spinney and ensuring that an appropriate network of green infrastructure leads from the Spinney through the development linking on-site greenspace.
- 8.41. The approved indicative Masterplan sets out the principles of development and provides an indication of where open space will be located. There is also a plan (Plan 2) attached to the S106 which outlines where open space will be provided. Unfortunately there are no figures in the S106 or conditions attached to the planning permission which set out the precise level of open space however an indication is provided within the committee report and within the plans in the S106.
- 8.42. Condition 15 of the outline planning consent requires details of proposed areas of open space, including any playing fields, green infrastructure, structural landscaping, play areas and equipment to be submitted prior to development commencing on any phase. The applicant has submitted information to discharge Condition 15 under this application.

- 8.43. Overstone Parish Council has raised concern with the level of open space as large areas of open space are ponds for attenuation and cannot be used for leisure. The proposed layout does follow the principles of the indicative masterplan with regards to the level of open space proposed. The principle was approved with the granting of application WND/2021/0152 as the landscaping works was approved under this application.
- 8.44. To the south of the site four drainage ponds are proposed, one is existing and three are new ones to be created. The existing pond will be the only wet pond (as is currently). The other three ponds will be dry for the majority of the time and will only be wet in extreme weather conditions. Due to the level differences, the dry ponds may not be easily accessible for play, they will however provide an attractive environment for residents and can be used for leisure activities.
- 8.45. Given that the scheme complies with the parameters set in the outline planning approval and additional incidental open space has been provided, it is considered that the level of open space is sufficient for the development.
- 8.46. To the south of the application site, the Design Code and masterplan indicate a pedestrian link to Southfields playing field. The applicants are providing a pedestrian link to the site boundary (i.e. all within their site boundary). There are desire lines through the site and woodland that connect into the site. A formal footpath (with lighting) provides a connection to Crabb Tree Drive. Residents can then make their way using the existing footpath network to the playing fields.
- 8.47. Our Landscape Officer has been involved with the application and has no objection in principle to the proposals.
- 8.48. Given that the scheme complies with the parameters set in the outline planning approval with regards to open space and landscaping and the details have been approved under application WND/2021/0152, it is considered that the landscaping details are acceptable and as such in accordance with ENV1 of the Daventry Local Plan (Part 2).

Affordable Housing

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

Type	Affordable Rent	Shared Ownership	Total
1 bed house	14	0	14
2 bed house	27	14	41
3 bed house	20	13	33
4 bed house	3	1	4
Total	64	28	92

- 8.52. The proposed mix aligns with the latest housing needs evidence which indicates the greatest need is for 2 bed and 3 bed dwellings, followed by 1 bed dwellings and a lesser number of 4 bed dwellings.
- 8.53. Policy H04 of Daventry's Housing SPD specifies a housing tenure mix of 70% rented and 30% intermediate housing. Viability work undertaken for the outline application was based on this mix. The mix for the whole of the development has been agreed recently. It was agreed to take an overall development approach and to allow flexibility in the phases to allow more affordable to be delivered near the local centre.
- 8.54. 64 of the units are to be shared ownership and 28 units are to be affordable rent.
- 8.55. The Affordable Housing Officer has confirmed acceptance of the approach and mix proposed. It is therefore considered the proposal is in accordance with the principles of Policy H2 of the WNJCS.

#### Internal noise levels – Condition 26

- 8.56. Policy S10 of the JCS requires new development to minimise pollution from noise.
- 8.57. The NPPF, paragraph 180, states that planning policies and decisions should 'mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life'.
- 8.58. Noise was assessed through the outline planning application in the Environmental Statement. Condition 26 on the outline planning permission states;
- "Prior to the commencement of the development of each phase hereby approved, a scheme to demonstrate that the internal noise levels within the residential units of that phase will conform to the guideline values for indoor ambient noise levels under background ventilation rates as identified within BS 8233 2014 - Guidance on Sound Insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. External living area (gardens) noise levels shall conform to World Health Organisation (W.H.O):1999 guidelines – 50-55dB LAeq,16hr. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation and be retained thereafter".
- 8.59. WNC Environmental Health Officer raised a number of concerns with the original noise report submitted in order to discharge the condition. The applicant's noise consultant has liaised with WNC Environmental Health Officer in order to address these concerns.
- 8.60. One of the issues raised was with regards to the increase in height of fences to act as a noise barrier. This is not unusual in terms of noise mitigation and it is not unusual to see a variety of boundary treatments and heights within existing and new developments. The maximum height of the boundary is 3m and this is only in 4 isolated areas. A condition is proposed to require details of the boundary screening to ensure that it is acceptable and not standard 3m high close boarded fencing.
- 8.61. At the time of drafting the report, the concern raised by WNC Environmental Health Officer had not been fully addressed however both consultants are liaising with each other. An update will be provided as a late item.

- 8.62. Subject to conditions and the updated noise report being acceptable, it is considered that the scheme will accord with Policy BN9 of the JCS and the overarching intentions of the NPPF and as such the condition can be discharged as part of this reserved matters application.

#### Other considerations

- 8.63. National Space Standards - Policy H08 part Ciii) requires that all dwellings should meet the national space standards. The majority of the dwellings meet the minimum national space standards for the minimum number of people for each dwelling type. Unfortunately some of the 2 and 3 bed units do not meet the standards. A total of seventeen 2 bed affordable houses do not meet the NSS and a total of twenty four 2bed and thirty eight 3bed markets units do not meet NSS. This equates to 79 units out of a total of 350 units not meeting standards (22.5%).
- 8.64. The issue of space standards has been raised with the applicant. We are however unable to require the applicant to increase the size of these units as there were no conditions attached to the outline planning permission requiring the development to adhere to these requirements. Legal advice has been sought which concluded that there is a plethora of case law and appeal decisions which supports and confirms the position that prescriptive details cannot be imposed as requirements at reserved matters stage unless details were first secured as part of the outline planning permission. The reserved matters can only properly deal with those requirements set out in the Order. Provided the reserved matters application falls within the principle of what was approved as part of an outline planning permission (together with any relevant planning condition detail requirements) there is no ability to seek to impose further restrictive details.
- 8.65. Overstone Parish Council have raised concern with the design of dwellings proposed and their impact on Pytchley Gates which are listed. The gates are located on the corner of Overstone Lane/The Avenue/Billing Lane. The application site is over 300m from Pytchley Gates. The approved Taylor Wimpey scheme, DA/2021/0152, is the closest development to the site. It is therefore considered that the application will have no adverse impact upon the setting or character of Pytchley Gates in accordance with Policy ENV7 of the Settlements and Countryside Local Plan (Part 2).

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

- 8.66. The applicants propose to discharge a number of conditions attached to the outline planning approval. These are discussed below;
- 8.67. Condition 26 Noise – An update will be provided as a late item.
- 8.68. Condition 37 Travel Plan – The LHA have approved the details of the Travel Plan.

## **9. FINANCIAL CONSIDERATIONS**

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

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

- 10.1. The planning system is actively encouraged to assume a presumption in favour of sustainable development rather than being an impediment to sustainable growth. The

site, being located with the Overstone Leys SUE will have a good level of accessibility and be within reasonable walking and cycling to the local centre. Taking the above into account, this development is considered to be acceptable.

- 10.2. The proposal has been designed in accordance with the parameter plans approved at outline stage and the indicative masterplan.
- 10.3. On balance, it is considered that the proposal is acceptable in planning terms and hence overall complies with policies S1, S10, N3, C1, C2 and BN9 of the West Northamptonshire Joint Core Strategy and policies ST1, EN1, ENV4, ENV5 and ENV10 of the Settlements and Countryside Local Plan (Part 2) (February 2020).

## 11. RECOMMENDATION / CONDITIONS AND REASONS

**DELEGATE TO THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION TO GRANT PERMISSION SUBJECT TO THE UPDATED NOISE REPORT BEING ACCEPTABLE AND SUBJECT TO THE CONDITIONS SET OUT IN THE COMMITTEE REPORT. (AND ANY AMENDMENTS TO THOSE CONDITIONS AS NECESSARY)**

### Drawing Numbers

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

#### Layouts

OLNVNH-MCB-ZZ-ZZ-DR-A-0200-D5-P2-Site Location Plan  
OLNVNH-MCB-ZZ-ZZ-DR-A-0230A-S2-P6-Site layout Combined  
OLNVNH-MCB-ZZ-ZZ-DR-A-0230-D5-P7-Site layout Plan  
OLNVNH-MCB-ZZ-ZZ-DR-A-0231-D5-P4-External materials and boundaries treatment plan  
OLNVNH-MCB-ZZ-ZZ-DR-A-0232-D5-P4-Surface Finishes Plan  
OLNVNH-MCB-ZZ-ZZ-DR-A-0233-D5-P3-Affordable Tenure Plan  
OLNVNH-MCB-ZZ-ZZ-DR-A-0234-D5-P4-Refuse Management Plan  
OLNVNH-MCB-ZZ-ZZ-DR-A-0235-D5-P4-Parking Strategy Plan  
OLNVNH-MCB-ZZ-ZZ-DR-A-0236-S2-P2-Garden Sizes Plan

#### House Types

OLNVNH-MCB-ZZ-ZZ-DR-A-A43 Corridor HT Portfolio  
OLNVNH-MCB-ZZ-ZZ-DR-A-General Neighbourhood & Rural Edge Portfolio\_Part1  
OLNVNH-MCB-ZZ-ZZ-DR-A-General Neighbourhood & Rural Edge Portfolio\_Part2  
OLNVNH-MCB-ZZ-ZZ-DR-A-Primary Street HT Portfolio  
OLNVNH-MCB-ZZ-ZZ-DR-A-Garages Portfolio

#### Street Scenes and Site sections

OLNVNH-MCB-ZZ-ZZ-DR-A-0300-D5-P2 - Illustrative Streetscenes A, B, C & D  
OLNVNH-MCB-ZZ-ZZ-DR-A-0301-D5-P2 - Illustrative Streetscenes E, F, G & H  
OLNVNH-MCB-ZZ-ZZ-DR-A-0302-D5-P2 - Illustrative Streetscenes I & J  
OLNVNH-MCB-ZZ-ZZ-DR-A-0305-D5-P1-Site sections Type AA, Type BB  
OLNVNH-MCB-ZZ-ZZ-DR-A-0306-D5-P1-Site sections Types CC, Type DD

#### Engineering

18927-OVER-5-200-B Levels & Drainage Strategy- Sheet 1 of 2  
18927-OVER-5-201-B Levels & Drainage Strategy- Sheet 2 of 2

Landscape 7463.LS.1.0.B. Landscape strategy

Other

N46712-1r1 - Overstone Leys, Northamptonshire - Noise Impact Assessment  
61626 - Overstone Leys - Accommodation Schedule Site layout - P6 - 2021.09.09  
20210909 Overstone Consultation Tracker

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

### **Hard landscaping**

2. Notwithstanding Drawing OLVNH-MCB-ZZ-ZZ-DR-A-0231-D5-P4-External materials and boundaries treatment plan prior to construction of the dwellings above slab/foundation level details of hard landscaping works shall be submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatments (including hedgehog holes), including full details of the proposed boundary walls, fences, railings and gates to be erected, specifying the colour of the railings and gates; footpaths. The hard landscaping works shall thereafter be completed in full accordance with the approved details prior to first occupation of the dwellings to which they relate.

Reason: Drawing OLVNH-MCB-ZZ-ZZ-DR-A-0231-D5-P4-External materials and boundaries treatment plan is not acceptable in its current form as elements of enclosures are missing and in the interest of residential amenity further details are required in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Removing Permitted Development Rights**

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

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

### **Materials**

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

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

### **Landscaping**

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

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

6. Prior to the construction of the dwellings above slab/foundation level, details of a method statement in relation to the installation of the footpath in the vicinity of the line of retained mature trees shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the root protection areas of the retained mature trees are protected in accordance with Policy ENV4 of the Settlements and Countryside Local Plan (Part 2).

### **Use of garages**

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

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

### **Affordable Housing**

8. The quantum, disposition and type of affordable housing within the site shall be set out on the Affordable Tenure Plan OLNVHN MCB-ZZ-ZZ-DR-A-0233 D5-P3 and the Affordable Housing Statement prepared by Pioneer Property Services Ltd and the tenure and phasing of the affordable housing shall be as set out in the existing Section 106 agreement for the site, in all cases, unless otherwise agreed in writing by the Local Planning Authority, in the context of a viability assessment for the site.

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

### **Retaining walls**

9. Notwithstanding Drawing 18927-OVER-5-200-B Levels & Drainage Strategy- Sheet 1 of 2 and 18927-OVER-5-201-B Levels & Drainage Strategy- Sheet 2 of 2 prior to construction of the dwellings above slab/foundation level, details of any retaining walls proposed shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

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

### **Noise Mitigation**

10. Prior to the first occupation of the plots highlighted in Chapter 5 of the Noise Impact Assessment N46712-1r1 prepared by EnSafe Consultants (dated September 2021), the noise mitigation measures shall have been installed and a verification report submitted and approved in writing by the Local Planning Authority to detail evidence of the mitigation measures installed. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

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

### **Allotments**

11. Prior to construction of dwellings above slab level full details of the allotments (including boundary fencing/pitch size/associated infrastructure) including a programme of implementation, shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: In order that a satisfactory provision of allotments are provided for the development.

### **Public Art**

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

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

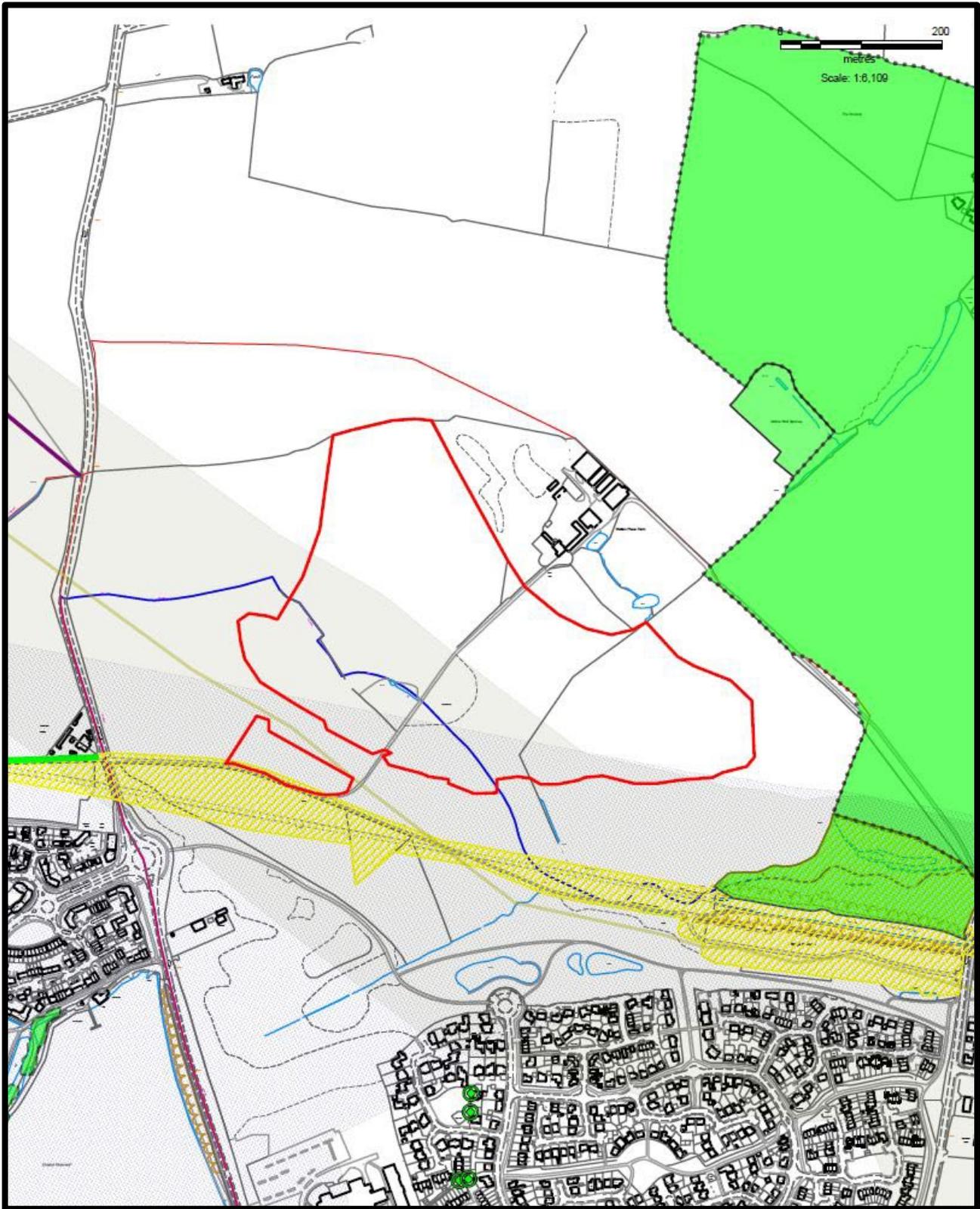
### **NOTES**

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

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

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Ward: Daventry East



Town/Village: Daventry

Site Area: 37.9 ha

Grid Location: SP 265393 457321

Map Scale: 1:6,109

— Site

— Oil Pipe

Oil Pipe

— Footpath

Parish

Ward

Waterways

Conservation Area

TPO Tree

TPO Wood

TPO Group

Page 37

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<b><u>Application Number:</u></b>	<b>DA/2018/0526</b>
<b>Location:</b>	<b>Land at Mickle Well Park, Ashby Road, Daventry</b>
<b>Development:</b>	<b>Reserved matters application (appearance, landscaping, layout and scale) for development of 344 dwellings (including 17 self build plots) pursuant to condition 1 of outline planning permission DA/2014/0869 in addition to discharge of conditions, 10, 15, 21, 22, 26 &amp; 32</b>
<hr/>	
<b>Applicant:</b>	<b>Orbit Homes</b>
<b>Agent:</b>	<b>Marron Planning</b>
<b>Case Officer:</b>	<b>Chuong Phillips</b>
<hr/>	
<b>Ward:</b>	<b>Daventry East</b>
<hr/>	
<b>Reason for Referral:</b>	<b>Major Development</b>
<b>Committee Date:</b>	<b>9<sup>th</sup> May 2022</b>
<hr/>	

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

**RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION BE GRANTED DELEGATED POWERS TO FINALISE MATTERS AS SET OUT WITHIN THE REPORT AND THEN TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS AS DEEMED APPROPRIATE.**

### **Proposal**

This current application seeks approval of reserved matters relating to appearance, landscaping, layout and scale pursuant to condition 1 outline planning permission DA/2014/0869 for construction of the remaining 344 dwellings (including 17 self build plots) with discharge of conditions 4, 11, 15, 21, 22, 26 and 32.

### **Consultations**

There have been several rounds of consultation due to the submission of various revisions to the proposed plans, in order to address issues raised by consultees or otherwise arising during the consideration of the application. The following forms the latest and most up to date responses.

The following consultees raised **objections** or expressed outstanding concerns regarding the application:

- WNC Strategy Service, WNC Highways, Crime Prevention Design Advisor, WNC Fire & Rescue

The following consultees raised **no objections** subject to conditions/comments or no observations:

- Northants Wildlife, Natural England, Daventry Town Council, Welton Parish Council

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

- WNC Environmental Health

0 letters of objection and no letters of support were 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 within the report.

The key issues arising from the application details are:

- Appearance
- Layout
- Landscaping
- Affordable Housing
- Highway & Transport
- Ecology and Biodiversity
- Noise

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions to be agreed. In the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that, on balance, the proposal would result in sustainable development. The application accords with the Development Plan for West Northamptonshire Council. It will deliver a balanced and sustainable development of up to 344 new homes and associated community infrastructure in an attractive well-designed, pleasant landscaped environment.

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

## **MAIN REPORT**

### **1. APPLICATION SITE AND LOCALITY**

- 1.1 The (outline) application site comprises 38.1 hectares of undulating agricultural land in the open countryside to the north of Daventry and to the south west of Welton village. The site is separated from the existing built up area of Daventry by the intervening Northern Valley Linear Park and Bridge Spinneys, beyond which lies the Lang Farm housing development to the south. The Middlemore housing development lies to the south west of the site beyond an area of intervening open land and the A361, which defines the western boundary of the application site. Open countryside lies beyond the A361 to the west, beyond Welton Lane to the east, and to the immediate north of the application site.

- 1.2 The Grand Union Canal runs east-west to the south of the site, within a deep cutting through Bridge Spinneys before continuing through a tunnel that runs under a portion of the application site and emerges some way west near Braunston. The route of the canal and its immediate surroundings and physical features, including the overland 'boat-horse road' that runs between the tunnel portals across the application site, is designated as a Conservation Area.
- 1.3 The current application (Phase B) encompasses the eastern, southern and northern areas of the outline application site.

## 2. CONSTRAINTS

- 2.1 The identified planning constraints affecting the application site are:
  - The application site lies adjacent the Braunston Canal Tunnel and Conservation Area.
  - Part of the site lies within the canal tunnel "No build Zone"
  - Public footpaths run alongside the site

## 3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Outline permission was previously granted consent for the construction of up to 450 dwellings, provision of 1.9ha site for a 2 form entry primary school (class D1), community hub (classes D1, D2 and A1), public open space, allotments and associated infrastructure.
- 3.2. Following approval of the outline application, non material applications were submitted and approved to explicitly allow reserved matters information and discharge of conditions to be phased. The granting of the non material applications did not alter the timescale for the submission of reserved matters.
- 3.3. Having regard to the above, the principle of residential development has been established. However, details relating to the reserved matters and conditions remain to be considered.
- 3.4. A reserved matters application (Phase A) for 106 dwellings (including 7 self build plots) (appearance, landscaping, layout and scale) 815 sqm of commercial space, a roundabout from Ashby Road, landscaping and areas for attenuation with discharge of conditions 4, 6, 8, 9, 11, 14, 15, 16, 21, 22, 26 and 32 of the outline consent was submitted and approved under application DA/2014/0869.
- 3.5. This current application (Phase B) seeks approval of reserved matters relating to appearance, landscaping, layout and scale pursuant to condition 1 outline planning permission DA/2014/0869 for construction of the remaining 344 dwellings (including 17 self build plots) with discharge of conditions 4, 11, 15, 21, 22, 26 and 32.
- 3.6. The conditions seeking to be discharged are as follows:

**Condition 4:** The self-build / custom build areas of the development shall follow a Design Framework which shall have been submitted to and approved in writing by the local planning authority prior to the submission of any reserved matters applications for these plots. The Design Framework shall set out the overarching design principles for the self-build / custom build plots' including (but not necessarily limited

to) landscaping, treatment of public boundaries, access design, height parameters, set-back of principal buildings within each plot, developable / secondary / non-developable zones within each plot, garage dimensions, parking provision and space standards around the buildings. The reserved matters applications for each self-build / custom build plot shall accord with the approved Design Framework.

**Condition 11:** No development shall commence until a detailed scheme (including a full set of engineering drawings) for off-site highway improvement works has been submitted to and approved in writing by the local planning authority. The scheme for the off-site highway improvement works shall comprise the following works which (1) shall be completed in accordance with the approved details, and (2) written confirmation shall have been gained from the local planning authority that the works are acceptable, within the respective timescales stated below:

A roundabout to access the site (ITB9044-GA-002 Rev I), prior to the commencement of any part of the development;

A footway/cycleway connecting the development site with the existing footway/cycleway north of the Farnborough Drive roundabout (ITB9044-SK-011 Rev G), prior to first occupation of any part of the development;

A toucan crossing at the Farnborough Drive roundabout, prior to first occupation of any part of the development;

Improvements to the footway/cycleway between the Farnborough Drive roundabout and the Drayton Way roundabout, including a toucan crossing at the Drayton Way roundabout (ITB9044-SK-003 Rev E), prior to the first occupation of any part of the development;

Improvements and extension to the footway along Welton Lane to the development site (ITB9044-SK009 Rev G), prior to the first occupation of any part of the development.

Measures to facilitate pedestrian crossing of the A361 from the north-western corner of the site to the public footpath, prior to first occupation of any part of the development.

**Condition 15:** Prior to the commencement of each phase of development a scheme and timetable for the provision of the fire hydrants for the development shall be submitted to and agreed in writing by the Local Planning Authority and provision of the fire hydrants shall be made in accordance with the approved scheme and timetable.

**Condition 21:** Prior to the commencement of each phase of development a detailed scheme for the location, design and construction of noise barriers/bunds shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings hereby approved and retained thereafter in perpetuity.

**Condition 22:** Prior to the commencement of the development hereby approved a scheme to demonstrate that the internal noise levels within the residential units will conform to the guideline values for indoor ambient noise levels identified by BS 8233 2014 shall be submitted to and approved in writing by the local planning authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details and be retained thereafter.

**Condition 26:** Prior to the commencement of each phase of development an Ecological Management Plan (EMP) shall be submitted to and approved in writing by the local planning authority and implemented thereafter. The EMP shall include, but not necessarily be limited to: details of a lighting strategy for the proposed development; a scheme for the provision of bird and bat boxes; a set of ecological management

prescriptions for enhancing the value of habitats; and a related programme of ongoing monitoring measures.

**Condition 32:** With submission of each reserved matter, a plan showing the proposed phasing of the development shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing.

#### 4. RELEVANT PLANNING HISTORY

4.1. The following planning history relates to Mickle Well Park and is considered relevant to the current proposal

Application Ref.	Proposal	Decision
DA/2014/0869	Outline application for development of up to 450 dwellings, provision of 1.9ha site for 2 form entry primary school (Class D1), Community hub (Classes D1, D2 & A1), public open space, allotments and associated infrastructure.	Approved with condition & subject of Sect 106 Agreement.
NMA/20170074	Non-material amendment to outline application DA/2014/0869 for development of up to 450 dwellings, provision of 1.9ha site for 2 form entry primary school (Class D1), Community hub (Classes D1, D2 & A1), public open space, allotments and associated infrastructure to allow phased discharge of conditions 6,7, 8, 10, 15, 16, 17, 18, 21, 22, 24, 26, 28, 29 and 32	Approved subject to revised conditions
NMA/2017/0074	Non-material amendment to outline application DA/2014/0869 for development of up to 450 dwellings, provision of 1.9ha site for 2 form entry primary school (Class D1), Community hub (Classes D1, D2 & A1), public open space, allotments and associated infrastructure to allow phasing plan to be submitted with each reserved matter application.	Approved subject to revised condition
DA/2018/0140	Reserved matters application for 106 residential (Phase A) for 106 dwellings (including 7 self build plots) (appearance, landscaping, layout and scale) 815 sqm of commercial space, a roundabout from Ashby Road, landscaping and areas for attenuation with discharge of conditions 4, 6, 8, 9, 11, 14, 15, 16, 21, 22, 26 and 32 of the outline consent was submitted and approved under application DA/2014/0869.	Approved with conditions

#### 5. RELEVANT PLANNING POLICY AND GUIDANCE

##### Statutory Duty

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

### **Development Plan**

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the former Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029; the Settlements & Countryside Local Plan for Daventry District (Part 2) which was adopted by the former Daventry District Council in February 2020; and any adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

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

- 5.3. The relevant policies of the LPP1 are:

- SA – Presumption in favour of Development
- S1 - Distribution of Development -
- S3 - Scale and Distribution of Housing Development
- S10 – Sustainable Development Principles
- S11 – Low Carbon
- C1 - Changing Behaviour and Achieving Modal Shift
- C2 - New Developments
- RC2 - Community Needs
- H1 - Housing Density and Mix and Type of Dwellings
- H2 - Affordable Housing –
- H4 - Sustainable Housing
- BN2 - Biodiversity:
- BN5 - Historic Environment and Landscape
- BN7A - Water Supply, Quality and Wastewater Infrastructure
- BN7 - Flood Risk
- INF1 - Approach to Infrastructure Delivery

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

- 5.4. The relevant policies of the LPP2 are:

- SP1 - Daventry District Spatial Strategy
- HO2 – Micklewell Park Extension
- HO3 – Micklewell Park Development Principles
- HO8 - Housing mix and type
- ST1 - Sustainable Transport Infrastructure
- ENV1 - Landscape
- ENV5 – Biodiversity –
- ENV10 - Design

### **Material Considerations**

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

- National Planning Policy Framework (NPPF), revised July 2021:
  - Chapter 2 - Achieving Sustainable Development and presumption in favour of Sustainable Development
  - Chapter 4 - Decision Making
  - Chapter 5 - Delivering a sufficient supply of homes
  - Chapter 8 - Promoting healthy and safe communities
  - Chapter 9 - Promoting Sustainable Transport
  - Chapter 11 - Making efficient use of land
  - Chapter 12 - Achieving well-designed places
  - Chapter 15 - Conserving and enhancing the natural environment
  - Chapter 16 - Conserving and enhancing the historic environment
- Planning Practice Guidance (PPG):
  - Determining a planning application
  - Environmental Impact Assessment
  - Flood Risk
  - Historic Environment
  - Housing needs of different groups
  - Housing Supply and Delivery
  - Natural Environment
  - Noise
  - Open space, sport and recreation facilities, public rights of way, and local green space
  - Planning Obligations
  - Renewable and low carbon energy.
- National Design Guide (January 2021)
- National Model Design Code (July 2021)
- Manual for Streets volumes 1 & 2 (2007 & 2010)
- Supplementary Planning Guidance:
  - Biodiversity Supplementary Planning Document, May 2017 (DDC)
  - Housing Supplementary Planning Document, July 2017 (DDC)
  - Energy & Development Supplementary Planning Document, March 2007 (DDC)
  - Infrastructure & Developer Contributions Supplementary Planning Document October, 2013 (DDC)

## 6. RESPONSE TO CONSULTATION

6.1 Below is a summary of the consultation replies received at the time of writing this report. There have been several rounds of consultation, in response to amended plans and earlier consultations. The responses presented chronologically.

### **Consultations – first consultation exercise, January 2020**

Consultee Name	Position	Comment
Daventry Town	No objections	Will accept the planning officers advice

Council		
Welton Parish Council	No observations	No observations
WNC Highways	Further information required prior to full discharge of condition 11	<p>The reserved matters details are acceptable to the Local Highway Authority. Please ensure that the development is built out in accordance with the submitted drawings (Feb 2020)</p> <p>With regards to condition 11, the LHA can confirm that the following off site Sect 278 highway works have technical approval from the HA:</p> <ul style="list-style-type: none"> <li>• A roundabout to access the site</li> <li>• A footway connecting the development with the existing footway/cycleway north of the Farnborough Drive roundabout.</li> <li>• A toucan crossing at the Farnborough Drive roundabout.</li> </ul> <p>The following works required by condition 11 do not have technical approval from the HA;</p> <ul style="list-style-type: none"> <li>• Improvements and extension to the footway along Welton Lane to the development</li> <li>• Measures to facilitate pedestrian crossing of the A361 from the north western corner of the site to the public footpath.</li> </ul> <p>Reference is made to drawings relating to these works within the Transport Statement, however, no details appear to be submitted as part of this application.</p> <p>A toucan crossing at the Drayton Way roundabout also required by Condition 11 has been completed.</p> <p>The LHA require completion of the A361 site access roundabout prior to construction works beginning. The roundabout is the only means of access for construction traffic off the A361.</p>
Northants Wildlife	No objections	Reference is made to document "Landscape & Ecological Management Plan" dated Feb 2018 Version 4 and the Review Addendum For Submission B. This is jointly prepared by consultancies SLR (for the landscape elements) and Ecology Solutions (for the ecology elements).

		<p>I find the content and scope of the reports to be acceptable and satisfactory</p> <p>Subject to implementation of the measures as set out within these documents I can advise that condition 26 can be discharged.</p>
<p>WNC Local Strategy Service</p>	<p>Amendments to the house types and number of affordable units required to ensure provision meets policy requirements.</p>	<p>This is a reserved matters application for 344 dwellings following the grant of outline planning permission. Consequently this advice focuses on the detailed matters rather than the principle of development specifically the provision of affordable housing, housing mix, the level of open space and integration of the site with allocation HO2.</p> <p>HO8 identifies the housing mix and type for the market and affordable dwellings that proposals are largely required to reflect. The mix being proposed on this phase cannot be views in isolation but should be assessed as a whole with Phase A.</p> <p>When assessed against policy HO8, the market housing is largely consistent with the need for 2 bedroom and 5 bedroom dwellings.</p> <p>However, on each of the phases and on the site as a whole there a shortage of 3 bedroom properties (36% against a requirement of 56%) and surplus of 4 bedroom properties (36% against requirement of 22%).</p> <p>The mix of market housing should be adjusted to provide a greater proportion of 3 bedroom houses and reduce the number of 4 bedroom dwellings.</p> <p>There is a good mix of affordable types. However, there is a under supply of two bed houses and an over supply of four bed houses. At least 10 of the four beds within Submission B should be converted into two bed flats to meet the policy requirement of HO8.</p> <p>Policy H2 Affordable Housing states that housing development of 5 or more dwellings 25% should be affordable. On a development of 344 dwellings, 86 affordable homes would normally be expected.</p> <p>Reserved matter application for Phase A only included 15 shared ownership dwellings and thus there was under provision. Reserved matters Phase B sought to bring the affordable</p>

		<p>provision up to policy compliant figure of 97 dwellings.</p> <p>Policy HO4 of the Daventry Affordable Housing SPD refers to the preferred housing mix of two thirds rented and one third intermediate housing. The plans for Phase B shows a provision of 22 shared ownership and 75 affordable rent. Over reserved matters Phases A and B (450 dwellings) 113 affordable dwellings would be expected. There should be 75 affordable and 38 shared ownership. There is a shortfall of one shared ownership dwelling.</p> <p>Current plans show 19 four bedroom shared ownership dwellings. The 2017 Daventry Housing needs survey didn't identify any need for four bedroom shared ownership properties within the town. There was however need for two and three bed shared ownership properties and the four beds should be converted to meet this need.</p> <p>There are 12 x 1 bed flats over garages. These are unpopular with registered providers and tenants. Several of these dwellings have parking under the flats for market dwellings. The Housing SPD make it clear that parking should relate to properties in the same tenure to avoid disputes and shared service costs.</p> <p>The Housing SPD states that the affordable housing clusters should be between 5 and 20 dwellings in schemes over 200 dwellings. The reserved matters for Phase B shows 8 clusters of affordable housing. The clusters are spread throughout the site in clusters of between 2 and 22. The smaller clusters of 2 dwellings are shared ownership so there should not be management issues relating to these. The larger clusters of 22 dwellings is largely made up of flats and therefore have a slightly bigger cluster is acceptable in this case.</p> <p>There are two clusters quite close together. One cluster of 22 includes the flats and the other is next to this with 15 dwellings. Greater separation distance of these two clusters would be preferable. This could be achieved by moving plot no 56 to an area away from the flats.</p> <p>Policy CW2 of the S&amp;CLP part 2 sets out the open space typologies required from developments of 10 or more dwellings. The</p>
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		<p>developer is invited to demonstrate against the open space requirement having regard to this policy.</p> <p>Policy HO2 provides a allocated extension of Mickle Well Park with HO3 providing guiding principles for Mickle Well Park as a whole to enable the allocation to integrate with this site including potential routing of public transport. It is important to ensure that internal estate roads are sufficient width and appropriate alignment to accommodate vehicles and public transport connectivity and that there is good footway/ cycleway between the two sites.</p>
Natural England	No comments	No comments
Crime Prevention Design Advisor	Advises amendments	<p>The layout is broadly in accordance with our best practice guidance in that the majority of houses have back to back gardens with parking to the front or side of dwellings. The following measures are recommended to reduce the potential for crime:</p> <p>Where houses are in terraces the alleyways which provide access to the rear should be gated in line with the front building line. The gates should be fitted with a mortice lock operable from both sides for convenience. Plots 307/308 and 309/310 as examples.</p> <p>Where the side fence line of a plot directly abuts open space there should be a planted buffer and a trellis topping to the fence line to reduce opportunities for climbing. See plots 323 – 325; 142, 157 – 158; 109 – 110 as examples.</p> <p>There are two odd open spaces by the side of plots 173 and 174 which ensure that all the garden boundaries in this parcel are exposed. The space has all the hallmarks of an area which will cause annoyance and nuisance to the residents around it. What is its purpose? To protect the gardens which abut the space trellis toppings should be added.</p> <p>Where parking is to the side of a dwelling it should be under supervision from routinely inhabited ground floor rooms. More windows in side elevations are required.</p> <p>Where parking is positioned behind the rear fence line of a dwelling – plots 253/254/ 401</p>

		<p>and 402 the fence line should be supplemented with a trellis topping to reduce opportunities for climbing.</p> <p>The flats – plots 241 – 250 and 216 – 225 should be provided with private residential amenity space around the block to protect the privacy of the ground floor inhabitants and to reduce opportunities for night time burglaries.</p>
WNC Fire & Rescue Service	Insufficient information to discharge condition 15	<p>Preferred water mains is 100mm or above and absolute minimum is 90mm (below this the mains cannot support a hydrant).</p> <p>The general suggested location of hydrants looked Ok for covering the site assuming the water mains are at those locations to feed the hydrants. Until I see the planned water mains, I cannot confirm 100% the location of hydrants.</p>
WNC Environmental Health	Requirement of conditions 21 & 22 have been met and can be discharged.	<p>The report confirms that the acceptable noise criteria required by condition can be achieved without the use of acoustic bunds or barriers, and as such no information is required to be submitted in accordance with Condition 21 and I recommend this condition be discharged. Reference is made to this in section 7.8 and 10.3 of the report.</p> <p>I note that section 8 of the report provides an assessment of the noise impact generated through the construction phase, I would expect this information to be used to inform the Construction Environmental Management Plan required to fulfil condition 24.</p> <p>I consider the requirements of condition 22 have been met, and provided the recommendations and specifications detailed within the report are adhered to, the proposed development will meet the requirements of this condition.</p> <p>Condition 23 refers to fixed building services plant, provided this is installed in accordance with best practice and in line with the proposed Plant Sound Rating Limit (as per Table 9.1), I consider this condition can be discharged. However, please note we require further details before condition 23 can be discharged</p>

## 7. RESPONSE TO PUBLICITY

7.1 No third party or neighbour responses received at the time of writing this report.

## **8. APPRAISAL**

- 8.1. The site benefits from outline consent for the construction of development of up to 450 dwellings provision of 1.9ha site for 2 form entry primary school (class D1), community hub (classes D1, D2 and A1) public open space, allotments and associated infrastructure. In approving the application conditions were imposed and sect 106 secured for contributions.
- 8.2. Phase A for the approval of reserved matter for 106 residential dwellings (including 7 self build plots) (appearance, landscaping, layout, scale), 815sqm of commercial space, a roundabout from Ashby Road, landscaping and areas for attenuation pursuant to condition 1 of outline planning permission DA/2014/0869 in addition to the discharge of conditions 4, 6, 8, 9, 11, 14, 15, 16, 21, 22, 26 and 32 was approved but affordable housing provision was under the policy requirement with only 15 units being provided. However, it was advised that the shortfall would be made up over the remainder of site to ensure policy compliance.
- 8.3. The current application description Phase B for the remaining 344 residential (including 17 self build units) has been amended since its initial submission to withdraw reference to the discharge of conditions relating to drainage, surface water flooding and the impacts on the Brauston Canal Tunnel. The revised description is as set out within Chapter 2 of this report.
- 8.4. The removal of these conditions from the current application will not obviate the need to address these matters. These matters alongside other outstanding pre-commencement and occupation restricted conditions relating to archaeology, off site mitigation, travel plans, bus stop provision, contaminated land and structural landscape planting will need to be addressed in due course.
- 8.5. The main considerations in the determination of this application are:
- Appearance
  - Scale
  - Layout
  - Landscape & Open space provision
  - Affordable Housing Provision
  - Design Framework for Self Build
  - Highways & Transport
  - Fire & Rescue Infrastructure
  - Noise
  - Ecology
  - Phasing

### Principle of Development

- 8.6. Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, when assessing applications the development plan consists of the policies within the WNJCS, the Settlements and Countryside Part 2 Local Plan.

- 8.7. At the heart of the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development, so it is necessary to assess the proposal in the context of the NPPF and to determine the sustainability of the proposal. The NPPF identifies the three overarching objectives namely social, economic and environmental. In establishing whether this proposal amounts to sustainable development regard must be had to the framework as a whole.
- 8.8. Annex 1 of the National Planning Policy Framework makes reference to due weight being given to relevant policies in existing plans according to their degree of consistency with the Framework and that the closer the policies in the plan are to the policies in the Framework, the greater the weight that may be given. A review was undertaken in December 2019 of the policies of the West Northamptonshire Joint Core Strategy (adopted December 2014) against the then current NPPF (February 2019). That confirmed that many of the policies remain up-to-date and consistent with the current NPPF and on this basis they should continue to be given full weight as part of the development plan for the purposes of decision-making.
- 8.9. Policy S1 of the WNJCS sets out how development will be distributed. It focuses development in and adjoining the main urban areas of Northampton and Daventry and limits it in the rural areas.
- 8.10. Policy H1 states that new housing development will provide a mix of housing types, sizes, and tenures to accommodate needs. The policy requires new housing developments to make efficient use of land and to provide for a mix of types, sizes and tenure.
- 8.11. The preceding chapters of this report have set out that the principle of development for the provision of 450 dwellings has already been established and that the current application for Phase B seeks consent the remaining 344 residential units following approval of Phase A for the construction of 106 units.

#### Appearance, Scale & Layout

- 8.12. Development Plan policy ENV10 seeks to ensure that developments are of high quality that reflect and integrate with the surroundings and create a sense of place. This is supported by NPPF paragraph 130 which advises that planning policies and decisions should ensure that developments
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
  - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
  - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting , while not preventing or discouraging appropriate innovation or change (such as increased densities)
  - d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
  - e) Optimise the potential of a site to accommodation and sustain an appropriate amount and mix of development (including green and other public space) and support the local facilities and transport networks; and
  - f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 8.13. Indicative plans primarily illustrate traditionally designed 1- 5 bedroom units accommodated within 3 storey flats, maisonettes, bungalows, 2 storey and 2.5 storey properties with pitched roofs and gables. The design and scale of the dwellings are more traditional in appearance than those approved within Phase A but remain to be consistent in scale. The changes in appearance reflect the change of immediate character from the urban approach into the site to a more rural character when passing through the centre site towards the copse of woodland trees and beyond.
- 8.14. The proposed layout is centred around the copse of woodland trees which are to be retained with 3 phased areas of residential development. The majority of properties have been laid out to provide outward looking and active frontages with residential amenity areas backing onto each other.
- 8.15. It is noted that some concerns have been raised by the Crime Prevention Design Advisor as to a small number of design elements. However, it is considered that these requested amendments may be easily accommodated within the application proposals and subject of revised plans.
- 8.16. Development plan policies BN5 and ENV7 recognise the value of designated and undesignated heritage assets and seek to ensure that their significance, setting and contribution to local distinctiveness are conserved or enhanced. Policy ENV7 advises that any harm to a designated heritage asset requires clear and convincing justification. Proposals that lead to substantial harm to or total loss of a designated heritage asset or less than substantial harm to a designated heritage asset will be judged against the tests in the NPPF.
- 8.17. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.18. The NPPF paragraphs 199-208 set out the tests for considering potential impacts of developments and advise that substantial harm to or loss of assets of the highest significance should be wholly exceptional. Where a proposed development would lead to substantial harm or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that would outweigh that harm or loss or all the following would apply:
- a) The nature of the heritage asset prevents all reasonable uses of the site; and
  - b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) Conservation by grant- funding or some form of not profit, charitable or public ownership is demonstrably not possible; and
  - d) The harm or loss is outweighed by the benefit of bringing the site back into use.
- 8.19. Where a development would lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal including the where appropriate, securing its optimum viable use.
- 8.20. The site lies north of the Braunston Canal Tunnel Conservation Area and the impacts on this heritage asset will need to be assessed in consideration of the application.

- 8.21. The proposal will have an impact on the character and appearance of the canal itself which sits in a deep cutting. The Canal Conservation Area designation continues at ground level along the route of the canal where it passes through Braunston Tunnel and the overland Boat Horse path between the tunnel portals and the southern edge of Phase A. Having regard to the approval of Phase A which provided large swaths of open space to the southern and eastern boundaries, the inter-visibility between the application site and the Braunston Tunnel Conservation Area would be limited and no visual harm would arise as a result of the proposal.
- 8.22. It is therefore considered that the visual impact on this heritage asset would be acceptable

#### Landscape & Open Space Provision

- 8.23. Policy ENV1 requires developments to maintain the distinctive character of the landscape. Of particular relevance is the requirement to avoid creating hard developed edges to the open countryside.
- 8.24. Local Plan (Part 2) policies CW1 and CW2 address Health and Wellbeing, and Open Space Requirements, respectively. Policy CW1 A ii) supports the provision of new community facilities and open spaces, including where they would:
- Improve the quantity and quality of accessible open space in line with the standards set out in Policy CW2 and the needs as identified in the 2018 Open Space Sports and Recreation Study (and updates)
  - Be accessible by a choice of means of sustainable and active travel
  - Create traffic-free or safe walking and cycling linkages; and
  - Result in enhancements and links to the strategic and local green infrastructure network.
- 7.27 Policy CW2, at part A, sets out the required open space standards for new residential development outside the Northampton Related Development Area and of more than 10 dwellings.
- 8.25. The proposals make use of the existing landscape features by retaining the central copse of woodland trees and integrating this as part of the layout. Further open areas are proposed immediately adjacent the copse with further woodland planting along the northern boundary to ensure a soft edge to the development.
- 8.26. A request has been received from the Local Strategy Service to demonstrate the differing open space typologies have been met. It should be noted that Phase A secured large swaths of open space to the south and east of the outline application site accommodating the typologies referred to. It is accepted that whilst this information remains outstanding therefore is sufficient capacity on the overall site to ensure that the open space typologies can be met and this information can be secured prior to approval of the application.

#### Affordable Housing Provision

- 8.27. Planning applications for housing have to be considered in the context of the NPPF's presumption in favour of sustainable development. Within the NPPF, there is a requirement to deliver a wide choice of homes and create sustainable, inclusive and mixed communities. Where there is an identified need for affordable housing, the NPPF states this need can be met on-site or off-site if it can be robustly justified. The NPPF states that the supply of new houses can be achieved through planning for larger scale developments, including extensions to existing villages or towns. Due regard also needs

to be had to any relevant policy initiatives brought forward via ministerial statements, such as First Homes. The July 2021 revision to the NPPF clarifies, at paragraph 65, that 'Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least ten per cent of the total number of homes to be available for affordable home ownership.'

- 8.28. Policy H1 of the WNJCS seeks to ensure that an appropriate mix of housing is provided which reflects the needs of existing and future households having regard to the evidence provided by the West Northamptonshire Strategic Housing Market Assessment (SHMA). It is noted within the text accompanying the policy that whilst the SHMA provides the starting point for the consideration of size and mix, it is also necessary to have regard to specific local circumstances and needs. Policy H1 advises that across Northamptonshire new housing development will provide for a mix of house types, sizes, and tenures to cater for different accommodation needs, including the needs of older people and vulnerable groups.
- 8.29. The starting point for determining the appropriate proportion of affordable housing that should be provided within the Daventry Town is 25% affordable housing as advised within Policy H2. Policy H2 also notes however that in all cases the appropriate percentage requirement will be subject to the assessment of viability on a site-by-site basis. The policy also requires that affordable housing should be provided on the application site as an integral part of the development,
- 8.30. The proposed development is required therefore deliver at least 25% affordable housing in totality, or 113 dwellings out of the 450 total proposed on the outline site.
- 8.31. Policy HO8 of the adopted Local Plan (Part 2) for Daventry District sets out that housing need will be met by developments providing a mix of dwelling types and sizes to cater for current and forecast needs. This will also contribute to the creation of sustainable mixed and inclusive communities. Developments are expected to meet the requirements of this policy unless it is demonstrated that the requirements of this policy would make the development unviable to deliver.
- 8.32. Within Policy HO8 a breakdown for target market and affordable housing that developments should be meet. The policy accepts that exceptions to this mix will be accepted where robust evidence is provided to justify exceptions.
- 8.33. Policy H2 sets out the proportions of affordable housing provision that will apply across the plan area.
- 8.34. In addition, Policy Ho4 of Housing SPD inherited from the former Daventry District specifies a preferred housing tenure mix of two thirds rented and one third intermediate housing. The Housing SPD states that the affordable housing clusters should be between 5 and 20 dwellings in schemes over 200 dwellings.
- 8.35. Based on the plans to date it is unclear as to whether policy requirements have been met or that the concerns raised regarding the affordable housing provision have been satisfactorily addressed. That said, there is scope within the application to allow these matters to be resolved.

#### Design Framework for Self Build

- 8.36. Condition 4: The self-build / custom build areas of the development shall follow a Design Framework which shall have been submitted to and approved in writing by the local planning authority prior to the submission of any reserved matters applications for these plots. The Design Framework shall set out the overarching design principles for the self-

build / custom build plots' including (but not necessarily limited to) landscaping, treatment of public boundaries, access design, height parameters, set-back of principal buildings within each plot, developable / secondary / non-developable zones within each plot, garage dimensions, parking provision and space standards around the buildings. The reserved matters applications for each self-build / custom build plot shall accord with the approved Design Framework.

8.37. In support of the application and in seeking to discharge the above condition, a Self Build Design Code document has been submitted. The document provides an analysis of the site context and sets out the parameters for development for each individual self build plots. The document set out a requirement for a consistent building line along the front of the plots to ensure that there is coherent layout with shallow depth planting zones as defensible space running to the boundary walls and public footpaths.

8.38. Plot principles dictate that:

- Individual homes must be built within the build zone and must not exceed the maximum permissible gross internal floor area specified within the plot guideline. The footprint does not need to fill the entire build zone and can be positioned anywhere within it.
- The plot will accommodate one detached unit with maximum of 5 bedrooms. The merging of plot or subdivision of plots is not permitted.
- At least 50% of the plot frontage area must be of permeable material such as grass/ shrubs/ gravel etc. On the remaining plot frontage area, any hard surface that is used must be made of porous materials or provision of direct water run-off from the hard surface to a permeable or porous area or surface area within the curtilage of the home.
- The development must be no more than the specified maximum building height in the relevant plot guidelines. This equates to 2 storey with a pitched roof (max height of 10m from base to slab level) although alternative roof forms will be permissible. Room in the roof accommodation will be permitted where the maximum ridge height is not exceeded.
- Each plot must have minimum of 1 cycle parking space of per bedroom (secure and undercover) located within the rear garden or garage. Cycle parking for dwellings should not involve having to pass through it as prescribed by the Highway Authority.
- Storage must be provided for at least 2x 240 litre bins for general waste and recycling and a 5 litre food waste caddy. Each house should have rear access garden areas and waste storage and have identified location to which the bins will be taken on collections days.
- A double garage can be counted as two parking spaces; a single garage can be counted as one parking space as long as additional ancillary storage is provided such as a shed (this would only apply to the third space on 4bed units and above).
- Terraces, balconies and raised platforms above ground level are not permitted where they would extend beyond the identified build zone.
- Boundary treatments must comply with the plot guidelines specific to the allocated plot.

8.39. It is considered that the document submitted satisfactorily addresses the requirements of the condition and it may be discharged accordingly.

#### Highway and Transport

8.40. Condition 11: No development shall commence until a detailed scheme (including a full set of engineering drawings) for off-site highway improvement works has been submitted to and approved in writing by the local planning authority. The scheme for the off-site highway improvement works shall comprise the following works which (1) shall be

completed in accordance with the approved details, and (2) written confirmation shall have been gained from the local planning authority that the works are acceptable, within the respective timescales stated below:

- A roundabout to access the site (ITB9044-GA-002 Rev I), prior to the commencement of any part of the development;
- A footway/cycleway connecting the development site with the existing footway/cycleway north of the Farnborough Drive roundabout (ITB9044-SK-011 Rev G), prior to first occupation of any part of the development;
- A toucan crossing at the Farnborough Drive roundabout, prior to first occupation of any part of the development;
- Improvements to the footway/cycleway between the Farnborough Drive roundabout and the Drayton Way roundabout, including a toucan crossing at the Drayton Way roundabout (ITB9044-SK-003 Rev E), prior to the first occupation of any part of the development;
- Improvements and extension to the footway along Welton Lane to the development site (ITB9044-SK009 Rev G), prior to the first occupation of any part of the development.
- Measures to facilitate pedestrian crossing of the A361 from the north-western corner of the site to the public footpath, prior to first occupation of any part of the development.

8.41. The comments of the WNC Highway identify that some elements of the highway improvements are yet to be agreed and as such advises that the condition can only be partly discharged at this stage. It is considered that further submissions and agreements are achievable to deliver the required highway improvements in accordance with the condition and should be pursued to approval.

#### Fire & Rescue Infrastructure

8.42. Condition 15: Prior to the commencement of each phase of development a scheme and timetable for the provision of the fire hydrants for the development shall be submitted to and agreed in writing by the Local Planning Authority and provision of the fire hydrants shall be made in accordance with the approved scheme and timetable.

8.43. The comments from WNC Fire & Rescue also advise that additional information is required before the condition may be discharged. Again it is considered this information should be pursued to ensure compliance of the condition.

#### Noise

8.44. Condition 21: Prior to the commencement of each phase of development a detailed scheme for the location, design and construction of noise barriers/bunds shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings hereby approved and retained thereafter in perpetuity.

8.45. Condition 22: Prior to the commencement of the development hereby approved a scheme to demonstrate that the internal noise levels within the residential units will conform to the guideline values for indoor ambient noise levels identified by BS 8233 2014 shall be submitted to and approved in writing by the local planning authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details and be retained thereafter

- 8.46. To address the requirements of the above conditions a Noise Assessment was submitted and deemed to be fit for purpose to allow the discharge of condition 21 and 22 of the outline application DA/2014/0869.

#### Ecology

- 8.47. Condition 26: Prior to the commencement of each phase of development an Ecological Management Plan (EMP) shall be submitted to and approved in writing by the local planning authority and implemented thereafter. The EMP shall include, but not necessarily be limited to: details of a lighting strategy for the proposed development; a scheme for the provision of bird and bat boxes; a set of ecological management prescriptions for enhancing the value of habitats; and a related programme of ongoing monitoring measures.
- 8.48. To address the requirements of the above conditions a Landscape & Ecological Management Plan” dated Feb 2018 Version 4 and the Review Addendum For Submission B was submitted and deemed to be fit for purpose to allow the discharge of condition 26 of the outline application DA/2014/0869.

#### Phasing

- 8.49. Condition 32: With submission of each reserved matter, a plan showing the proposed phasing of the development shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing.
- 8.50. The submitted plan illustrates this application Phase B as the final submission of this outline application. Phase A is currently under construction and no the additional information is required to discharge this condition.

#### Sustainability

- 8.51. Paragraph 8 of the NPPF emphasises that there are three dimensions to sustainable development; economic, social, and environmental. The proposal for this development has been prepared to address each of these three dimensions in order to deliver a new sustainable community and assist in the delivery the housing need for Daventry District:
- Economic – the site, as part of a larger approved outline site on the fringe of Daventry, is well located with respect to existing and potential future employment sites within the urban area. The outline site included for a new access with a directly on to the A361 to areas of employment, and new employment opportunities will also be provided within the site at the proposed primary school and new retail and community facilities. Jobs will also be created during the lengthy construction phase and subsequently spending by the new residents will filter down as economic benefits to local businesses and employees. Contributions by developers towards new highways infrastructure will also have an overall positive effect on the locality.
  - Social – the proposal will provide for some 344 homes, which will include a range of types and tenures over time and will help to meet the identified private and affordable housing needs within the area, specifically relating to the Daventry District. Local services within the site such as the primary school and community facilities will avoid the potential for over-capacity within existing nearby facilities. The provision of on-site open space with leisure and recreation facilities including

pedestrian and cycle links to Daventry Town Centre and beyond, will provide opportunities for future residents to live a healthy lifestyle.

- *Environmental* – the proposal includes the retention of the existing landscaping, retaining the key elements from what is otherwise a relatively bland agricultural landscape, as well as key biodiversity features, allied to new landscape planting. New footpaths, cycleways, and public transport links will help to reduce reliance on use of the private car and its resultant effects on air quality and amenity. Locating key facilities on-site in close proximity to each other should also help to reduce private vehicle use as they will be accessible to residents by a variety of modes and the need for subsequent trips should be reduced. The illustrative masterplan provides connectivity for pedestrians, cyclists and vehicles by providing links through to neighbouring estates.

8.52. Overall, the proposed development has been designed to take advantage of opportunities offered by the site and to provide benefits for the future occupants, in response to the requirements of the Development Plan and the need to achieve sustainable development.

## **9. FINANCIAL CONSIDERATIONS**

9.1 Section 70(2) of the Town and Country Planning act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, will be, or could be, provided to a relevant authority or Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy (CIL).

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

9.3 In deciding an application for planning permission or appeal where a local financial consideration is material, decision makers need to ensure that the reasons supporting the decision clearly state how the consideration has been taken into account and its connection to the development. New Homes Bonus payments recognise the efforts made by authorities to bring residential development forward. Even where anticipated Bonus payments are not a material consideration in making planning decisions, they can be noted for information in committee reports on applications for housing. Where this is done, care will be required not to imply that Bonus payments are relevant to the decision before the committee.

9.4 Daventry DC brought the CIL regulations into force in the District on September 1<sup>st</sup> 2015 and CIL still applies in the former DDC area. CIL Regulation 123 was subsequently revoked nationally by the Community Infrastructure List (Amendment) (England) (No.2) Regulations 2019; this change to the regulations means that it is also now possible to request a S106 obligation for an item of infrastructure that may also be on the local authority's Infrastructure List, if the request is considered to be justifiable. There are currently a number of categories of infrastructure listed by WNC on its infrastructure list, which generally correspond to the previous Regulation 123 list under DDC, however now the list sets out those elements of infrastructure that the council currently intends will be, or may be, wholly or partially funded by CIL. There is accordingly now less certainty as

to how some elements of infrastructure may be funded or delivered. The inclusion of specific projects in the list does not signify a commitment from the council to fund all the listed projects, or the entirety of any one project, through CIL. The council's list is reviewed annually.

- 9.5 However as the outline planning permission was granted prior to the introduction of the CIL Regulations, the application will not be CIL Liabile.
- 9.6 There are therefore not considered to be any financial considerations, as defined above, which are directly material to the determination of this planning application.

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

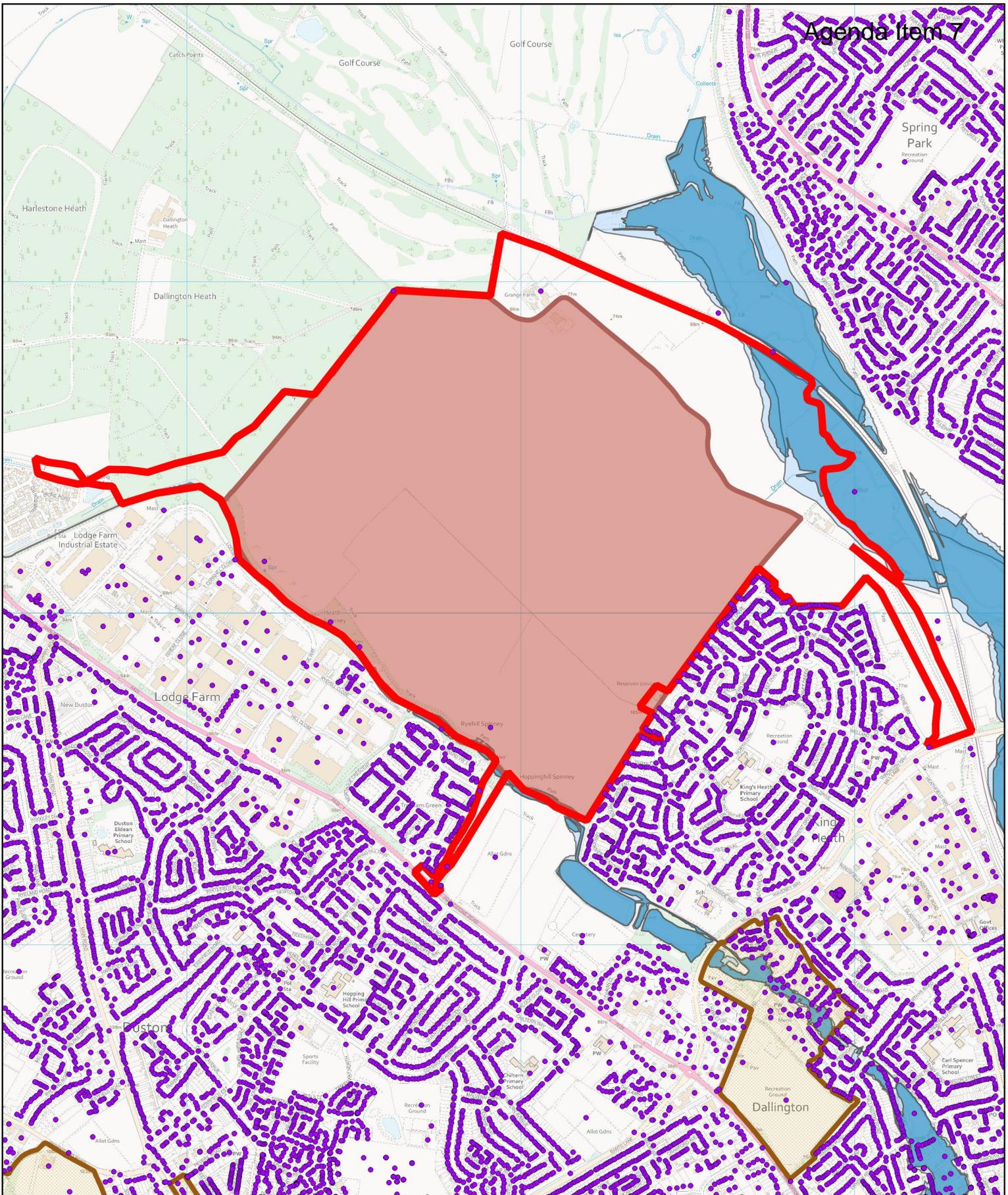
- 10.1. This proposal is for the final phase of an established site and follows on from the approval of planning permission for Phase A, which forms the western and southern part of the outline application.
- 10.2. In the context of the presumption in favour of sustainable development as set out in the NPPF, it is considered that, on balance, the proposal would result in sustainable development. The application accords with the development plan for West Northamptonshire Council and would, over the lifetime of the project, deliver a balanced and sustainable development of 344 homes and associated infrastructure in an attractive and pleasant well-designed environment. The proposed arrangements for accessing the site link in to the existing A361 route and enable it to be conveniently accessed by car and public transport without significant adverse impacts on the existing highway network. The scheme will also promote sustainable transport within and beyond the site, and will complement the approved Phase A development adjacent.
- 10.3. The scheme will protect and enhance the site's biodiversity. No other significant adverse environmental impacts have been identified that would warrant the refusal of this reserved matters application, subject to appropriate security clarity on some outstanding matters. The scheme will inevitably extend into open countryside, taking up open agricultural land and, inevitably, will permanently change the character and appearance of the countryside and of the immediate locality. This level of significant impact was however considered and accepted when the site was originally granted outline consent and therefore it is considered that, on balance, the change is justified by the positive contribution that the scheme will make to the supply of new housing.
- 10.4. It is recommended therefore that delegated authority be granted to officers to secure and progress the outstanding matters as identified in the preceding chapters of this report and grant permission subject to conditions as deemed appropriate to the reserved matters.

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

- 11.1. **THAT THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION BE GRANTED DELEGATED POWERS TO FINALISE MATTERS AS SET OUT WITHIN THE REPORT AND THEN TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS AS DEEMED APPROPRIATE RELATING TO :**
- Final plans
  - Materials submission
  - Securing parking for private motor vehicles

- Implement ecological and landscape management plan
- Secure self build principles

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**Application Number : N/2014/1429**  
**Site : Dallington Grange, Mill Lane, Northampton**  
**Ward : Dallington Spencer Unitary**  
**Grid Location : SP 73660 63304**  
**Site Area : 206.5818 Ha**  
**Scale : 1: 15 000**

KEY	
	Site outline
	Archaeological Significance
	Flood Zones
	Conservation Area(s)

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# Planning Committee Report

**Application Number:** N/2014/1429

**Location:** Dallington Grange, Mill Lane, Kingsthorpe, Northampton NN5 7PZ

**Development:** Application for the partial approval of details submitted pursuant to condition 8 (Design Code) to include all details relating to residential and landscaping areas but excluding details relating to all Commercial Areas, Mixed Use Areas, Grange Farm Commercial Hub, Secondary School and Primary Schools. relating to planning permission N/2014/1429 [Outline Planning Application (all matters reserved except access) for a Sustainable Urban Extension comprising up to 3,000 dwellings including affordable housing; up to 7.2ha employment land (Class B1 office/light industry and Class B2 general industry); a local centre to accommodate a food store (2,230m<sup>2</sup>), 6 shop units (750m<sup>2</sup>) for retail (Class A1), professional and financial services (Class A2), restaurant/cafe (Class A3), drinking establishment (Class A4) and hot food takeaway (Class A5); public house/restaurant; nursery (Class D1); 2 primary schools; secondary school; redevelopment of Grange Farm for cafe/restaurant/public house or hotel; extension of the North West Bypass on the site; provision of open space and strategic landscaping and wildlife corridors; surface water/flood management works and associated engineering works for drainage and services.

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**Applicant:** Persimmon Homes & BDW Trading

**Agent:** Pegasus Group

**Case Officer:** Andrew Longbottom

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**Ward:** Kings Heath Ward

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

**Committee Date:** 09/05/2022

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

### **RECOMMENDATION: AGREE TO THE PARTIAL DISCHARGE OF THE PLANNING CONDITION**

#### **Proposal**

Application to partially discharge condition 8 of the outline planning permission for the Dallington Grange (SUE) which seeks to agree the Design Code.

## Consultations

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

- Lead Local Flood Authority  
(Officer comment;- the change requested by the Lead Local Flood Authority has been incorporated into the revised Design Code)

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

- Environment Agency
- Environmental Health
- Police Crime Prevention Design Advisor
- The Local Highway Authority
- WNC Landscape Consultant
- Canal and River Trust
- NCC Development Management
- Natural England
- The Ramblers
- Historic England

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

No letters of objection or support have been received from third parties.

## Conclusion

The Council is currently out to consultation on a second draft of the proposed Dallington Grange Design Code. The written updates to Members will update members on whether all matters have been addressed.

If all outstanding matters have been addressed in the revised version, then it is considered the code is consistent with the outline planning permission and represents a logical progression from the associated Masterplan and Design and Access Statement. The applicants have worked with officers to amend and revise the code to produce a set of guidelines which should enable developers to design appropriate, detailed, reserved matters planning applications for this SUE. As such Condition 8 of the planning permissions should be partially discharged in accordance with the recommendation.

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

## MAIN REPORT

### 1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is situated approximately 3.7km to the north-west of the town centre on the urban fringe of Northampton. It is bound to the north/ north east by the mainline railway and the Brampton Arm of the River Nene, and by Kings Heath residential estate to the south east. The southern boundary comprises allotments, residential development and Lodge Farm industrial Estate. Dallington Heath/ Harlestone Firs, an area of woodland, is situated to the west and north west, with Northamptonshire County Golf Course to the north. The site is currently accessed via

a metalled single-track private drive from Nene Way, an estate road providing access to Mill Lane.

- 1.2 The application site comprises 208 hectares of predominantly mixed agricultural fields, with Grange Farm, a residential farmstead and associated commercial activities, located to the north of the site, a waste/storage facility adjacent and a communications building and mast situated to the north east.
- 1.3 The site is generally undulating with levels falling along a north west to south east axis through the centre of the site, dropping down towards the north eastern boundary adjacent to the Brampton Arm of the River Nene, and to the south/south west boundary adjacent to Dallington Brook.
- 1.4 The site comprises predominantly mixed arable and grazing agricultural land, and grassland, with Grange Farm buildings to the north. There a small number of internal hedgerows delineating the field boundaries, and external boundaries are mostly marked by hedgerows and tree belts. There are a small number of isolated trees within the site, but the site is flanked by managed plantation woodland at Harlestone Firs to the north, and a woodland strip at Dallington Brook.

## **2 CONSTRAINTS**

2.1 The application has the following planning constraints

- The land is very undulating
- Parts of the site adjacent to the River Nene and Dallington Brook situated within Flood Zones 2 and 3
- A water main runs north to south across the site, with a further water main running along the eastern boundary of the site with Kings Heath.
- There are a number of archaeological assets within the site, most notably a Neolithic causewayed enclosure in the north western half of the application site, considered to be of National Importance, with evidence of Anglo-Saxon activity immediately to the north; and evidence of an Iron-Age settlement located in the south western part of the site
- Kingsthorpe Village Conservation Area is situated beyond the railway line to the east of the site.
- Bridleways HW21 and HW6 run north west/south east across the site across the southern and northern boundaries of the site respectively
- Public Footpath HW44, part of which is proposed to be diverted, extends from the northern section of the site and bridleway across an uncontrolled level crossing over the railway line and into residential properties in Kingsthorpe
- Bridleway HW6, runs from the junction of Mill Lane and Nene Way (south of Kings Heath) in broadly northern direction towards Dallington Heath
- There are a number of Local Wildlife Sites within or adjacent to the application site including Dallington Heath Local Wildlife Site (LWS), situated within the site and considered to be species-rich in acid grassland, and Kingsthorpe Tussocks LWS, the majority of which is located outside the application site to the north east
- The site is located approximately 4.5km to the north west of the Upper Nene Gravel Pits Site of Special Scientific Interest (SSSI).

### 3 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 In February 2021 a hybrid planning permission was granted by the former Northampton Borough Council for up to 3000 dwellings, a secondary school, two primary schools 7.2 Ha of employment land, Local Centre, redevelopment of Grange Farm, Extension of the North West bypass, open space, landscaping, and flood management works.

3.2 The current application seeks to partially discharge condition 8 of this permission which requires the submission and approval of a Design Code. The applicant has submitted a Design Code, however as the proposals for some uses have not been sufficiently progressed the application is to agree the Design Code for the residential and landscaping areas only and excluding details relating to all Commercial Areas, Mixed Use Areas, Grange Farm Commercial Hub, Secondary School and Primary Schools. These will need to be the subject of a separate application to discharge the condition which will also need to be reported to the Strategic Planning Committee.

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

- The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.
- Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.
- The proposed layout, use and function of all open space within the development based on the principles set out in the submitted Green Infrastructure Strategy dated April 2018.
- The approach to and design principles applied to parking (on street and off-street).
- The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.
- Servicing, including utilities, design for the storage and collection of waste and recyclable materials.

### 4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/1995/215	Outline application – comprehensive residential development, together with retail, employment and other land uses including access roads.	Not proceeded with.
WN/2006/0001	Residential and Mixed Use Development	Withdrawn

		20.06.06
WN/2006/0002	Comprehensive development of approximately 2,500 Dwellings and Mixed Use Development Site (Duplicate of Outline Application 99/0611)	Withdrawn 20.06.06.
N/2007/0154	Development comprising up to 3,500 dwellings; a local centre of up to 4.15ha (Classes A1-A5, B1(a), C2, C3, D1 and D2); an employment area up to 10 ha (Classes B1, B2 and B8); two primary schools; reuse and redevelopment of Grange Farm for cafe/restaurant/public house or hotel.	Withdrawn 30.06.15

## 5 RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

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

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

- 5.3 The relevant policies of the LPP1 are:

S1 - The Distribution of Development  
S2 – Hierarchy of Centres  
S3 - Scale and Distribution of Housing Development  
S4 - Northampton Related Development Area  
S5 - Sustainable Urban Extensions  
S9 - Distribution of Retail Development  
S10 - Sustainable Development Principles  
S11 - Low Carbon and Renewable Energy  
C1 - Changing Behaviour and Achieving Modal Shift  
C2 - New Developments  
RC2 - Community Needs  
E6 - Education, Skills and Training  
H1 - Housing Density and Mix and Type of Dwellings  
H2 - Affordable Housing  
H5 - Sustainable Housing  
BN1 - Green Infrastructure Connections  
BN2 - Biodiversity  
BN3 - Woodland Enhancement and Creation  
BN5 - The Historic Environment  
BN7a - Water Supply, Quality and Wastewater Infrastructure  
BN7 - Flood Risk  
BN8 - The River Nene Strategic River Corridor  
BN9 - Planning for Pollution Control

INF1 - Approach to Infrastructure Delivery  
INF2 - Contributions to Infrastructure Requirements  
N1 – The Regeneration of Northampton  
N7 – Northampton Kings Heath SUE  
N10 – Convenience Shopping Needs Outside Northampton Town Centre

#### Northampton Local Plan (Part 2) (LPP2)

- 5.4 Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

H1 – Major New Residential Development  
H4 – Sites for Major New Residential Development  
L26 – Leisure Proposals  
T4 – Main Distributor and Primary Roads  
L4 – New Local Recreation Land  
R11 – Shopping Facilities in Major Residential Development  
E1 – Landscape and Open Space  
E6 – Greenspace  
E11 and E12 – Hedgerows Trees and Woodland  
E18 – Sites of Acknowledged Nature Conservation Value  
E19 – Implementing New Development  
E20 – New Development (design)  
E29 – Crime and Vandalism  
H32 – Affordable Housing  
T12 – Development requiring servicing

#### Supplementary Planning Documents

Northampton Parking Standards (November 2019)  
Planning out Crime in Northamptonshire SPG 2004  
Upper Nene Gravel Pits Special Protection Area SPD (adopted September 2017)  
Biodiversity SPD for Northamptonshire (adopted September 2017)

#### Other Material Considerations

Northampton Green infrastructure Plan (2016)  
Open Space, Sport and Recreation Needs Assessment and Audit (2009)  
National Planning Policy Framework (NPPF)

#### Northampton Local Plan Part 2 (2011-2029) (Emerging)

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

Policy 1 - Presumption in Favour of Sustainable Development (Significant weight)  
 Policy 2 – Placemaking (Moderate weight)  
 Policy 3 – Design (Moderate weight)  
 Policy 4 – Amenity and Layout (Moderate weight)  
 Policy 5 – Carbon Reduction, Community Energy Networks, Sustainable Design and Construction and Water Use (Moderate weight)  
 Policy 6 – Health and Wellbeing (Significant weight)  
 Policy 7 – Flood Risk and Management (Significant weight)  
 Policy 14 - Type and Mix of Housing (Moderate weight)  
 Policy 18 - Supporting New Employment Development and Schemes Outside Safeguarded Sites (Significant weight)  
 Policy 19 - New Retail Developments and Retail Impact Assessment (Moderate Weight)  
 Policy 20 – Hot Food Takeaways (Significant weight)  
 Policy 21 – Residential Development on Upper Floors (Significant weight)  
 Policy 23 - Sports Facilities and Playing Pitches (Significant weight)  
 Policy 24 – Community Facilities (Significant weight)  
 Policy 27 – Sustaining and Enhancing Existing, And Supporting The creation of, Northampton’s Green Infrastructure. (Significant weight)  
 Policy 28 – Providing Open Spaces (Significant weight)  
 Policy 29 - Supporting and Enhancing Biodiversity (Moderate weight)  
 Policy 31 – Protection and Enhancements of Heritage Assets (Significant weight)  
 Policy 32 – Designing Sustainable Transport and Travel.(Significant weight)  
 Policy 34 – Transport Schemes and Mitigation. (Significant weight)  
 Policy 35 – Parking Standards (Significant weight)  
 Policy 36 – Electronic Communication Networks (Significant weight)  
 Policy 37 – Infrastructure Delivery and Contributions (Significant weight)

## 6 RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received for the original submission of the Design Code. Responses are available to view in full on the Council’s website.

Consultee Name	Position	Comment
Environment Agency	No Comments	
Northamptonshire Lead Local Flood Authority	Objects	The Design Code needs to state the flood mitigation works need to be designed to the 1 in 200 year standard. <i>(Officer comment;- the change asked for by the Lead Local Flood Authority has been incorporated into the revised Design Code)</i>
Environmental Health	Comments	The Design Code should include details of the provision of electric car charging points <i>(Officer comment;- This is covered in the planning conditions in the hybrid planning application)</i>
Police Crime Prevention Officer	Comments	(i) High specification front doors should be used, (ii) Inappropriate use of footpaths and cycleways should be considered, (iii) Play areas need to be overlooked (iv) The police do not support the use of rear parking courts, however where used they should be secured by gates.

Local Highway Authority	Comments	<ul style="list-style-type: none"> <li>(i) Traffic calming should not be designed into the development from the outset</li> <li>(ii) Rear parking courts should only be used for flats,</li> <li>(iii) Parking courts should only be used if dwellings front onto the courtyard,</li> <li>(iv) No more than 4 spaces in a row or 10m of dropped kerb before a full height kerb is required.</li> <li>(v) A single garage can be counted as a single parking space as long as additional ancillary external storage is provided.</li> <li>(vi) The specification of the main street and secondary street needs to be amended to meet adoptable standards</li> <li>(vii) Sharded surfaces to be used for short sections only</li> <li>(viii) Trees and/or shrubs and grasses are to be retained in adopted land, a commutable sum for maintenance may be sought by the Highway Authorities.</li> <li>(ix) Any highway footpath must be standard tarmac (no colour variation).</li> <li>(x) The design of the highway adjacent to the neighbourhood centre needs more detail and should have a standard road design.</li> <li>(xi) Detailed design of the highways around the schools will be important to ensure highway safety</li> </ul>
WNC Landscape Consultant	Comments	<ul style="list-style-type: none"> <li>(i) The landscaping around the relief road should be amended to ensure it is more in keeping with the character of the area.</li> <li>(ii) The SUDS scheme within the Brampton Valley Park should have a less engineered appearance</li> <li>(iii) There should be wetland tree species near the SUDS basins</li> <li>(iv) There should be more attention to the design of the gateway to the Dallington Community Park</li> <li>(v) The footpath routes through the Dallington Community Park need to be re -examined</li> <li>(vi) There should be more tree planting within the Dallington Community Park.</li> <li>(vii) There should not be pinch points between the Dallington Community Park and the residential area</li> <li>(viii) There should be better connections between the Sky View Park and the wider development.</li> <li>(ix) The planting within the Heritage Park needs to be reviewed.</li> <li>(x) The treatment of the existing hedgerow is not clear.</li> <li>(xi) There should be nodal designs at intersection points on the Linear Park</li> <li>(xii) The benefits of a swale in the linear park need to be examined.</li> <li>(xiii) The SUDS system within the Dallington Brook Corridor need to have a</li> </ul>

		landscaped and not engineered appearance. (xiv) There are further planting opportunities in the Dallington Brook Corridor. (xv) The design of the housing fronting onto the Dallington Brook Corridor needs careful consideration. (xvi) There are maintenance issues with some of the planting proposed for the Dallington Brook Corridor.
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Below is a summary of the consultation responses received for the first revision of the Design Code. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Environment Agency	No Comments	
Canal and River Trust	No Comments	
NCC Development Management	Comments	There should be early engagement in relation to the design of the proposed schools.
Natural England	No Comments	
National Highways	No comments	
The Ramblers	Comments	(i) Toucan crossing should be adjacent to the Pegasus crossings (ii) The width of the footpath HW44 needs to be amended to show the width of footpaths shown in the footpath diversion orders.
WNC Archaeology	Comments	(i) Care need to be taken to ensure that earth mounding and landscaping does not damage the archaeological remains in the Heritage Park. (ii) There is the opportunity to use QR codes in the area so that people visiting the park can find out more about it.
Historic England	Comments	Further consideration needs to be given to the landscaping and mounding within the Heritage Park
WNC Landscape Consultants	Comments	(i) A Number of changes have been made to address the comments previously made (ii) In respect of the SUDs area care must be undertaken at the detailed design stage to ensure that the retention areas are 'organic in form', fit with the immediate landscape character and in harmony with the adjacent contours. (iii) The design adjustments illustrated within the Heritage Park layout and the footpath connection are positive and appropriate (iv) The Nodal points symbols in the Linear Park have been added but are not described. (v) Some of the tree and shrub species proposed are not compatible with the local soil types or have a limited life span. (vi) Some comments previously made have not been addressed
Local Highway Authority	Comments	(i) Traffic calming should not be designed into the development from the outset (ii) Rear parking courts should only be used for

		flats, (iii) Parking courts should only be used if dwellings front onto the courtyard, (iv) No more than 4 spaces in a row or 10m of dropped kerb before a full height kerb is required. (v) A single garage can be counted as a single parking space as long as additional ancillary external storage is provided. (vi) The specification of the main street and secondary street needs to be amended to meet adoptable standard. (vii) Sharded surfaces to be used for short sections only (viii) The design of the highway adjacent to the neighbourhood centre needs more detail and should have a standard road design. (ix) Some of the green links lack interest. (x) Pedestrian routes should take priority at crossings. (xi) The Planting Strategy should be expanded to ensure a stronger planting and species framework (xii) The description of the play equipment is considered appropriate however surface materials need careful consideration.
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Below is a summary of the consultation responses received for the second revision of the Design Code. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
WNC Archaeology	Comments	The comments made previously have been addressed in the latest revision of the Design Code.
Police Crime Prevention Design Advisor	Comments	(i) The play areas can result in anti-social behaviours and should be separate from dwellings by well used roads. (ii) The use of rear parking courts should be avoided. (iii) The dwellings should use high security front doors (iv) The commercial areas should be covered by CCTV cameras. (v) Rear parking courts should have automatic opening gates.

## 7 RESPONSE TO PUBLICITY

No third party responses have been received

## 8 APPRAISAL

### What is a Design Code?

- 8.1 The Department for Levelling Up, Housing and Communities Planning Policy Guidance on 'Design: process and tools' describes design codes as "illustrated

design requirements that provide specific, detailed parameters for the physical development of a site or area” (Paragraph: 008 Ref ID: 26-008-20191001 - PPG).

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

#### Dallington Grange Design Code

- 8.6 Condition 8 of the hybrid planning permission for Dallington Grange states that a Design Code for the site needs to be submitted having regard to the approved Design and Access Statement for the site and needs to cover the movement network, densities, legibility, means of enclosure, focal points, green infrastructure, parking, servicing, and waste collection.
- 8.7 Officers have been working together with the applicants, Persimmon Homes and David Wilson Homes, to agree a Design Code for Dallington Grange since outline planning permission was granted.
- 8.8 During discussions with the applicants, it became clear that the proposal for certain parts of the site were not sufficiently advanced for them to be included with the Design Code, hence, in order to move the development forward, a different strategy was adopted, this being to exclude certain parts of the site from the Design Code and for separate later Design Code(s) to be submitted for these parts of the site. The

code(s) for these parts of the would also need to be agreed by the Committee in the same way. The Design Code is therefore to agree the coding for the residential and landscaping area but to exclude details relating to all commercial areas, mixed use areas, Grange Farm Commercial Hub, the Secondary School and Primary Schools.

8.9 The applicants have addressed the majority of the issues raised by Officers and consultees however at the time of writing a further revision of the code is being consulted upon to address the final issues raised by Officers and the outstanding matters set out in section 6 above. The final consultation responses and any necessary amendment to the recommendation will be addressed in the Committee Updates.

8.10 The following part of the report describes the various sections of the Design Code:

*Existing Site Context*

8.11 The Design Code includes a character assessment of the north west of Northampton including the areas of White Hills, Kingsthorpe, Queens Park, Kings Heath, Obelisk Rise, Duston, New Duston and the rural areas of Boughton and Harlestone Village. The assessment looks at the form and style of dwellings as well as layout and architectural detailing. This section then influences the proposed appearance of the development within the site. The assessment demonstrates that within the urban areas there are a wide range of architectural style and layouts ranging from very formal Victorian terraces and older detached dwellings through interwar housing estates, modern more car orientated later twentieth century estates. Some of the areas are also more architecturally appealing than others. Looking at the rural areas, such as Harlestone village, there is a different vernacular to the dwellings which is distinct from the urban areas. It is clear that there is no one overall architectural style in the north west of Northampton which needs to be replicated on the development site.

*Street and Movement Network*

8.12 A Masterplan and Access Parameter Plan for the development was approved as part of the hybrid planning permission and condition 6 of the planning permission states that the development shall not materially depart from these plans. The Design Code builds upon this by illustrating the main pedestrian routes, bridleway routes cycleways, leisure walking routes. The future goal is to reduce the amount of car use over the longer term and therefore the development provides the opportunity for a number of transport modes to be used.

8.13 The site will be accessed via three vehicular access points, from the relief road, Hawksmoor Way and Mill Lane plus a number of pedestrian access points. Vehicular access will also be available from Conway Close on the Kings Heath estate, but this will serve a maximum of 100 dwellings. The approved masterplan illustrates the major road through the development and main pedestrian routes. The main street will have a dedicated 3 metre wide footpath/cycleway, the secondary streets and shared private drive will have dedicated footpaths whilst the shared surface streets, which are quieter by nature use a shared surface approach. There are two cycle routes which run close to the site, these are national Route 6, which passes through the centre of Northampton and route 359 and these routes can also be used by electric scooters which are currently being used in Northampton. The code also illustrates the negotiated bus service arrangements with the bus service entering the site from Hawksmoor Way which then executes a circuit of the site along the Main Street before again exiting the site via Hawksmoor Way.

### *Parking Design Principles.*

- 8.14 The parking guidance accords with the adopted Parking SPD for Northampton and advocates a wide range of parking solutions that can be applied across the development. The majority of allocated parking will be with the private curtilage, this will be achieved by either parking to the front, parking to the side or integral parking within the dwelling. Rear parking courts will prominently be for flats and any rear parking courts for houses will be used only where other solutions do not exist and will serve a very limited number of units and will be well overlooked by the dwellings.
- 8.15 Whilst Highways and the Police Crime Prevention Design Advisor have reservations about the use of parking courts it is not the intention to use parking courts in the development where other options could be utilised. It has been agreed that these could be used for flats and for houses where they are well overlooked and secure and there are no other sensible solutions. Having a wide selection of parking solution will help to enable designers to use the right solution for the different parts of the layout.
- 8.16 Where frontage parking is used in the development this will be used in the maximum of 4 in a block before there is a planted landscape strip to visually break up the parking areas. Also, no more than 50% of semi-detached dwellings in any one phase or sub phase of development will have frontage parking. Frontage parking will be more prevalent for terraced housing due to the nature of the layout of these houses.
- 8.17 There are still some outstanding matters that need to be addressed including the comments of the Local Highway Authority as set out above and details of the design of the parking spaces and landscaping associated with it. The applicants have submitted a second revision to the Design Code and the Council is currently consulting upon this and Officers will update members on whether the issues have been satisfactorily addressed.

### *Street Designs*

- 8.18 A set of Street Typologies provides a guide to how a hierarchy of streets will be implemented within the development going from main street with swale as highest-level street type, to secondary streets, to private drives and shared surfaces at the bottom level. The typologies include diagrams to show typical sections through the different road types. Details of the road speeds, accessibility for buses, widths and construction of carriageways, footpath/cycleways, street lighting, highway planting and verges are provided. With regard to the swales the cross sections give indications of their depth and how they will be landscaped.
- 8.19 There are still some outstanding matters that need to be addressed including the comments of the Local Highway Authority as set out above. The applicants have submitted a second revision to the Design Code and the Council is currently consulting upon this and Officers will update members on whether the issues have been satisfactorily addressed.

### *Sustainable Urban Drainage Scheme*

- 8.20 The site includes a Sustainable Urban Drainage System (SUDS) which have the advantage of creating more interesting and attractive urban areas to live work and play, increase opportunities for placemaking providing a habitat for wildlife and biodiversity and increasing opportunities for landscaping. Swales will be used to collect water and will vary from the informal and naturalistic to urban in character and

adding interest to residential frontages. Rain garden will further create a feature within the public realm and street scape. Opportunities for planting within the SUDS include trees shrubs, reeds and marginal wetland species. Estate railings will mark the edge of the swales where necessary to give the additional feeling of quality and concrete headwalls will be avoided, instead using a brick or sandbagged wall and a stone base. Wooden bridges will be used to cross the swales where necessary.

- 8.21 There are still some outstanding matters that need to be addressed from Officers and the Landscape Consultant. The applicants have submitted a second revision to the Design Code and the Council is currently consulting upon this and Officers will update members on whether the issues have been satisfactorily addressed.

*Site Wide Principles*

- 8.22 The Site Wide Principles cover the following matters which have implications for the whole site including density, building heights, crime prevention and character area and house typologies.
- 8.23 The density plan shows where the higher and lower densities will be within the development and follows the principles set out in the approved Design and Access Statement and how the average of 35 dwellings per hectare will be achieved but also following the principles of the Design and Access statement in identifying the higher density area nearer the centre of the site, with the lower densities nearer the open space and edges of the site.
- 8.24 The building height plan has been more closely defined from the Design and Access Statement (DAS), with taller dwellings along the main street, where up to 10% of the dwellings can be three storeys. The plan also defines a larger area adjacent to the main street where up to 35% of the dwellings can be 2.5 storey in height, which is more restrictive than the DAS. The dwellings fronting onto the Heritage Park have been looked at again and the maximum ridge heights for these areas have been reduced in height from a maximum of 14 metres to 12 metres and a maximum of only of 50% of the dwellings to be 2.5 storeys.
- 8.25 The Design Code includes a section on crime prevention which gives the following commitments:
- Ensure natural surveillance of public and semi-private spaces
  - Orientate building so that they face the street open and footpath links
  - Clearly define public and private spaces
  - Design car parking spaces that are secure and overlooked
  - Vehicular and pedestrian routes will be designed to that they are open well used and direct
  - Provide good lighting
  - Ensure adequate maintenance of spaces to deter and minimise anti-social behaviour.

This need to be read in conjunction with Condition 12 of the planning permission which requires the developers to demonstrate how the objectives of Secured by Design have been achieved in the development in each of the reserved matters applications submitted.

- 8.26 The Design Code includes basic diagrams of all the typologies for the dwellings that are proposed to be provided as part of the development. This gives the basic design and parameters of each of the dimensions of the dwellings for the two, two and a half and three storey dwellings. Officers have works with the developers to refine the typologies and also to create rules as to how some of the typologies are used and to ensure that they harmonise with one another within the street scene and do not create too much of a vertical emphasis where taller dwellings are used by grouping such dwellings together.
- 8.27 The development site has been split into 4 different character and this has been simplified from the first submission of the Design Code. The north west third of the site, that borders the open countryside is known as the Firs Neighbourhood and this part of the site will draw on the rural vernacular to influence the detailed design of the dwellings. Within this character area are the two Firs Gateways which will have different treatment with higher quality materials and design to provide an attractive entrance to the development.
- 8.28 The central band of the development is split into two separate character areas Dallington South Neighbourhood, which takes its detailed design influences from the adjacent Duston area and the Dallington North Neighbourhood which takes its detailed design influences from the Kingsthorpe area of the town. Within these areas are the north and south gateways to the development which again will have a high-quality palette of materials to provide an inviting entrance to the development. Also within this area is Community Park Frontage which has a more traditional palette of materials and architectural detailing.
- 8.29 The fourth character area is the Heath Neighbourhood where a more modern and contemporary design of dwelling will be used, although it is called the Heath neighbourhood it will not draw upon the designs of the Kings Heath housing estate for its inspiration.
- 8.30 In addition, the design of the dwellings located along the main street will respect the neighbourhood designs, however, to provide some continuity in the design of the main street, they will have some continuity of materials, architectural detailing and colouring to give a slightly more contemporary appearance to the street.
- 8.31 The Design Code provides extensive details on the architectural detailing of the dwellings located in the different neighbourhood including how and when they will be used and includes:
- Wall Materials
  - Roof materials
  - Window designs
  - Window header designs
  - Window cill designs
  - Window colours
  - Eaves treatments
  - Verge treatments
  - Chimneys
  - Boundary treatment
- 8.32 These details have been worked up in considerable detail and have been extensively discussed with the applicants with Officers pushing for higher quality design and materials on the site whilst still retaining the balance between the quality of the materials used and retaining the viability of the development

8.33 There is still some clarification needed in relation to the house typologies and some amendments needed on the architectural detailing. The applicants have submitted a second revision to the Design Code and the Council is currently consulting upon this and Officers will update Members on whether the issues have been satisfactorily addressed.

*Public Open Space and Play Provision.*

8.34 The final section of the Design Code sets out details for the landscaping strategy and play strategy to be applied across the SUE including the following

- The North West Relief Road
- Brampton Valley Parkland and Play Space
- Dallington Community Park
- Sky View Park
- Heritage Park and Play Space
- Linear Park
- Dallington Brook Corridor.

8.35 The Police Crime Prevention Design Advisor has some concerns regarding the locations of some of the play areas however these are shown in the masterplan, which as been approved, it is not the purpose of the Design Code to rework the masterplan. However, the Police will be consulted on the reserved matters application to ensure their views on the layout of the play areas are fully considered.

8.36 This section of the Design Code provides the principles to be applied when designing the key green spaces for the development. A planting strategy is included for the various types of green spaces as well as for the residential areas. This describes the species of plants to be used within each area. Using plants of varying shapes, sizes and colours will help to create a distinctive character and reinforce and harmonise with the built form.

8.37 Also included in this section are details of the street furniture and hard landscaping that should be utilised across the SUE.

8.38 There are still some amendments needed to address the issues raised by the Council's Landscape Consultant. The applicants have submitted a second revision to the Design Code and the Council is currently consulting upon this and Officers will update members on whether the issues have been satisfactorily addressed.

## **9 FINANCIAL CONSIDERATIONS**

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

## **10 PLANNING BALANCE AND CONCLUSION**

10.1 Officers have worked with the applicants over a number of months to improve the Design Code and a series of amendment have been made. However, there are still some outstanding matters that need to be addressed and there is a newly revised version which the Council is consulting upon but at the time of writing the revised Design Code has not been assessed by officers and limited consultation responses have been received.

- 10.2 Members will be informed in the written updates on the opinions of officers on the revised plans and the further consultation responses. If the outstanding matters have been addressed then it is considered that the Design Code will deliver the development envisaged for the site, if there are still outstanding matters then it may be necessary to amend the recommendation for the outstanding matters to be delegated to the Assistant Director for Growth, Climate and Regeneration.

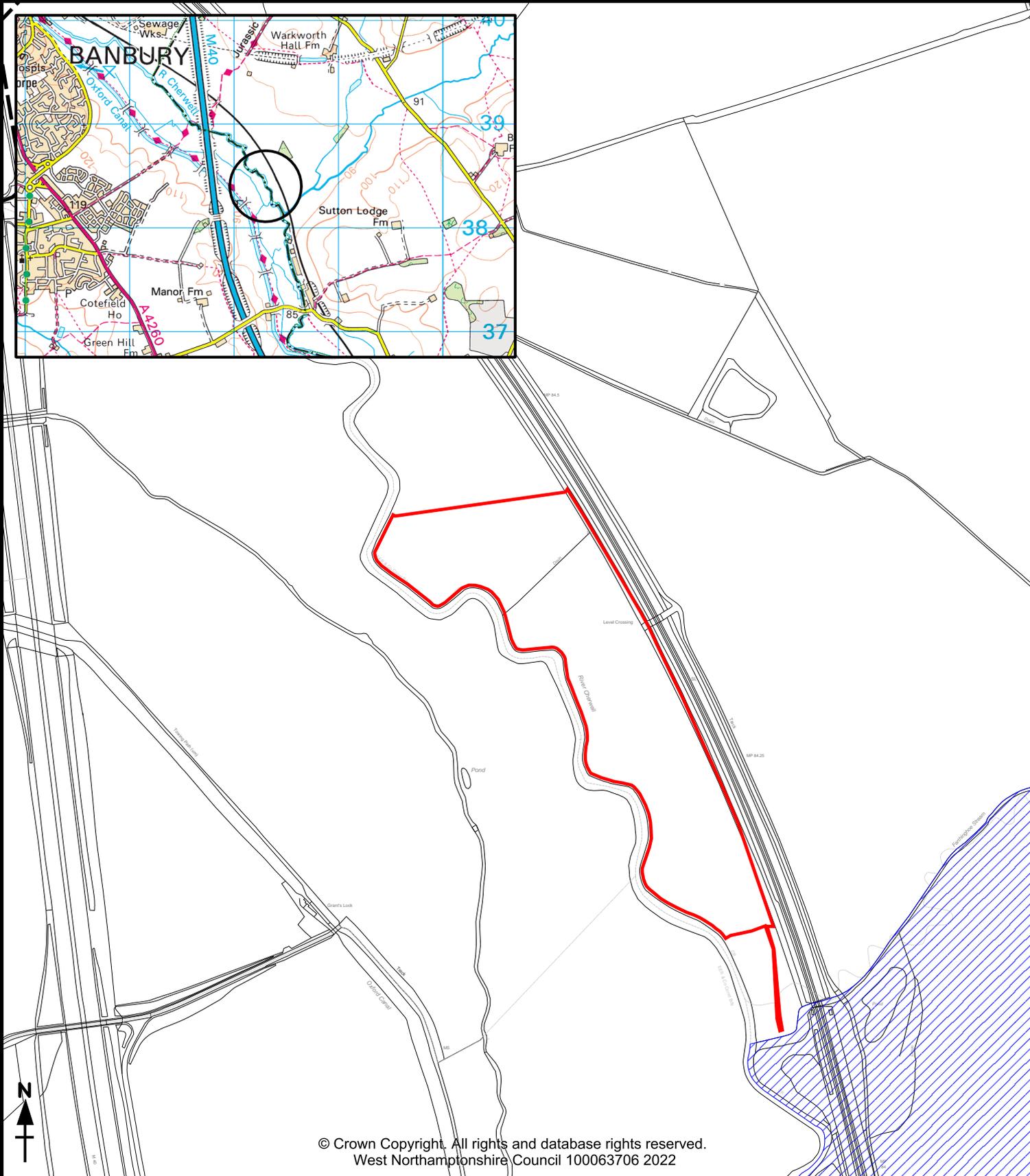
## **11 RECOMMENDATION**

- 11.1 **APPROVE THE PARTIAL DISCHARGE OF THE PLANNING CONDITION FOR THE DETAILS SUBMITTED PURSUANT TO CONDITION 8 (DESIGN CODE) TO INCLUDE ALL DETAILS RELATING TO RESIDENTIAL AND LANDSCAPING AREAS BUT EXCLUDING DETAILS RELATING TO ALL COMMERCIAL AREAS, MIXED USE AREAS, GRANGE FARM COMMERCIAL HUB, SECONDARY SCHOOL AND PRIMARY SCHOOLS.**

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**Application Number:** WNS/2021/1939/MAF

**Parish:** Kings Sutton, Warkworth



Town/Village: Kings Sutton

 Site

Site Area: 5.4165 Ha

 Special Landscape Area

Grid Location: SP4832038472

 Public Right of Way

Map Scale: 1:5000

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**Application Number:** WNS/2021/1939/MAF  
**Location:** Land adjoining Cherwell Valley Business Park OX17 3AA  
**Proposal:** A solar park with associated infrastructure including two substations, raised plinths and reinforced grasstrack.

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**Applicant:** Cherwell Valley Silos A Cherry  
**Agent:** Framptons  
**Case Officer:** Samuel Dix

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**Ward:** Middleton Cheney

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**Reason for Referral:** Major development

**Committee Date:** 9<sup>th</sup> May 2022

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

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

#### **Proposal**

The proposed development comprises the erection of photo-voltaic panels (solar panels) and associated infrastructure on land to the immediate north of Cherwell Valley business park. The majority of energy generated by the development will be used by nearby businesses. In total the solar park will generate at its peak just over 3MW of energy.

#### **Consultations**

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

- Adderbury Parish Council (*NB. Adderbury Parish Council is located in Oxfordshire and as such were consulted as a neighbour, not as a statutory consultee*)

The following consultees have raised **no objections** or **commented** on the application:

- Kings Sutton Parish Council
- Environment Agency
- Environmental Health
- County Archaeologist
- Northants Police

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

#### **Conclusion**

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

The key issues arising from the application details are:

- Principle of development;
- Landscape and visual impact;
- Flood risk;
- Heritage;
- Ecology
- Highway safety;

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

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

## **MAIN REPORT**

### **1. APPLICATION SITE AND LOCALITY**

- 1.1 The application site is a relatively thin sliver of land located on the extreme south-western edge of Northamptonshire between the River Cherwell (the county boundary with Oxfordshire) to the west and the Oxford-to-Banbury railway to the east. It is presently grassland ostensibly in agricultural use although not intensively farmed due to flood risk from the adjoining river.
- 1.2 The site is located to the immediate north of the Cherwell Valley Business Park, which is a relatively large industrial estate that accommodates various commercial premises in a mix of uses. The Business Park is also located between the River Cherwell and the railway and is accessed from the south via Banbury Lane/Twyford Road, which runs between Kings Sutton in Northamptonshire to the east (around 1km away) and Twyford in Oxfordshire to the west (around 1.2km away).

### **2. CONSTRAINTS**

- 2.1. The application site is within open countryside and is also affected by the following constraints:
- Flood Zones 2/3 (the highest probability of flooding)
  - Within 2km of 2no. Local Wildlife Sites (including adjoining the River Cherwell, which is a LWS)
  - Within 500m of the Oxford Canal, which is also a Conservation Area.

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

- 3.1. The proposed development comprises the erection of just over 7,000 solar panels that will be mounted on galvanised steel frames angled at 20 degrees. The panels will be around 2.4m tall at their tallest edge and the rows spaced by 5.5m. They will be accessed via a new track leading directly from the Business Park to the south with a substation located towards the central area of the site, from which an underground connection to the Business Park will be made, and a new overhead connection to existing Western Power grid infrastructure to the west (to be delivered under permitted development rights

afforded to the statutory undertaker). New planting will be incorporated to the north of the site.

#### **4. RELEVANT PLANNING HISTORY**

4.1. There is no planning history directly relevant to the proposal.

#### **5. RELEVANT PLANNING POLICY AND GUIDANCE**

##### **Statutory Duty**

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

##### **Development Plan**

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

##### WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY 2014 (JCS 2014)

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

##### SOUTH NORTHAMPTONSHIRE PART 2 LOCAL PLAN (Part 2 LP)

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

##### **Material Considerations**

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance, including Energy Efficiency (Part 1) and Low Carbon and Renewable Energy (Part 2) Supplementary Planning Document

adopted in July 2013. Part 2 of this SPD provides specific guidance on different types of renewable energy including Solar Farms.

## 6. RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Kings Sutton Parish Council	No objection	
Adderbury Parish Council ( <i>NB. Adderbury Parish Council is a neighbouring parish in adjoining Oxfordshire</i> )	Object	<p>Issues raised by the Parish Council may be summarised as:</p> <ul style="list-style-type: none"> <li>• Construction traffic</li> <li>• Impacts of traffic on listed canal bridge</li> <li>• Construction management plan is required</li> <li>• Conditions are also required in respect of landscaping and biodiversity enhancements.</li> </ul>
County Archaeologist	No objection	
Environmental Health	No objection	Request condition regarding soil disposal
Northants Police	Comment	Request further details regarding security arrangements
Environment Agency	No objection	Request conditions ensuring flood risk is properly mitigated.

The following were also consulted but have not made any comment on the application:

Northants & Beds Wildlife Trust, Network Rail, Warkworth Parish Council, Inland Waterways Association, Southern Gas Network, Lead Local Flood Authority, Cherwell District Council, Ecology, Oxfordshire Local Highway Authority.

## 7. RESPONSE TO PUBLICITY

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

7.1. There have been no objections/letters of support.

## 8. APPRAISAL

Principle of Development

*Policy context*

- 8.1. National Planning Policy on renewable energy projects is encapsulated in one paragraph of the NPPF. Paragraph 158 explains that applicants should not be expected to demonstrate an overall need for renewable energy and that applications should be approved if their impacts can be made acceptable (other than in the case of wind turbines). This builds upon paragraph 152 (which is itself the opening paragraph in Chapter 14 concerning climate change more generally) that explicitly states “*the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.*”
- 8.2. The NPPF is consistent in this respect with various other national and international policies and legislation concerning decarbonisation. For example, the 2008 Climate Change Act sought to reduce greenhouse gas emissions by 80% of 1990 levels by 2050. Secondary legislation has been passed where the government exceeded their target to bring the greenhouse gas emissions to net zero by 2050.
- 8.3. Locally, Spatial Objective 1 (Climate Change) of the West Northants Joint Core Strategy, encourages renewable energy production in appropriate locations. Policies SA, S10 and S11 set out a presumption in favour of sustainable development and principles for sustainable development to facilitate assessment of development proposals.
- 8.4. Policy S11 refers to Low Carbon and Renewable Energy, this inter alia requires that proposals should be sensitively located and designed to minimise adverse effects on people, the natural environment, biodiversity, historic assets, and mitigate pollution. It specifically requires wind energy proposals (although it is generally applicable to solar proposals too) to have no significant adverse impact on amenity, landscape character and access; and to provide for the removal of the energy generation infrastructure and re-instatement of the land when the generation operation ceases.
- 8.5. The Council’s adopted Supplementary Planning Document (SPD) (Part 2) on Low Carbon and Renewable Energy recognises that renewable energy, combined with energy efficiency, offers an opportunity to counter the effects of global warming. This general support for renewable energy is qualified in seeking to ensure that such development does not have a significant adverse effect on the natural environment, landscape character, cultural heritage and residential amenity. The SPD also advocates community consultation and ownership along with the necessary EIA processes being followed.
- 8.6. The South Northamptonshire Local Plan Part 2 contains no additional policies that are directly applicable to the principle of renewable energy projects, although it includes various policies on specific matters that are relevant to assessing the overall impacts of proposals. For example, Policy SS2(1h) requires development to not result in the loss of best and most versatile soils.

#### *Assessment*

- 8.7. It is evident from the above policy context that the acceptability in principle of solar farm development is wholly supportable as a means of reducing carbon emissions. Whether or not the proposal is acceptable in this particular location will instead rest upon a consideration of the detailed matters that are each assessed in below. The respective conclusions in each of these sections are that the development is or can be made acceptable and as such there is no policy basis for resisting the principle of development. The NPPF is clear that even small-scale renewable projects should benefit from a

presumption in favour and in this instance there is a specific benefit to the proposed development in that the majority of its output (some 59%) will be directed towards the needs of the business park to the south. This is given significant weight by Officers, particularly as the business park is not especially sustainable given its relatively isolated location, and therefore any opportunity to minimise its carbon footprint should be encouraged.

- 8.8. The application is not supported by a detailed agricultural land quality assessment although a review of the high-level Natural England classification maps indicates that the site is of poor soil quality. This is to be expected given it is located within a high risk of flooding. Therefore the proposed development is consistent with Policy SS2(1h) in that it would not result in the loss of best and most versatile agricultural land.
- 8.9. The operational aspects of how the development will connect into the national grid are not strictly speaking a material planning consideration. The applicant has, however, provided information demonstrating agreement with Western Power that there is capacity within nearby infrastructure to accept additional output from the development. The necessary cabling from the site to the substation would either be delivered as a statutory undertaking (i.e. under permitted development rights afforded to regulated bodies) or would be sought via a separate planning application if necessary. This matter therefore does not prevent the determination of the current proposal and does not weigh against its acceptability in principle.

#### *Conclusion*

- 8.10. Having regard to the national and local policy context, the principle of development is acceptable subject to satisfactory impacts on the detailed matters assessed below.

#### Landscape and visual impact

##### *Policy context*

- 8.11. In respect of visual impacts, the NPPF at paragraph 158(b) explains that in determining applications for renewable energy development Local Planning Authorities should approve applications if impacts are (or can be made) acceptable. The exception to this is for projects relating to wind energy, which does not apply here. Paragraph 174 concerns all developments and explains that decisions should recognise the intrinsic character and beauty of the countryside.
- 8.12. The Joint Core Strategy encourages renewable energy production in appropriate locations (Spatial Objective 1). Policies SA, S10 and S11 set out a presumption in favour of sustainable development with Policy S11 in particular referring to low carbon and renewable energy projects, requiring them to (inter alia) be sensitively located and designed to minimise adverse effects.
- 8.13. The South Northamptonshire Local Plan Part 2 does not include any specific policy on renewable energy projects but does include in Policy SS2 various criteria concerning visual impacts, most notably the first five criteria of the policy:

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

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

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

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

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

- 8.14. It is also relevant to note that the application is not within a Special Landscape Area and Policy NE2 therefore does not apply. Policy EMP6 concerning farm diversification would, however, technically apply to the proposal although in respect of visual impacts largely reiterates the provisions of Policy SS2 above in terms of projects being of a character, scale and type that is compatible with the site's location and landscape setting.
- 8.15. Policy NE4 of the Part 2 Local Plan concerns trees and seeks (inter alia) to avoid the loss of high quality specimens, the integration of existing trees and hedgerows where possible, and replacement planting where necessary.

#### *Assessment*

- 8.16. The proposed development is located on an unobtrusive area of land that is effectively left over, being sandwiched between the River Cherwell to the west, the railway line to the east, and the Business Park to the south. It is almost entirely unappreciable from the surrounding area, with the nearest public right of way being the Oxford Canal towpath to the west, from which the site is separated by 250m of open field, the River Cherwell, another unnamed watercourse, and also intervening vegetation. There are no dwellings from which the site may be seen.
- 8.17. The Business Park to the south is not part of the public domain and, due to the size of the buildings it accommodates, already has a more significant impact on the character of the area than the proposed solar panels, which will be significantly lower in height. Theoretically the site will be visible from the adjoining railway although this is a fleeting and transient perspective, with the views of train passengers more greatly impacted by the Business Park and railway infrastructure. Therefore this is given no weight in determining the proposal's visual impacts.
- 8.18. The application is supported by a Landscape and Visual Impact Assessment (LVIA) that concludes the development will have a negligible impact on landscape character and a negligible/slight impact on visual amenity. Officers agree with these findings and therefore consider that the proposal complies with the relevant policies outlined above.

#### *Conclusion*

- 8.19. The proposed development will have an acceptable landscape and visual impact with no adverse effects that indicate permission should be refused on these grounds.

#### Flood risk

#### *Policy context*

- 8.20. Paragraph 167 of the NPPF states that in determining planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Applications of over 1Ha (i.e. major development) should be accompanied by a Flood Risk Assessment.
- 8.21. Policy BN7 of the Joint Core Strategy and Policy SS2(1l) of the Part 2 Local Plan requires development to provide satisfactory surface water drainage and incorporate mitigation identified through an assessment of flood risk and, where necessary, the sequential test and exception test.

*Assessment*

- 8.22. The proposed development lies within Flood Zones 2 and 3 (i.e. in areas at highest risk of flooding) due to the site lying immediately adjacent to the River Cherwell, which is a Main River overseen by the Environment Agency (EA).
- 8.23. The EA originally raised an objection to the application on the basis the submitted Flood Risk Assessment had not identified appropriate mitigation for locating the development within Flood Zones 2/3. This objection has subsequently been withdrawn following the submission of additional information that confirmed how the development will be protected during flood events. This includes setting the panels 1m above ground-level, raising substation infrastructure on plinths, and compensating for the loss of flood plain storage by widening an existing ditch across the site. Subject to these measures and conditions to ensure that boundary treatment on the site does not impede flows during flood events, the EA no longer raise an objection to the development.
- 8.24. The proposal nevertheless still needs to satisfy the sequential test and, if that is passed, also satisfy the exceptions test because renewable energy installations are classified as 'essential infrastructure' that requires an exceptions test when located in Flood Zone 3.
- 8.25. The sequential test requires the applicant to demonstrate that there are no suitable alternative sites for the proposed development in an area at a lower risk of flooding than the application site. In this respect it should be noted that the development is largely intended to serve the Business Park to its immediate south. Therefore Officers accept that the area of search for alternative sites is effectively restricted to the area immediately around and within the Business Park as the further the development is located from it, the more difficult it will be to establish a direct connection. Furthermore, almost the entire area between the Oxford Canal around 250m to the west and the railway line to the east is within Flood Zone 2/3. Therefore there will be no reasonable alternative site in a lower area of flood risk in this location, which leaves only land east of the railway 'available'. That land is understood not to be in the applicant's control and whilst ownership itself is not a criteria by which to discount sites, Officers also accept that it is unrealistic that a connection over or under the railway to the Business Park from a solar park to the east can be established. It is therefore concluded that the sequential test is passed given the particular intended nature of the proposed development in supporting the Business Park to the south.
- 8.26. In terms of the exceptions test, this has two parts. Firstly, it is necessary to demonstrate the development will have wider sustainability benefits that outweigh flood risk. Officers consider that this is quite clearly passed in this instance. The development will displace just under 750 tonnes of carbon per year of its lifetime, which is a direct sustainability benefit supported by a raft of local and national policies. Furthermore, the flood risk itself is confined solely to the site itself, which is privately owned and will not increase flood risk to third parties or the public domain. In this context it is even more evident that the wider benefits outweigh the flood risk as the former is a public benefit whilst the latter is only harmful to private interests (i.e. the land and the solar park equipment itself). The

second part of the exceptions test requires the development to be demonstrably safe for its lifetime and not increase flood risk. This element is also passed, as evidenced by the withdrawal of the objection by the Environment Agency due to the aforementioned mitigation measures that have been incorporated into the development.

### *Conclusion*

- 8.27. Officers consider that both the sequential test and exception test are passed by the development and therefore the development is acceptable in flood risk terms, subject to the measures and conditions sought by the Environment Agency.

### Heritage

#### *Legislative and policy context*

- 8.28. The site is within 250m of the Oxford Canal Conservation area, which is over the county boundary in Oxfordshire but the setting of which could feasibly extend into Northamptonshire. The application site will also potentially be accessed via the Grade II listed Kings Sutton bridge to the east, although there is no intervisibility between the site and the bridge with the Business Park lying between them.
- 8.29. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.30. Likewise Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local *planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.* Therefore significant weight must be given to these matters in the assessment of this planning application.
- 8.31. Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 199 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policy BN5 of the JCS 2014 echoes this guidance.
- 8.32. Policies HE1, HE5 and HE6 of the Part 2 LP guide development affecting designated and non-designated heritage assets and their settings including conservation areas and listed buildings. Policy HE2 covers Scheduled Ancient Monuments and Archaeology, Policy HE3 Historic Parks and Gardens, and Policy HE7 Non-Designated Heritage Assets.

#### *Assessment*

- 8.33. In respect of both the Oxford Canal Conservation Area and Grade II listed bridge, the proposed development could theoretically be on the outer edge of their respective settings by virtue of proximity. However, in reality, the setting of neither asset will be affected by the development. In each instance the intervening distance and other features (such as the industrial buildings to the south, the River Cherwell, the other unnamed watercourse, and large open fields) eliminate any opportunity for the development to be perceived in the same context as the heritage assets.

- 8.34. The significance of the conservation area lies in its historic function and peaceful rural setting. The Conservation Area appraisal (October 2012) also refers to the 'intimate' relationship with the River Cherwell as being part of its character and significance. This is due to the length of the Conservation Area, which covers sections where the canal and river are much closer together. In the case of this application, the canal and river are some 250m apart and separated by another unnamed watercourse too. The development will be to the east beyond all of these and therefore will not affect the character or significance of the canal.
- 8.35. The significance of the bridge lies in its design and construction, being a rare complete example of cast/wrought iron bridges designed by Brunel. Its setting is limited to its immediate proximity and the development, being over 1km away beyond the Business Park will have no impact on it. In terms of traffic impact, this is assessed separately below but, in summary, the proposed construction and maintenance of the development is not considered to materially increase traffic over the bridge beyond its current use and certainly not to the extent that would affect its significance in heritage terms.
- 8.36. In terms of archaeology, the County archaeologist has reviewed the proposals and has no objection or requested conditions. Officers have no reason to disagree with this position.

#### *Conclusion*

- 8.37. The proposed development will not result in any harm to heritage assets and therefore complies with the relevant policies above.

#### Ecology

##### *Legislative context*

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

##### *Policy Context*

- 8.40. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and

enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 8.41. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.42. National Planning Practice Guidance (PPG) states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.43. Policy NE3 of the Part 2 LP seeks to conserve and wherever possible enhance green infrastructure . Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.
- 8.44. Policy BN2 of the JCS 2014 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

#### *Assessment*

- 8.45. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. , The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site is located in open countryside immediately adjacent to a Local Wildlife Site, and therefore has the potential to be suitable habitat for a variety of species.

- 8.46. In order to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.
- 8.47. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.
- 8.48. The application is supported by a detailed protected species survey which concluded that the existing grassland on the site is of minimal nature conservation value whilst its value for invertebrates would not be affected due to the fact it will be retained between the rows of solar panels. The survey also records that the area alongside the river will not be developed and therefore will remain available for species associated with the adjoining wildlife site. The site is also not identified as being of value, even intermittently, for wetland birds. Inadvertent or unnecessary damage to habitats during construction could be further mitigated by way of a construction management plan and a net biodiversity gain achieved by way of new hedgerows and active management of the grassland between panels following development.

#### *Conclusion*

- 8.49. Officers are satisfied that subject to conditions, that the welfare of any EPS found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.
- 8.50. This conclusion is nevertheless awaiting verification from the Council's ecologist and therefore the recommendation is subject to confirm from them as to development's ecological impact and any conditions necessary.

#### Highway safety

#### *Policy context*

- 8.51. Paragraph 111 of the NPPF explains that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.52. Policy SS2(1j) of the Part 2 Local Plan requires development to include a safe and suitable means of access for all people.

#### *Assessment*

- 8.53. The access to the application site will be via the existing Business Park, which has an industrial standard access off Banbury Lane on the inside of a bend with good visibility in either direction.
- 8.54. The applicant has provided information in respect of both the existing traffic using the Business Park access and the likely traffic associated with the solar park's construction. During operation the traffic generated by the development is just one maintenance visit per quarter in a smaller vehicle and therefore entirely insignificant in highways terms.

- 8.55. The evidence indicates that the access currently sees a total of 404 heavy vehicle movements a day and an additional 190 light vehicle movements a day, all associated with the existing commercial uses on the site.
- 8.56. By way of comparison, the total movements during the 12 week construction time of the development are expected to total around 84 heavy vehicle movements (NB. across the whole 12 weeks, not per day), with 15 light vehicle movements per day associated with construction staff.
- 8.57. This equates, on average, to a less than 0.5% daily increase in HGVs using the access and around 8% daily increase in light vehicles. Each of these increases would last for 12 weeks only and are in their own right are considered to be insignificant and certainly not representative of a 'severe' highways impact that would justify permission being withheld under the terms of paragraph 111 of the NPPF.
- 8.58. Some concerns have been raised by the neighbouring parish in respect of routing to/from the site. This is not considered to be a constraint to the development as the evidence indicates that the access is already used by large number of commercial vehicles whose routing is not restricted. Furthermore, given the very short time period of construction (12 weeks), the impacts of routing to/from the site are not considered to be a fundamental planning concern.

#### *Conclusion*

- 8.59. The proposed development is acceptable in highway safety terms.

### **9. FINANCIAL CONSIDERATIONS**

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

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

- 10.1. Matters weighing in favour of the proposed development may be summarised as:
- The proposed development will displace around 750 tonnes of carbon per year by reducing reliance on fossil fuels, in line with local and national objectives. This is given significant positive weight.
  - The proposed development is directly linked to improving the sustainability of the Cherwell Valley Business Park to the south, which by virtue of its age and location is not presently a particularly sustainable commercial area. This is given moderate positive weight.
  - The proposal will provide biodiversity enhancements by way of new planting and active grassland management. Given the site could already been delivered for this purpose without the development though, this is given limited positive weight.

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

- The proposed development would be located in Flood Zones 2/3 and therefore is at the highest risk of flooding. This is nevertheless given limited negative weight as it is considered that in this instance both the sequential test and exception test are passed, and the Environment Agency have withdrawn an objection originally made to the application.

10.3. The development would also have a neutral impact (i.e. matters that weigh neither for nor against the proposal) in respect of heritage, highway safety, and visual impacts.

10.4. In conclusion, Officers consider that the planning balance lies in favour of granting planning permission as the above benefits outweigh the harms. The development is fundamentally consistent with the Development Plan with no material considerations that indicate a decision should be taken other than accordance with the Development Plan.

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

### **DELEGATE TO THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION TO GRANT PERMISSION SUBJECT TO:**

#### **1. NO OBJECTION BEING RAISED BY THE COUNCIL'S ECOLOGIST**

#### **2. SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)**

#### **Time limit and approved plans**

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

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

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

CCTV and Meteo Sensor Mast Details (drawing ref: CVS/P/08)

Boundary Fence & Gate Details (drawing ref: CVS/P/09)

Panel Mounting Frame Details (drawing ref: CVS/P/06 rev A)

Temporary Contractor's Compound Layout Plan (drawing ref: CVS/P/11)

Typical DC & AC Cable Trench Details (drawing ref: CVS/P/07)

All received by the Local Planning Authority on 11th October 2021

Site Location Plan (drawing ref: CVS/P/01 rev B)

Layout Plan (drawing ref: CVS/P/02 rev A)

Layout Plan (North Array)(drawing ref: CVS/P/03 rev A)  
Layout Plan (South Array)(drawing ref: CVS/P/04 rev A)  
North & South Array WPD & Site Substations (drawing ref: CVS/P/10 rev B)

All received by the Local Planning Authority on 2nd February 2022

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

### **Flood risk**

3. The development shall be carried out in accordance with the submitted flood risk assessment (ref Solarsense UK Limited, CVS/P/D03 Revision A, January 2022) and any boundary treatment or fencing constructed within or around the site shall be designed to be permeable to flood water. The mitigation measures shall be fully implemented prior to the development being brought into operation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed in the flood risk assessment shall be retained and maintained thereafter throughout the lifetime of the development.

Reason : To prevent obstruction to the flow and storage of flood water, with a consequent increased risk of flooding.

### **Landscaping**

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

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

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

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

### **Lighting**

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

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