



Strategic Planning Committee

A meeting of the Strategic Planning Committee will be held at the Forum, Moat Lane, Towcester on Monday 12 September 2022 at 2.00 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 12) To confirm the Minutes of the meeting of the Committee held on 15 August 2022.
4.	Chair's Announcements To receive communications from the Chair.
Planning Applications	
5.	WNS/2021/1858/EIA - Land at Milton Road, Gayton, Northamptonshire (Pages 15 - 40)
6.	WND/2022/0234 - Overstone Leys, Overstone Lane, Overstone (Pages 41 - 60)
7.	WND/2022/0348 - Apex Park Phase 3, Zone B, Parsons Road, Daventry, Northamptonshire (Pages 61 - 72)
8.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.

<p>9.</p>	<p>Exclusion of Press and Public</p> <p>In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt Public Document Pack Page 1 information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: “That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them”</p>
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Catherine Whitehead
Proper Officer
2 September 2022

Strategic Planning Committee Members:

- | | |
|---------------------------------|-------------------------------------|
| Councillor Phil Bignell (Chair) | Councillor Ann Addison (Vice-Chair) |
| Councillor Jonathan Harris | Councillor Rosie Herring |
| Councillor Stephen Hibbert | Councillor James Hill |
| Councillor David James | Councillor Charles Manners |
| Councillor Ken Pritchard | Councillor Bob Purser |
| Councillor Jake Roberts | Councillor Cathrine Russell |
| Councillor John Shephard | |

Information about this Agenda

Apologies for Absence

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

Declarations of Interest

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

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

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

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Queries Regarding this Agenda

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

Tel: 01327 322195

Email: 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 Forum, Moat Lane, Towcester, NN12 6AD on Monday 15 August 2022 at 2.00 pm.

Present Councillor Phil Bignell (Chair)
 Councillor Ann Addison (Vice-Chair)
 Councillor Jonathan Harris
 Councillor Rosie Herring
 Councillor Stephen Hibbert
 Councillor David James
 Councillor Charles Manners
 Councillor Ken Pritchard
 Councillor Bob Purser
 Councillor Cathrine Russell
 Councillor John Shephard

Substitute
 Members: Councillor Stephen Clarke

Also
 Present:

Apologies
 for
 Absence: Councillor James Hill

Officers
 Rebecca Grant, Major Projects Officer,
 Nicky Scaife, Development Management Team Leader
 Daniel Callis, Principal Planning Officer
 Jonathan Moore, Senior Planning Officer
 Paul Seckington, Head of Development Management and
 Enforcement
 Colin Walker, Assistant Director Planning (Interim)
 Jeverly Findlay, Committee Officer

66. **Declarations of Interest**

None advised.

67. **Minutes**

RESOLVED:

That the Minutes of the Strategic Planning Committee of the 11 July 2022 be approved and signed as a correct record.

68. **WND/2021/0700 - Zone 4 Overstone Leys, Overstone Lane, Overstone**

Reserved matters application – 223 dwellings including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (open space), Condition 26 (internal noise levels), 36 (bus stops), 37 travel plan) and 38 (public rights of way).

The Major Projects Officer outlined the information in the report and advised that the application for the Sustainable Urban Extension (SUE) had been approved in 2015. Works had commenced on site for some phases of the development. With regard to zone 4, the original outline for the scheme had included a provision of 15% affordable housing, following a viability assessment, however this had now been amended and there would be a provision of 21% affordable housing. There were 3 main character areas in the zone: A43 frontage, a Primary Street and General Neighbourhood.

In response to concerns from Members that it had been some time since the viability assessment had been undertaken, the Head of Development Management and Enforcement advised that some Section 106 agreements contained viability reappraisal clauses which enabled the affordable housing assessment to be re-assessed. However, there was no such clause in the Section 106 for this development.

The Major Projects Officer drew Members' attention to the committee updates and the amended recommendation.

In response to Members' enquiries, the Major Projects Officer advised that there were ten zones in the SUE which varied in density and overall the housing density for the whole SUE would be lower than the policy requirement. Zone 4 was adjacent to the A43 and those zones to the east of the SUE, on the rural edge, would be lower in density.

The street scene complied with the design code and there was a mix of materials in the General Neighbourhood zone. This zone had a number of smaller dwellings but there were other zones with larger dwellings.

Further to a discussion regarding the requirement to build houses to current building regulations, the Planning Solicitor advised that building regulations fell outside of the remit of planning. However, any developer would have to comply with the building regulations that were in force when they submitted their plans for approval at the reserved matters stage. Building regulations did get updated over time, but there had to be a cut-off point so that the developer had a set of plans to build to.

There had been no conditions added to the outline planning permission regarding National Space Standards, as it had been approved before the requirements had come into existence.

Councillor John Shephard, one of the local ward Members, noted the funding for the educational requirement for Overstone Leys and the importance of the delivery and

timing mechanism for the provision of a school. There was an option for the developer to build a school or pay a lump sum after 700 houses were built. Councillor Shephard suggested that a consistent Section 106 agreement template be used for developments in the future. The Head of Development Management and Enforcement advised that there was a work stream on Section 106 agreements to make sure they were consistent in the future across all areas. Work was also underway on a new developer contribution Supplementary Planning Document.

In response to a member's enquiry, the Head of Development Management and Enforcement highlighted that building regulations did include energy efficiency requirements.

The Chair advised that Councillor Herring could not vote as she had arrived late to the meeting.

Councillor John Shephard proposed the application be approved, this was seconded by Councillor Ken Pritchard and, being put to the meeting, was declared carried unanimously.

RESOLVED:

That the Assistant Director for Planning be given delegated powers to grant permission subject to the conditions set out in the report (and any amendments to those conditions or additional condition as deemed necessary).

69. **WNN/2021/0897 - Tnt Ipec Uk Limited, South Portway Close, Northampton, NN3 8RH**

Demolition of existing warehouse and erection of replacement warehouse for B8 Use with ancillary offices

The Senior Planning Officer drew Members' attention to the committee updates report, the altered recommendation and proposed additional conditions.

The Committee were informed that the site was 60 metres distance from residential properties which were screened by dense tree planting. The lorry parking was situated to the east of the site. The site was considered to be in a sustainable location as there were bus stops nearby and a Travel Plan had been provided. Employees would be provided with a smart travel pack advising them of the bus routes and encouraged car sharing. Highways had not objected to the application. One resident had raised concerns over noise from the development, but they had been in discussions with the Planning Officer and were happy with the noise conditions suggested. The site was in a mainly in a low risk flood zone and the adjacent building was in the control of the applicant.

In response to Member's enquiries regarding the access for lorries and cars at the entrance to the site, the Planning Officer advised that the access had been approved by Highways and the cars would access the site from one side and lorries the other side.

With regard to the potential for renewable technologies to be installed on the warehouse, this was not a legal requirement. The building would be built to a BREEAM standard Very Good. A landscape ecology plan had been provided with the application and the Ecology Officer was satisfied that as a result of the scheme there would be a 10.05% increase in biodiversity at the site.

Environmental Health considered the scheme was acceptable with regard to noise levels and the applicant had provided a noise management scheme. Environmental Health had added a condition that prior to occupation full details of all external lighting would need to be approved by the Council. The dense tree planting would assist to mitigate any light pollution for the nearby residential properties.

Clarification was sought as to the details of the amended condition relating to Electric Vehicle charging points and it was highlighted that the figures referred to the fact that of the overall parking spaces, 10% were being provided with EV points.

Councillor David James proposed the application be approved, as it was an established use of the land in a sustainable location and would assist with economic development, this was seconded by Councillor Ken Pritchard and on being put to the meeting was declared carried with 10 voting in favour and 1 abstention.

RESOLVED:

That approval be provided in principle, subject to the conditions set out in the report and the amended conditions below, with delegated authority to the Assistant Director for Planning to approve any amendments to those conditions as deemed necessary; and subject to the completion of a section 106 legal agreement to secure the following planning obligations:

- Construction Training
- Monitoring Fee

AMENDMENT TO CONDITION

Condition 17 – EV Charging Points

- 17) The EV charging points shall be installed as per the locations indicated on the approved Site Layout Plan and in accordance with further details on their precise design including manufacturers details to be agreed in writing with the Local Planning Authority. 5% of the overall EV charging points shall be provided prior to first occupation of the development hereby permitted with the remaining 5% provided within 2 years of the date of this permission. Rapid vehicle charging points shall be provided at a rate of one per 50 parking spaces in accordance with the Northampton Parking SPD 2019.

Reason: In the interests of sustainable development to accord with the aims of the National Planning Policy Framework and in accordance with the Northampton Parking Standards SPD 2019.

COMMENTS RECEIVED FROM LEAD LOCAL FLOOD AUTHORITY

No objection subject to the following conditions:

Condition 22 -Surface Water Drainage

22) Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment FRA:-David Smith Associate dated 3rd September 2021 20/41494 Rev1, will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include :

- i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
- ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
- iii) cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices
- iv) Infiltration test results to BRE 365

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

Condition 23 – Surface Water Maintenance

23) No occupation shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include,

- a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- A site plan including access points, maintenance access easements and outfalls.
- Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
- Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To ensure the future maintenance of drainage systems associated with the development to comply with Policy BN7 of the West Northamptonshire Joint Core Strategy

Condition 24 – Surface Water Verification Report

- 24) No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, document ref FRA:-David Smith Associate dated 3rd September 2021 20/41494 Rev1 has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:
- a) Any departure from the agreed design is keeping with the approved principles
 - b) As-Built Drawings and accompanying photos
 - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 - e) CCTV Confirmation that the system is free from defects, damage and foreign objects.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site to comply with Policy BN7 of the West Northamptonshire Joint Core Strategy.

ADDITIONAL CONDITION

Condition 25 - Ground levels

25. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in relation to adjacent sites shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

70. **WNS/2022/0662/MAF - Land adjacent to M1 and Waltham Wood Courteenhall Road, Quinton, Northants**

Erection of 103,607sqm of polytunnels and associated infrastructure to include alterations to farm access road, hardstanding for car park and service yard and attenuation basins

The Principal Planning Officer joined the meeting remotely and advised that planning permission had been granted for a previous application on the site in August 2021. The existing farm track provided access to the site which consisted of 3 relatively flat arable fields. There were woods to the north, east and south of the site. The proposal was an amendment to the extant permission which included a cut and fill scheme (to create flatter plateaus for the polytunnels) and soil would not need to be removed from the site. The northern SUDs basins were to be enlarged and the main area of

hardstanding reduced in size. Some of the hardstanding provided would utilise gravel which was more permeable than concrete. The applicants now sought to provide heating for the polytunnels, but this would only be used for frost protection. A new trackway would also be provided across the northern edge of the site.

The Principal Planning Officer drew Members' attention to an error in the report, in paragraph 8.15 it stated that comments were awaited from Highways, which was not correct as Highways had commented and raised no objections. It was highlighted that the majority of the site was not in Hackleton and Grange Park ward as stated in the report and was in the Bugbrooke ward.

In response to Members' enquiries, the Principal Planning Officer advised that the heating would be used infrequently and was not connected to the mains.

Further to concerns regarding the visual impact of the proposal on the village of Roade, Members were shown the modelled visual representations of the polytunnels on the landscape from a distance. The existing hedgerows would be enhanced and along the southern edge they would be allowed to grow tall. The trees that would be planted would be natives and condition 17 provided details. A note had been added to the application to ensure that the screening would be as effective as possible.

Stacey Rawlings, the Agent, addressed the Committee and advised that the hedgerows would grow up to 5 metres at some points. Tree planting would be taking place across the whole estate in the next 2 to 3 months.

Further to enquiries, the Agent advised that a route management strategy was already in place for the adjacent poultry farm and as it was a controlled system it was known when deliveries or collections were being made. A request was made for a left-hand sign directing drivers to the A508 to be installed. The Agent advised that the proposed polytunnel system had been being tested for 10 years. It was not viable to have a ground source heat pump at the site due to the archaeology.

Councillor Stephen Clarke, the local ward Member, highlighted that Quinton parish Council had raised concerns regarding highway safety issues. Having discussed the matter with Highways it had been agreed that a 7-and-a-half-ton weight restriction would be placed on the road, although this limit would not apply for vehicles needing to access property or land along the route (including the proposed development).

Councillor David James proposed the application be approved as it was important for the economy and in order to provide food, Councillor James also welcomed the fact that it would be a cut and fill site. The proposition was seconded by Councillor Charles Manners and on being put to the meeting was declared carried unanimously.

RESOLVED:

That the Assistant Director for Planning be given delegated powers to grant permission, subject to the conditions set out in the report (and any amendments to those conditions as deemed necessary).

71. **Urgent Business**

There were no items of Urgent Business.

The meeting closed at 3.40 pm

Chair: _____

Date: _____

West Northamptonshire Council
Strategic Planning Committee
12 September 2022

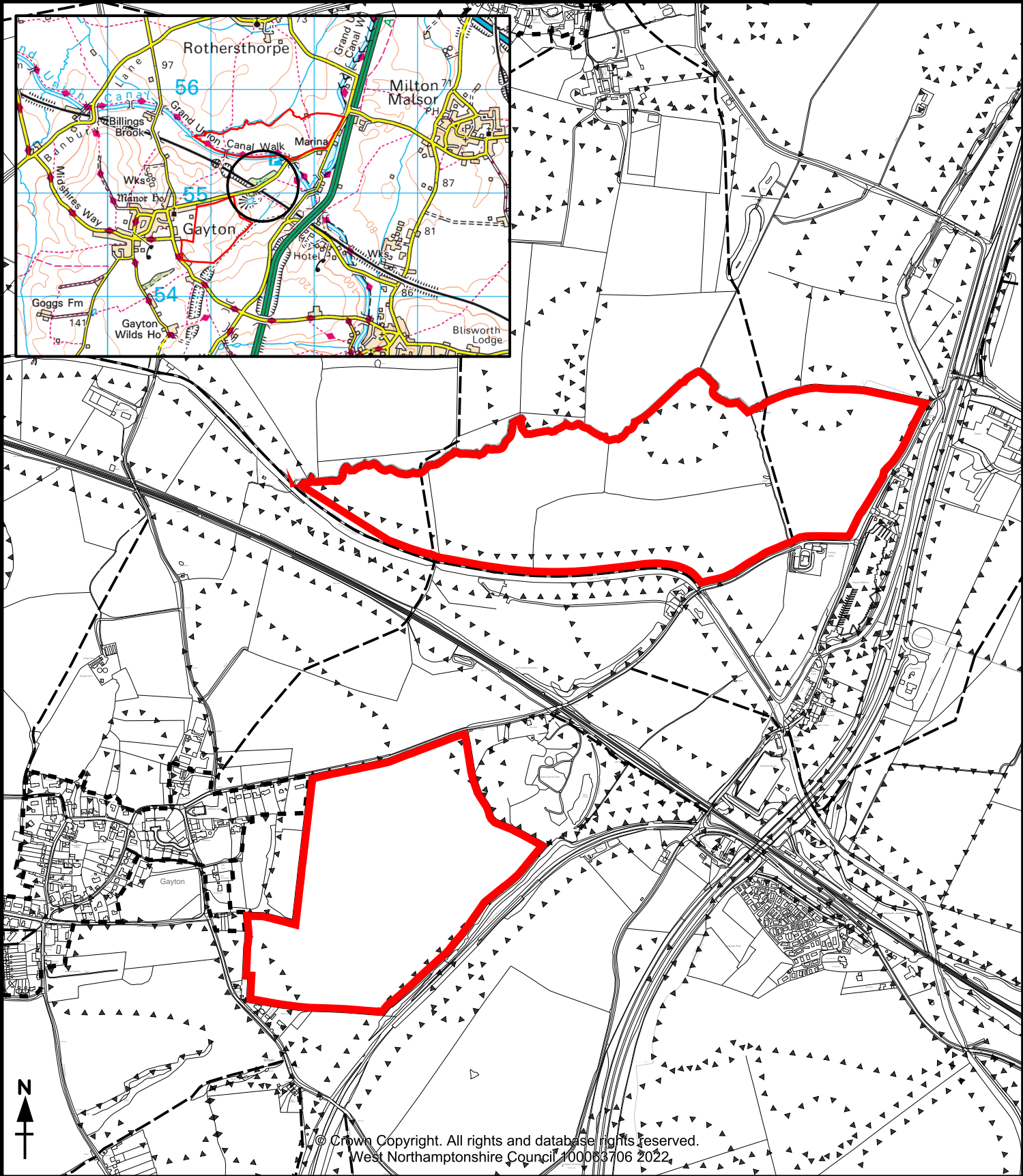
Agenda Item	Ward	Application Number	Location	Recommendation	Officer
5	Bugbrooke	WNS/2021/1858.EIA	Land at Milton Road, Gayton, Northamptonshire	Refuse Permission	Sangeeta Ratna
6	Moulton	WND/2022/0234	Overstone Leys, Overstone Lane, Overstone	*Grant Permission	Rebecca Grant
7	Braunston and Crick	WND/2022/0348	Apex Park Phase 3, Zone B, Parsons Road, Daventry, Northamptonshire	*Grant Permission	Eamon McDowell

*Subject to conditions

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Application Number: WNS/2021/1858/EIA

Parish: Gayton, Rothersthorpe, Blisworth



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West Northamptonshire Council 100063706 2022

Town/Village: Gayton

 Site

Site Area: 70.0816 Ha

 Village Confines

Grid Location: SP7139755183

 Public Right of Way

Map Scale: 1:12000

 Site of Archaeological Asset

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Application Number: WNS/2021/1858/EIA

Location: Land at Milton Road, Gayton, Northamptonshire

Proposal: Construction of a temporary 49.72MW Solar Farm, to include the installation of Solar Panels with transformers, a substation, a DNO control room, a customer substation, GRP comms cabin, security fencing, landscaping and other associated infrastructure.

Applicant: Anesco Ltd

Agent: Barton Willmore

Case Officer: Sangeeta Ratna

Ward: Bugbrooke

Reason for Referral: Major development

Committee Date: 12/09/22

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: REFUSE for the reasons set out below

Proposal

The application seeks full planning permission for the construction of a temporary 49.72MW Solar Farm, to include the installation of Solar Panels with transformers, a substation, a DNO control room, a customer substation, GRP comms cabin, security fencing, landscaping and other associated infrastructure.

Consultations

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

- Gayton Parish Council, Blisworth Parish Council, Rothershorpe Parish Council CPRE, Canal and River Trust, Local Highways Authority (LHA)

The following consultees have **commented or raised no objection** to the application:

- Ramblers Association, National Highways, Inland Waters, Health and Environment Protection, Environment Agency, Conservation, Anglian Water.

A total of 44 letters of objection have been received. The matters raised are summarised below

-

- Loss of arable land
- Adverse impact on landscape
- Impact on ecology
- Impact on the Conservation Area

- Impact on local economy
- Impact on highways
- Noise
- Impact on local tenant farm businesses & jobs
- Contrary to policy
- Carbon impact at decommissioning
- Unjustified scale

Conclusion

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

The key issues arising from the application details are:

- Principle of development;
- Landscape and visual impact;
- Highway safety and access;
- Impact on designated heritage assets;
- Archaeology;
- Ecology;
- Noise and amenity;
- Flood risk.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is unacceptable for the following reasons:

- The proposed development would harm the landscape and visual character of the area.
- The proposed development would not accord with the requirements of the Local Highways Authority due to uncertainty of the capacity of the Brickworks Canal Bridge to support the Construction Vehicular Traffic, lack of information in relation to the delivery, storage area, dust management, wheel washing etc for the North East parcel of the site, lack of information in relation to provision of a safe waiting area for delivery traffic control without causing an obstruction/conflict to other highway users.
- The proposal would not provide adequate mitigation to address risk of surface water flooding.

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises of two parcels of land located between Rothersthorpe and Gayton. The northern parcel has an area of 44ha and the southern parcel measures 26ha resulting in a total of 70ha. The National Railway runs between the two parcels and

the Grand Union Canal runs close to the south boundary of the northern parcel of the site. The site is not contained within the Grand Union Canal Conservation Area.

- 1.2 Public Rights of Way (RL3 & RL4) run through the northern parcel of the site and RL18 runs along its south boundary. Milton Road abuts the east boundary of the northern parcel and the north boundary of the southern parcel.
- 1.3 The site has not constraints in terms of designation or allocation. It is used as agricultural land with 5 fields in the north parcel and a single field in the south parcel. The fields are used for agriculture and are lined with hedgerows and trees. Together with the surrounding established woodlands the site and its surrounding have an open countryside character.
- 1.4 The land within the north parcel slopes from south to north and has some gentle undulations. Within the southern parcel the land slopes from north-west to south-east and has valleys towards its south and west.
- 1.5 The surrounding villages include Gayton located to the south-west, Rothersthorpe to the north and Milton Malsor to the north-east.
- 1.6 Both parcels of land comprising the site are accessible via Milton Road.

2. CONSTRAINTS

- 2.1. The following constraints affect the application site:
 - There are archaeological features in several locations around the southern field there is only one area of real concern, which is in the south western corner. In this corner there is evidence for occupation.
 - Public Footpaths RL003 and RL004
 - The Grand Union Canal Northampton Arm located within 500m
 - The southern parcel is at a High Risk of Surface Water Flooding
 - Within 2km of Local Wildlife Sites at Gayton Reserve Lake, Tiffield Disused Railway and the Grand Union Canal.
 - Assets owned by British Pipeline Association.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The development is the creation of a solar farm and associated infrastructure. It involves installing rows of photo-voltaic (PV) arrays spaced 4.8m apart in a east-west direction. The frame on which the arrays would be stood would be 2.3m tall. The arrays would comprise of 92,070 solar panels, be laid at a fixed site specific angle of 15 degrees due south.
- 3.2. The supporting infrastructure includes a Customer sub-stations, a Distribution Network Owner's sub-station (DNO), transformers and feeder pillars. A 2m high Deer fence would be erected on all boundaries.

- 3.3. The existing access points off Milton Road would be retained and used during construction and through the operational period. The proposal also includes large amounts of landscaping, planting and ecological enhancement that would not require permission in its own right but is associated with the development and would be secured by condition in the event that permission was granted. This includes wildflower, hedgerows and tree planting.
- 3.4. The point of connection and any pertaining cable routing of solar power from the proposed farm into the national grid has not been identified within this proposal.

4. RELEVANT PLANNING HISTORY

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

Application reference	Description	Decision
WNS/2021/0004/SCR	Screening Opinion for proposed Solar Farm	Environmental Impact Assessment required

- 4.2. An application for a Screening Opinion for the proposal was made to this LPA. The outcome of the application was that the proposal was an EIA development. The development would have the potential for significant environmental effects on landscape and visual impact.
- 4.3. The Department for Levelling Up, Housing and Communities (DLUHC), in response to the Agent's request, re-assessed the same and advised that the proposal would have potential impacts in terms of land take, ecology, landscape, heritage assets and visual impact and would be of a magnitude to suggest that a full environmental statement is required.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

- 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
- BN2 Biodiversity
- BN3 Woodland Enhancement and Creation
- BN7 Flood Risk
- BN5 – The historic environment and landscape
- BN9 Planning for Pollution Control
- INF2 Contributions to Infrastructure Requirements
- R2 Rural Economy.

South Northamptonshire Local Plan (Part 2)(LPP2)

- SS1 The Settlement Hierarchy
- SS2 General Development and Design Principles
- EMP6 Farm Diversification
- HE1 Significance of Heritage Assets
- HE2 Scheduled Ancient Monuments and Archaeology
- NE4 Trees, Woodlands and Hedgerows
- NE5 Biodiversity and Geodiversity
- NE6 Sites of Special Scientific Interest and Protected Species

Material Considerations

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

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

6. RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Anglian Water	Comments	Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments.
Archaeology	No objection	No objection subject to conditions
Building Control		
British Pipeline Agency	Comments	No objection subject to pre-commencement condition ensuring existing pipes will be protected in accordance with details agreed by BPA.
Blisworth Parish Council	Object	The scale & extent of the proposed development is such that the existing landscape & topography is considered unlikely to have the ability to appropriately accommodate the development or restrict views of the development, or incorporate mitigation to enable this.

Crime Prevention Design Advisor	Comments	Security plan details to be exchanged between Applicant and Advisor. No objection subject to conditions
Conservation	Comments	<p>There would be no direct impact on designated assets as a result of proposed development on either site. In terms of indirect impact of the proposed development is not considered to harm the setting of any heritage assets in the vicinity. The Grand Union Canal Conservation Area lies to the immediate south of the site and will be affected by this development. The historic character and form of the settlement at the Gayton Conservation Area are main contributors to the significance of the area although elevated position and extensive views across the valley to the north are noted as being some of the best panoramic views within the former South Northants area. The proposed development may lie within some of these views of the hilltop settlement which would change the rural setting of the area.</p> <p>Where there are landscape views from the north to this site the presence of the solar farm in the immediate foreground / setting of the canal will alter the setting through the loss of rural agrarian setting which is considered to harm the rural setting of the canal contrary to Policy H6(3) of the Local Plan Part 2.</p>
Campaign to Protect Rural England	Objection	<p>On number of grounds including industrial appearance affecting the historic landscape features and landscape of high value, views from surrounding villages and rights of way, loss and degradation of arable land (Welsh Minister Case Law appeal ref: DNS/3245065 – land at Blackberry Lane, Nash, Pembrokeshire), lack of details in relation to decommissioning, impact on ecology.</p> <p>Considers that the EIA documentation is inadequate to fully assess the proposal. In particular we would expect an application to include:</p> <ul style="list-style-type: none"> • Noise assessment • Cumulative Impact Assessment • Decommissioning report • Overwintering bird survey <p>Consider there to be significant harms in this sensitive location and the relatively modest amounts of renewable energy that it would produce are insufficient to outweigh the harms that it would cause in this location.</p>
Canal and River Trust	Objection	<p>a) The impact on the character, appearance, and heritage of the waterway.</p> <p>b) The impact on existing canal bridges.</p>

		<p>c) The impact on biodiversity and users of the waterway.</p> <p>d) The impact on the structural integrity of the waterway due to the proximity of the proposed works. further detail on the traffic routes and management, with particular regard to the potential impact on existing canal bridges is required prior to determination. This should also include an assessment of alternative routes, existing or proposed, which would avoid any canal crossings.</p>
Environment Agency	Comments	The Environment Agency does not wish to make any comments on this application.
Ecology		Comments awaited
Environmental Protection	Comments	No objection subject to pre-commencement conditions
Gayton Parish Council	Object	On number of grounds which include loss of productive arable land, landscape, wildlife habitats and ecology, impact on Gayton CA, Grand Union Canal CA, impact on local tenant farm businesses and employment, noise nuisance, traffic and temporary nature of the development with undefined plan of decommissioning.
Inland Waterways	Comments	No objection provided hedgerow planting and preservation, wildflower planting, new planting is secured via a planning condition. Further comments include agreement on concerns raised by CPRE and Gayton Parish Council in terms of impact on existing bridges on Grand Union Canal and noise nuisance.
Local Highway Authority	Object	Initial response - Visibility splays adequate. All other comments in initial consultation remain outstanding. Re-consultation response awaited
Lead Local Flood Authority	Object	Initial response - Insufficient information. Re-consultation response awaited.
Natural England	No Objection	<p>Re-consultation response: Subject to appropriate mitigation to overcome the previous concerns.</p> <p>Original response : As submitted, the application could have potential significant effects on Upper Nene Valley Gravel Pits Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</p> <p>The following information is required:</p> <ul style="list-style-type: none"> • Consideration of functionally linked land for Golden Plover and Lapwing associated with the designated site. • Without this information, Natural England may need to object to the proposal. • Please re-consult Natural England once this information has been obtained. • Natural England's further advice on designated

		<p>sites/landscapes and advice on other issues is for the LPA to seek information from the applicant in order to determine whether or not a likelihood of significant effects on protected species can be ruled out.</p> <p><u>Re-consultation comments dated 04 March 2022</u> - As submitted, the application could have potential significant effects Upper Nene Valley Gravel</p> <ul style="list-style-type: none"> • Pits Special Protection Area and Ramsar. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. <p>The following information is required:</p> <ul style="list-style-type: none"> • Additional winter bird survey required, including nocturnal survey. • Historic data required or justification as to why this is not included. • Habitat Regulations Assessment (HRA) as it is optimal Functionally Linked Land for protected species Lapwing and Golden Plover. Without this information, Natural England may need to object to the proposal. <p>RE-consultation comments dated 28 April 2022 - No objection subject to appropriate mitigation being secured</p>
National Highways	Comments	The proposal is not expected to have a significant impact on the SRN. We therefore have no objection to this application.
Northants Fire & Rescue		
Planning Policy	Comments	
Ramblers Association	Comments	A long distance footpath, the Midshires Way runs along the Blisworth Road where it is close to the site. The route of this footpath is not directly affected by the proposed development.
Rothersthope Parish Council	Object	<p>Strongly object to the above planning application for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed development would have significant environmental effects on landscape and visual impact. 2. The proposed development would have a negative landscape impact with the loss of Open Field Wildlife Habitats and Ecology systems and the loss of Productive Arable Land. 3. There would be a negative impact on the Grand Union Canal Conservation Area. 4. The traffic impact on the highway network would be immense with the roads leading to and surrounding Gayton and Rothersthope being narrow rural roads with a number of humpback bridges crossing the Grand Union Canal at several parts of the route.

		<p>5. Solar Installations on such a massive scale generate continuous noise and its proximity to residents would be detrimental to the village.</p> <p>6. Cumulative Development impact.</p> <p>7. There is no defined Reinstatement Plan or Costings for the 'Temporary Use 'of this site.</p> <p>The Parish Council support these objections with reference to the explanatory notes, details and justifications set out in the documents supplied by Gayton Parish Council with their letter dated 25 November 2021. Rothersthorpe Parish Council have worked closely with Gayton as the proposed application impacts considerably with Rothersthorpe.</p> <p>The Parish Council support both Central Government's and West Northamptonshire Council's sustainability and renewable energy initiatives. However, the proposed location and scale for this industrial installation is inappropriate, covering large areas of productive land adjacent to the Gayton Village Boundary and in close proximity to two historic Conservation Areas.</p> <p>Rothersthorpe Parish Council ask that a site visit is held to put the size of the development in context with the rolling high ground topography of the area and the proximity to Gayton, the Grand Union Canal and Rothersthorpe.</p> <p>Further comments - We fully support these latest views stated by the Statutory Consultees, which are very much aligned with our own, and clearly demonstrate that the developer has not in any way justified the massive negative impact their proposals will have on local villages, residents and the local Northamptonshire environment.</p>
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7. RESPONSE TO PUBLICITY

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

7.1. There have been a 44 letter of objections raising the following issues:

- Visual impacts on landscape;
- Disruption from construction;
- Adverse impacts on ecology;
- Adverse impacts on archaeology;
- Adverse impact on highways
- Adverse impacts on Conservation Areas and listed buildings;
- Noise;
- Contrary to policy;
- Solar panels are inefficient;
- Carbon impact at decommissioning

- Unjustified scale;
- Loss of agricultural land for food produce;
- Urban areas should be used for renewable energy;
- Loss of amenity for rights of way users;
- Harm to private business interests (*Officer comment: this is not a material planning consideration*).
- Climate emergency means development should be supported.

8. APPRAISAL

Principle of Development

Policy context

- 8.1. The Development Plan comprises the adopted West Northamptonshire Joint Core Strategy (LPP1) and the South Northants Local Plan Part 2 (LPP2). Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 8.2. The West Northamptonshire Joint Strategic Planning Committee adopted the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1) on 15th December 2014. The adopted LPP1 incorporates the Modifications recommended by the Inspector and covers the administrative areas of South Northamptonshire District, Daventry District and Northampton Borough. It sets out the long-term vision and objectives for the whole of the West Northamptonshire area for the plan period up to 2029 and includes strategic policies to steer and shape development.
- 8.3. The South Northants Local Plan Part 2 (LPP2) was adopted by the Council on 22 July 2020. The LPP2 builds upon the policies of the adopted JCS in providing specific development management policies for guiding planning decisions in South Northamptonshire over the plan period (2011-2029)
- 8.4. The NPPF sets out the economic, social and environmental roles of planning in seeking to achieve sustainable development: Paragraph 8 states that achieving sustainable development is achieved through three overarching objectives an economic objective, a social objective and an environmental objective.
- 8.5. National Planning Policy at Paragraph 152 states that *“the planning system should support the transition to a low carbon future in a changing climate ... by supporting development of renewable and low carbon energy and associated infrastructure”*. The NPPF encourages the principle of solar farm development where impacts are, or can be made, acceptable.
- 8.6. Paragraph 158 of the NPPF states that *“when determining planning applications for renewable and low carbon development, local planning authorities should approve the application if its impacts are or can be made acceptable”*.
- 8.7. 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.

- 8.8. [Department for Levelling Up, Housing and Communities](#) and [Ministry of Housing, Communities & Local Government](#) Guidance on Renewable and Low Carbon Energy (June 2015) encourages the increase of energy from renewable and low carbon technologies in the interest of climate change in locations where the local environmental impact is acceptable. It clearly states that although the NPPF acknowledges that all communities have a responsibility to help increase the use and supply of green energy it does not mean that the need for renewable energy automatically overrides environmental protections and planning concerns of local communities including protection of local amenity.
- 8.9. Locally, Spatial Objective 1 (Climate Change) of the West Northants Joint Core Strategy (LPP1), 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 provided they are sensitively located and designed to minimise potential adverse impacts on people, the natural environment, biodiversity, historic assets and should mitigate pollution.
- 8.10. The supporting text in ‘Climate Change and Sustainable Development Principles’ at paragraph 5.105 – 5.106 of the LPP1 acknowledges that:
- ‘The deployment of larger scale low carbon and renewable energy schemes can have a range of positive or negative effects on nearby communities. They could provide landowners with the opportunity for rural diversification, deliver local jobs and opportunities for community-based schemes and benefits. However, proposals can have a range of impacts that will vary depending on the scale of development, type of area where the development is proposed, and type of low carbon and renewable energy technology deployed. When considering planning applications for low carbon and renewable energy, an assessment will need to take account of impacts on landscape, townscape, natural, historical and cultural features and areas and nature conservation interests. Proposals should also use high quality design to minimise impacts on the amenity of the area, in respect of visual intrusion, noise, dust, and odour and traffic generation.’*
- 8.11. The Council’s adopted Low Carbon and Renewable Energy Supplementary Planning Document (SPD) recognises that renewable energy, combined with energy efficiency, offers an opportunity to counter the effects of global warming. There is general support for renewable energy provided 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.
- 8.12. The South Northamptonshire Local Plan Part 2 (LPP2) 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

- 8.13. It is evident from the above policy context that development of solar farms would be supported in principle. Whether or not the proposed development is acceptable in this particular location with regard to impacts on landscape, townscape, natural, historical and cultural features and areas and nature conservation interests in accordance with the policy context is assessed individually in this report. The implications of this on the overall planning balance are considered in the conclusions at the end of this report. There are

also other material considerations considered in this balance that relate to the principle of development.

- 8.14. The proposal would produce 49.72MWp (p-peak production) of electricity on 70ha of land which is currently in use as agricultural land (classed as 10.46ha of 3a and the remainder as 3b). It would power approximately 13,250 homes and would result in an approximate saving of 11,750 tonnes of carbon dioxide emissions per annum.
- 8.15. The NPPF paragraph 158 acknowledged that even small-scale renewable projects provide a valuable contribution to cutting greenhouse gas emissions. In this context the scale of energy output from this proposal would carry substantial weight.

EIA

- 8.16. The development has been subject to a screening opinion, required under the relevant Environmental Impact Assessment (EIA) regulations. The screening opinion provided by the Council advised that an Environmental Statement (ES) would be required.
- 8.17. The Council's decision stated:

.... the proposed development would be likely to have significant effects on the environment. Additionally, ...the proposed development would have the potential for significant environmental effects on landscape and visual impact. The scale and extent of the proposed development is such that the existing landscape, vegetation, landform and topography is considered unlikely to have the ability to appropriately accommodate the development and to filter and restrict views of the proposed development or to incorporate mitigation to enable this.

- 8.18. The Applicant sought a Screening Direction from the Secretary of State who also concurred with the Council's assessment of this proposal confirming that the proposal is likely to have potential impacts in terms of land take, ecology, landscape, heritage assets and visual impact and would be of a magnitude to suggest that a full environmental statement would be required.
- 8.19. Where an ES is submitted with an application there is a legal duty for the Local Planning Authority to have regard to it. This means examining the environmental information, reaching a reasoned conclusion on the significant effects, integrating that conclusion into the planning decision and, if granting permission, considering whether to impose monitoring measures.
- 8.20. An ES which has been submitted in support of this application considers the proposal in detail against land take, ecology, landscape, heritage assets and visual impact, which are all dealt with below. In respect ecology matters concluding that the proposal would not result in significant effects on any ecological features assessed, and a moderate beneficial effect will result from the proposed planting enhancement measures. Natural England and the Council's Ecologist have been consulted as statutory consultees in this matter. Natural England do not object subject to planning conditions securing adequate mitigation measures.

Other matters

- 8.21. The details of how the power generated at the proposal solar farm would be fed into the National Grid have not been provided. The Planning Statement supporting the application states that route will be confirmed by the statutory undertaker nearer after the necessary surveys have been undertaken and the optimum route identified. However, these operational matters are not a material planning consideration. The

technical specification and suitability of this connection is a matter that is entirely the responsibility of the relevant statutory undertaker rather than something they rely upon the Local Planning Authority to determine. Therefore, the risk of the proposed infrastructure being unsuitable rests with the applicant and does not weigh for or against the proposed development in planning terms.

- 8.22. On the basis of the above discussion, the proposal is considered to affect land take, ecology, heritage assets and landscape and visual amenity. The planning balance at the end of this report provides a summation of the overall benefits and harm of the proposal, as assessed in terms of each of the identified effects.

Land take

- 8.23. The application is supported by an Agricultural Quality of Land report by Land Research Associates Ltd Derby. It states that the site has been assessed using a method devised by the Ministry of Agriculture, Fisheries and Food (MAFF). The method assists in classifying agricultural land by grade according to the extent to which physical or chemical characteristics impose long-term limitations on agricultural use for food production in categories on the basis of what is considered Best and Most Versatile (BMV).
- 8.24. The agricultural land classification (ALC) grades land from 1-5, with a number of subsections. Grade 1 is considered excellent quality agricultural land, best for growing fruit and salad crops for example, whilst Grade 5 is very poor quality agricultural land, suitable mainly for just permanent pasture or rough grazing.
- 8.25. Subgrade 3a is good quality agricultural land capable of consistently producing moderate to high yields of a narrow range of arable crops, especially cereals, or moderate yields of other crops and subgrade 3b is moderate quality agricultural land capable of producing moderate yields of a narrow range of crops.
- 8.26. The applicants Agricultural Quality of Land report finds that 10.64ha (16%) of the site is grade 3a whilst the remaining is grade 3b.
- 8.27. CPRE have provided case law against the use of grade 3a land involving the Welsh Minister and whilst there is political debate within central government about the use of grade 3b land, in that it should be conserved as BMV land, currently government advice is that it does not have a significant impact on food production or security in England. Therefore, it is considered that the amount of land which is 3a and 3b would carry substantial weight in the planning balance and in favour of the proposal.

Landscape and visual impact

Policy context

- 8.28. 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.
- 8.29. The LPP1 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 on people and the natural environment.

8.30. The LPP2 Policy SS2 sets out 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.

8.31. The application is not within a Special Landscape Area. Guidance in the Northamptonshire Current Landscape Character Assessment (NCLCA) is applicable together with Policy SS2 and Policy EMP6.

8.32. Policy NE4 of the LPP2 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

8.33. The application is supported by Gayton Solar Farm, Northamptonshire Landscape and Visual Impact Assessment (October 2021) and a subsequent Response To 'Review Of Applicant's Landscape And Visual Impact Assessment (March 2022).

8.34. The Council commissioned Askew Nelson Ltd as a Landscape Consultant to assess the impact of the proposal on landscape character and visual effects. Based on the assessment and guidance within the Northamptonshire County Landscape Character Assessment Strategy and Guidelines, the Northampton Landscape Sensitivity and Green Infrastructure Study (NLSGIS, 2009), the Gayton Conservation Area Appraisal and Management Plan, Northampton Landscape Sensitivity and Green Infrastructure Study (NLSGIS, 2009) together with the Northampton Urban Fringe Landscape Character and Sensitivity Study (NUFLCSS) Askew Nelson Ltd have provided a review of both the LVIA and the subsequent response to review submitted in support of this proposal.

8.35. The Askew Nelson review finds that the LVIA does not make reference to three key documents: the Northamptonshire County Landscape Character Assessment Strategy and Guidelines, the Northampton Landscape Sensitivity and Green Infrastructure Study (NLSGIS, 2009), also the Gayton Conservation Area Appraisal and Management Plan which notes 'Important Views' north east from Gayton.

- 8.36. The NLSGIS (2009) gives a High-Medium landscape and visual sensitivity for much of the site (“Significant constraints identified, although smaller scale development may be possible subject to further detailed investigation and appropriate mitigation”). The eastern part of the northern site is High Sensitivity as it is a Protected Area for Minerals Site. The Askew review finds that the detracting influences on the northern site (industry, buildings, road noise, power lines) are less evident than is maintained in LVIA. The sensitivity of the landscape along the Grand Union Canal should be high (designated Conservation Area) – and assessed as a separate local landscape character area which is not conducted by the submitted LVIA.
- 8.37. The northern site is also more overlooked from the closer surrounding landscape. Parts of the site are clearly visible from Milton Road – to the east & south east of the site, from PROW RL3 up to Gayton, and from the minor road running north from Gayton. The site is more evident in views from the north in winter.
- 8.38. Therefore, the magnitude of change would result in a large impact on the open fields & landscape character of the site and immediate environs and would become medium as one moves away producing significant adverse effects. There is potential for Minor Beneficial effects if the existing hedgerows and canopy trees are managed as per the proposals.
- 8.39. Sensitivity of landscape and visual receptors is high around the Grand Union Canal and in some places the proposed development will be clearly visible, especially in winter where gaps in the canal-side vegetation are more evident. The proposal would result in Moderate Adverse effects for these receptors.
- 8.40. The receptors on PROW RL1 and RL5 would experience minor adverse effects as a result of the proposal. The magnitude of change in Views 1, 2, 5, 6, 7 & 8 would be major to moderate adverse depending on location.
- 8.41. The existing trees and the boundary hedge limit visibility of the site from the dwelling at No 12 Milton Road. The development is set back from the boundary, pushing the panels down the hill which also further limits visibility. However, in 15 years if the screening vegetation succeeds in limiting visibility of the development it will also limit the longer views east thereby resulting in a moderate adverse effect on this dwelling. The residents at Sandlanding Wharf would experience a major adverse visual effect, assuming high sensitivity and the large magnitude of change. Travellers on Milton Road between Gayton and the NE corner of the northern site would experience moderate adverse visual effects.
- 8.42. The Gayton Conservation Area and receptors at the pumping station, depots and Gayton Marina would experience minor adverse effects as a result of the proposal.
- 8.43. Therefore, in conclusion, the magnitude of change would result in a number of the landscape and visual receptors experiencing major and moderate adverse, both on site and in the local context. The Askew review reckons that the proposed mitigation measures would not overcome the harmful landscape and visual effects for the landscape type at the site and its surrounding. They would not ensure that the integrity of this quintessential rural agricultural landscape set within undulating hills and valleys is not harmed as a result of the proposed development. This is therefore contrary to the Northamptonshire Current Landscape Character (NCLCA) Strategy and Guidelines.
- 8.44. The Askew Nelson review raises significant concerns in relation to the location, size of the proposed development and the mitigation measures as proposed.

- 8.45. The proposed development would significantly change the landscape and visual character of the site and surrounding area from the perspective of multiple receptors. As such, Officers consider that the site is not suitable for the proposed development. The proposed mitigation measures do not recognise the intrinsic beauty and character of the countryside and cannot overcome the detrimental impact resulting from the proposal. This is a significant adverse effect that makes the application contrary to paragraph 174(b) of the NPPF, Policies S10(i) and S11 of the LPP1 and Policies SS2(1b and 1d) and EMP6(1b) of the LPP2.

Glint and Glare

- 8.46. Solar Photovoltaic Glint and Glare Study has been provided which assesses the impact of glint and glare on receptors in the surrounding area. The report states the definition of glint and glare as - Glint – a momentary flash of bright light typically received by moving receptors or from moving reflectors and Glare – a continuous source of bright light typically received by static receptors or from large reflective surfaces.

The report assesses the impact of glint and glare on upon surrounding road users, dwellings, and railway operations and infrastructure. It finds that reflections lasting for more than three months per year and less than 60 minutes per day are geometrically possible for 60 of the 90 assessed dwellings. However, no mitigation measures would be required due the existing tree and hedgerow screens, the effects would coincide with that of direct sunlight received by the receptors and they would not affect receptors on the ground floor. Solar reflections from the proposed development are geometrically possible towards road users along approximately 1.9km of the A43. Predicted solar reflections are screened by existing vegetation, therefore, no impact is predicted to be experienced by road users, and mitigation is not required. Existing screening and variations in the terrain height will significantly screen any solar reflections on Railway Signals. Solar reflections are geometrically possible towards 13 of the assessed 17 train driver receptors along a 1.2km section of railway track. However, visibility of solar reflections would be screened by existing screening; therefore no impact is predicted to be experienced by train drivers, and mitigation is not required.

Highway safety and access

Policy context

- 8.47. 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.
- 8.48. Policy SS2(1j) of the LPP2 requires development to include a safe and suitable means of access for all people.

Assessment

- 8.49. Access is proposed from Milton Road at individual access points to both parcels of the site. The northern parcel would have an access point on its south boundary and the southern parcel would have an access point along its north west boundary. These access points would serve the construction and the operational phase of the proposed project.
- 8.50. The Local Highway initially raised concerns in relation to visibility splays and required additional information in relation to proposed access, vehicle parking and turning arrangements, Transport Statement and the Construction Traffic Management Plan (CTMP).

- 8.51. The required details have been submitted by the Applicants and the LHA has been re-consulted. The LHA are concerned that the CTMP where it proposed access via the Brickworks Canal Bridge would not be acceptable due to likely weight restrictions which are being assessed by the Canal and River Trust.
- 8.52. The proposal incorporates 'Just in Time' deliveries in order to control construction traffic flow. However, information as to where construction vehicles would be parked in order to achieve this has not been clearly stated within the CTMP. Additionally, the CTMP also lack clarity on the delivery, storage area, dust management, wheel washing etc for the northern parcel of the site and the Swept Path Analysis for an HGV over Turnover Bridge.
- 8.53. Officers are of the opinion that the likely weight restriction order over the Brickworks Canal Bridge would render the proposed CTMP unacceptable. Additionally, the concern in relation to lack of clarity about construction traffic flow is considered to render the CTMP insufficient to allow a succinct assessment of the impact of the 'Just in Time' delivery measures.
- 8.54. The impact in relation to the width of Station Road Blisworth from its junction with Towcester Road and the adequacy of the proposed swept path analysis at Turnover Bridge are considered matters which could be overcome with further information. However, in the instance where concerns raised include the structural stability, suitability and availability of Brickworks Canal Bridge, impact on other highways network from the likely parking of construction vehicles in relation to traffic flow and insufficient information regards the northern parcel of the site are considered contrary to Paragraph 111 of the NPPF and Policy SS2(1j) of the LPP2.

Impact on designated heritage assets

Legislative and policy context

- 8.55. 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.
- 8.56. 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.
- 8.57. Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 193 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policy BN5 of the LPP1 echoes this guidance.
- 8.58. Policies HE1, HE5 and HE6 of the LPP2 guide development affecting designated and non-designated heritage assets and their settings including Conservation Areas and listed buildings. Policy HE6 is applicable in this case and regards development outside designated Conservation Areas it states that *'Where harm would be caused, including through development proposals outside of a conservation area which have an adverse*

effect on the setting of the conservation area or any views into or out of the area such harm will need to be weighed against the public benefits of the proposals.'

Assessment

- 8.59. The response from the Council's Conservation Officer states that there exist several designated assets in the surrounding area of both parcels of land which comprises the site. However, owing to the setting of those assets within their surrounding with natural and built environment providing visual separation and distance it is not considered that the proposal would result in harm to any of the designated assets. However, the Union Canal Conservation Area lies to the immediate south of the northern parcel of the site. This area is identified as Character Area 1 in the Grand Union Canal Conservation Area Character Appraisal and Management Plan (2014). Along this length of the canal the character is predominately rural. This attractive rural agrarian setting to the canal has remained unchanged for many years. One of the mechanisms identified in the document for protecting the setting of the Conservation Area is that of carefully controlling new development.
- 8.60. Policy HE6 requires the rural character of the area surrounding the Union Canal Conservation Area to be protected. The proposal would rather change this existing rural character substantially. Mitigation measures comprising of landscaping schemes at this location would not overcome the impact due to the fact that screening will also block the views and the resulting visual amenity across this boundary of the site close to the Conservation Area. The public benefit of the proposal in terms of providing a sustainable source of energy sufficient for 10000 homes would not necessarily benefit the local communities in this area. On this basis the impact of the proposal and the mitigation measures are not considered to overcome the adverse effect on the setting of the Conservation Area and in turn on the local communities in the surrounding villages.

Archaeology

Policy context

- 8.61. Policy HE2 of the LPP2 explains that when considering proposals that may affect sites that potentially have remains of archaeological importance, they will not be assessed until an appropriate desk-based assessment and where necessary a field assessment has been undertaken. Where remains are found there is a presumption that these should be preserved in situ.

Assessment

- 8.62. The application is supported by geophysical survey and trial trenching. This has revealed evidence that there are archaeological features in several locations around the field. Of particular importance is the south western corner where evidence of occupation is seen, while the rest of the field appears to contain various agricultural enclosures. The Council's Archaeologist suggests a condition to ensure that intrusive groundworks are avoided.
- 8.63. The northern parcel of the site requires further trenching in order to establish archaeological features of interest if any. The Archaeologist suggests a further condition to secure both the remainder of the trenching and any mitigation which may be required. Subject to the suggested conditions the proposed development is considered to comply with Policy HE2 of the LPP2.

Ecology

Legislative context

- 8.64. The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) transpose Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) into English law, making it an offence to deliberately capture, kill or disturb¹ wild animals listed under Schedule 2 of the Regulations. It is also an offence to damage or destroy a breeding site or resting place of such an animal (even if the animal is not present at the time). From 1st January 2021, the 2017 Regulations are one of the pieces of domestic law that transposed the land and marine aspects of the Directive. Most of the changes involved transferring functions from the European Commission to the appropriate authorities in England and Wales, all other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant.
- 8.65. The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act (CRoW) 2000 and the Natural Environment and Rural Communities Act (NERC) 2006, consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive), making it an offence to:
- Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, or its dependent young while it is nesting;
 - Intentionally kill, injure or take any wild animal listed under Schedule 5 to the Act;
 - Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any wild animal listed under Schedule 5 to the Act;
 - Intentionally or recklessly disturb certain Schedule 5 animal species while they occupy a place used for shelter or protection;
 - Pick or uproot any wild plant listed under Schedule 8 of the Act; or
 - Plant or cause to grow in the wild any plant species listed under Schedule 9 of the Act. Protection of Badgers Act 19).
- 8.66. Under the Regulations, competent authorities such as the Council have a general duty to have regard to these requirements. 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

- 8.67. Paragraph 174 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 8.68. Paragraph 185 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.69. 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.
- 8.70. Policy NE3 of the LPP2 seeks to conserve and wherever possible enhance green infrastructure. Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.
- 8.71. Policy BN2 of the JCS 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.
- 8.72. Policy BN4 deals with the Upper Nene Valley Gravel Pits Special Protection Area and requires that proposal protect sightlines for birds included within the special protection area and ramsar site designations and within a 250m zone of the special protection area.

Assessment

- 8.73. The application site lies in close proximity to the designated Upper Nene Valley Gravel Pits Special Protection Area. 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.
- 8.74. Comments received from Natural England state that the proposal would be acceptable subject to adequate mitigation measures to be approved via planning conditions.
- 8.75. The proposal incorporates a number of measures that include bat and barn owl boxes, retention of linear features for breeding birds and sensitive working methods adhered to during the construction phase.
- 8.76. The report concludes that there will be a Moderate Beneficial impact upon biodiversity net gain (195% increase), with positive impacts upon the local hedgerow and woodland resource, whilst beneficial impacts are also predicted upon foraging and roosting bats, the breeding bird assemblage and brown hare. The report also concludes that there will be no adverse impacts likely to arise upon other habitats of intrinsic ecological importance, or upon other protected or important species.
- 8.77. Comments from the Council's Ecologist are awaited.
- 8.78. On the basis that Natural England have no objection subject to suitable conditions to secure adequate mitigation measures Officers take the view that the proposal would accord with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the NPPF, Policy BN2 of the JCS and subject to outstanding comments from the Council's Ecologist. Should these comments be received prior to the determination of this application then an update to this report is to be provided.

Noise and amenity

Policy context

- 8.79. The Environment Act (1995), gives local authorities' powers to control pollution, and address contaminated land including ways to deal with the cumulative impacts of development. Policy SS2(1f) of the LPP2 requires developments to not unacceptably harm the amenity of occupiers and users of neighbouring properties and the area through noise, odour, vibration, overshadowing or result in loss of privacy, sunlight/daylight or outlook unless adequate mitigation measures are proposed and secured.

Assessment

- 8.80. A baseline noise survey has been undertaken to determine the prevailing background noise climate at locations considered representative of the closest Noise Sensitive Receptors (NSRs) to the Site. The Noise Impact Assessment 2107165-001 submitted in support of this application along with a subsequent the Noise Rebuttal RC/ENV/ACO/710716/L01 have been assessed and the Environmental Health Officer does not object on this ground subject to suggested condition to ensure that the noise does not affect the local amenity including on weekends.

Conclusion

- 8.81. The development would not result in any adverse effects on surrounding properties in terms of glint and glare. It would likely result in some adverse impact due to noise for which mitigation can be secured via a planning condition. It is therefore considered to accord with Policy SS2(1f) of the LPP2.

Flood risk

Policy context

- 8.82. 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 in Flood Zone 1 (i.e. major development) should be accompanied by a Flood Risk Assessment.
- 8.83. 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.

Assessment

- 8.84. The site is located within an area of high risk of surface water flooding. The Lead Local Flood Authority (LLFA) has raised concerns in relation to the capacity of the proposed drainage pipe design, storage pond design and flow control and overland flow routes which may affect surrounding residential properties.
- 8.85. Revised Surface Water Drainage Details have been provided by the Applicants to address the concerns raised by the LLFA. Further comments from the LLFA in response to re-consultation are awaited. However in the absence of whether the further information submitted by the applicant would adequately address their concerns it is considered that the proposal is contrary to the requirements of Policy BN7 of the Joint Core Strategy and Policy SS2(1l) of the LPP2.

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:
- National and local policy (most notably paragraph 158 of the NPPF and Policy S11 of the West Northants Joint Core Strategy) both emphasise a presumption in favour of sustainable development, including renewable energy projects that reduce carbon emissions. The proposed development will make a significant contribution to this,

producing enough renewable power for 13,250 homes annually and reducing the area's carbon footprint by 11,750 tonnes per year. This is to be given very significant weight.

- The site is not subject to any statutorily protected landscape or environmental designations. This is to be given limited weight as it represents the absence of a specific policy harm rather than an outright benefit;
- The supporting documents state that the proposed development will include a biodiversity net gain of 195%. This is to be given moderate weight as all developments should achieve a biodiversity net gain and the development is not the only means of achieving it in this instance.

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

- The development would result in harm to the landscape and visual character of the area, which is not appropriately mitigated by the proposed landscaping. Due to the scale of the development and its adverse effects on multiple receptors including its proximity to the Grand Canal Conservation Area, this is to be given very significant weight in the planning balance.
- The development would result in disruption to the highways network as a result of the likely weight restriction on the Brickworks Canal Bridge, construction traffic flow and concerns in relation to parking details in the northern parcel of the site. This is to be given significant weight.
- The development would result in the loss of around 10.46 ha (16%) of Grade 3a agricultural land, which is classified as best and most versatile. This is to be given moderate weight in the planning balance due to the small proportion of the site it represents, and the absence of any objection from Natural England on these grounds.
- The development will diminish the tranquillity of the area for those using rights of way through the site with noise from infrastructure being apparent in the immediate proximity. This is to be given limited weight due to the transient and relatively isolated nature of the impact.
- The applicant has not demonstrated that the proposed development would have a satisfactory impact on flood risk. This is nevertheless to be given negligible weight in the planning balance as it is a discrete technical shortcoming that could be addressed through mitigation measures, depending on the outcome of the re-consultation with the Local Flood Authority.

10.3. In conclusion, Officers consider that the planning balance lies weighs in refusing permission. The benefits of the development are acknowledged to be very significant. However, they would not be outweighed in this instance by the harm to landscape and visual character that has been identified and for which mitigation measures are not considered to be adequate to overcome the resulting harm together with the adverse impact on the highways network as discussed within the relevant section.

11. RECOMMENDATION

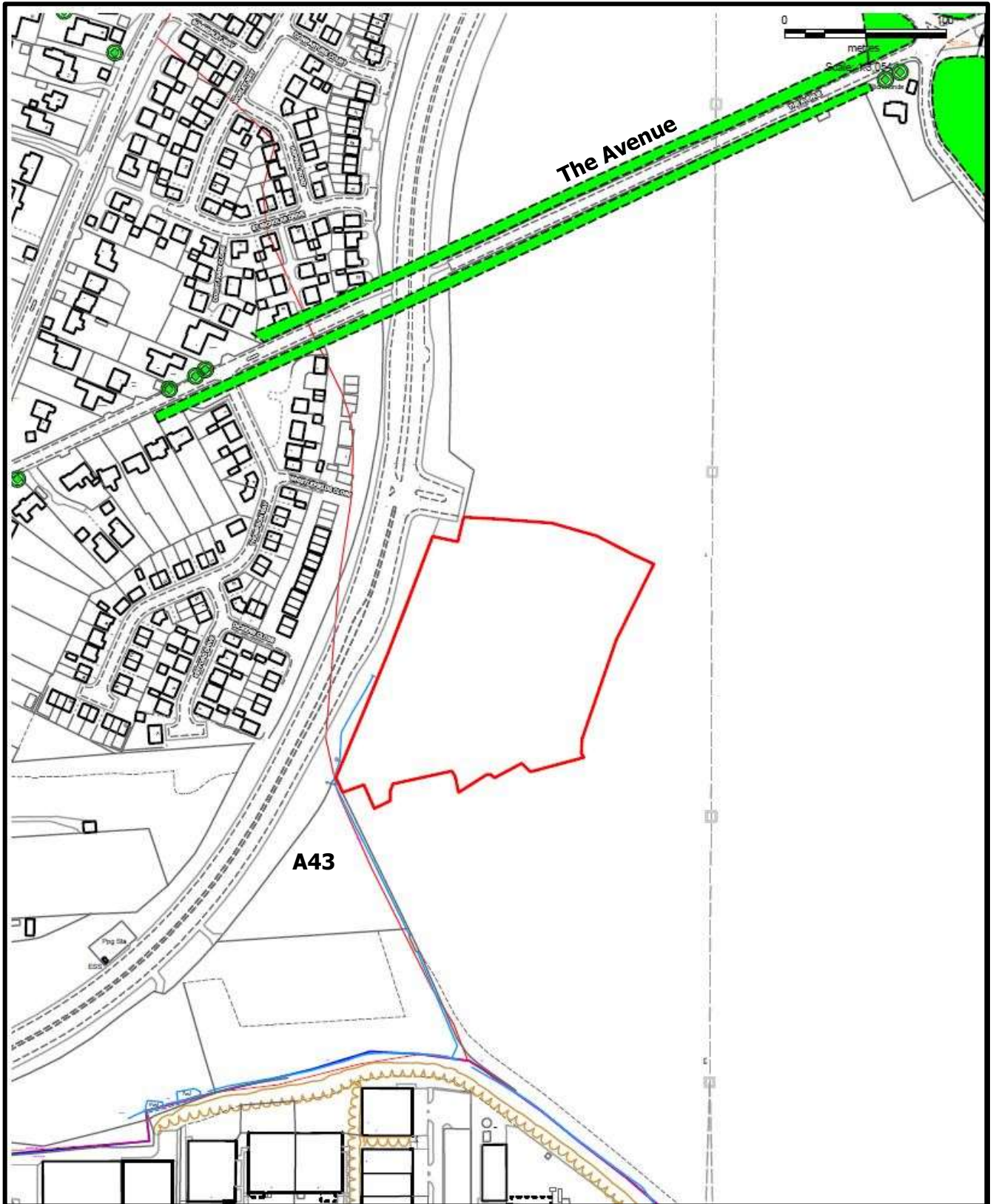
REFUSAL FOR THE REASONS SET OUT BELOW

- 1. Owing to the location and size of the site the magnitude of change would result in major and moderate adverse effects on landscape and visual character, both on site and in the local context. The proposed mitigation measures would not overcome the harmful landscape and visual effects for the landscape type at the site and its surrounding quintessential rural agricultural character. This is a significant adverse effect that makes the application contrary to paragraph 174(b) of the NPPF, Policies S10(i) and S11 of the West Northants Joint Core Strategy Local Plan (LPP1) and Policies SS2(1b and 1d) and EMP6(1b) of the South Northamptonshire Local Plan Part 2 (LPP2)**
- 2. The proposed development would not be deliverable in the instance where the Brickworks Canal Bridge is restricted for weight of construction vehicles together with adverse impact on other highway users as a result of inadequate construction traffic flow management and lack of parking, delivery storage area, dust management and wheel washing details at the northern parcel of the site contrary to Paragraph 111 of the NPPF and Policy SS2(1j) of the South Northamptonshire Local Plan Part 2 (LPP2).**
- 3. The site lies within an area of high risk of surface water flooding. Based on the information provided, the proposed mitigation measures would not be considered adequate to overcome the risk of surface water flooding. The proposal is therefore contrary to Policy BN7 of the West Northants Joint Core Strategy Local Plan (LPP1) and Policy SS2(1l) of the South Northamptonshire Local Plan Part 2 (LPP2).**

FURTHER RECOMMENDATION:

- 1. NO OBJECTION BEING RAISED BY THE COUNCIL'S ECOLOGIST AND**
- 2. SHOULD THE LEAD LOCAL FLOOD AUTHORITY SUBSEQUENTLY CONFIRM IT HAS NO OBJECTIONS TO A REVISED DRAINAGE STRATEGY, THEN AUTHORITY SHALL BE DELEGATED TO THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE & REGENERATION TO OMIT THE THIRD REASON FOR REFUSAL FROM THE DECISION NOTICE OR NOT PURSUE THIS REASON FOR REFUSAL SHOULD AN APPEAL AGAINST THE DECISION BE MADE.**

Parish: Moulton/Overstone









Town/Village: Overstone

Site Area: 2.47ha

Grid Location: SP 265673 479455

Map Scale: 1:3,054

-  TPO Tree
-  Site
-  TPO Wood
-  Parish
-  TPO Group
-  Ward

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Application Number: WND/2022/0234
Location: Overstone Leys, Overstone Lane, Overstone
Development: Reserved matters application (appearance, layout and scale) for construction of 69 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 26 (noise)

Applicant: Vistry Group
Agent: McBains
Case Officer: Rebecca Grant

Ward: Moulton

Reason for Referral: Relates to Overstone Leys Sustainable Urban Extension
Committee Date: 12.09.2022

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The application is a reserved matters application for 69 dwellings (Zone 10) within the southern part of the Overstone Leys Sustainable Urban Extension (SUE).

Outline planning permission was granted in 2015 for the SUE (planning reference DA/2013/0850). A number of reserved matters applications have since been approved for Zones 1, 2, 3, 4, 5, 8 and 9 and a food store within the local centre. A full application was recently approved for a care home within the local centre.

This application forms a small element of application WND/2021/0172 which was refused planning permission for the following reason;

The proposal is contrary to Policy BN9 of the West Northamptonshire Joint Core Strategy which requires new developments which are likely to result in exposure to sources of pollution to demonstrate they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities. In this case the proposed design of the residential scheme would result in unacceptable internal and external noise levels within the development as a result of noise from the nearby industrial estate.

Application WND/2021/0172 was for 350 dwellings. Due to outstanding issues with noise in the southern part of Zone 10, the applicant have submitted an application for a smaller element of the overall parcel, set in the northern section of Zone 10.

The principal access to the site is taken from the A43 and the spine road runs east through

Zones 10 and 9 and then heads north to link in with the northern section of the spine road.

The application is considered to be in accordance with the Masterplan approved under the outline consent. The layout is the same as that approved under application WND/2021/0172.

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 28 affordable units which is 40.5% of the units of which 21 units will be affordable rent and 7 units will be shared ownership.

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

Consultations

The following consultees have raised **objections** to the application:
WNC Environmental Health

The following consultees have raised **no objections** to the application:
Moulton Parish Council, Overstone Parish Council, WNC LHA, WNC Landscape Officer, WNC Policy Team, Crime Prevention Design Advisor and WNC Archaeology

No representations from residents have been received following the consultation exercise.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Character of Development
- Highway Safety
- Impact upon Residential Amenity
- Landscape and Open Space
- Affordable Housing
- Noise – discharge of Condition 26 of outline approval

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 now has a resolution to approve subject to finalising the S106 agreement.
- 1.4 A number of Reserved Matters Application have been approved, including Zone 1, 2, 3, 4, 5, 8 and 9, together with a convenience store and care home both of which are within the southern part of the local centre.
- 1.5 The application forms part of 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.

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 69 dwellings of which 28 units will be affordable. This equates to 40.5% affordable units.

- 3.2. The scheme will deliver:

Market dwellings;

2 bed x 7 units

3 bed x 27 units

4 bed x 7 units

Affordable rent;

One bed x 4 units

Two bed x 8 units

Three bed x 12 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 within the southern section (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:

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

	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	
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	Approved 27.04.2021

	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)	
DA/2020/1178	Reserved matters application (access, appearance, landscaping, layout and scale) for 129 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 18 (foul water drainage), Condition 26 (acoustic report), Condition 30 (fire hydrants), Condition 37 (travel plan), Condition 39 (arrangements for management and maintenance of proposed streets), Condition 41 (external lighting plan), Condition 42 (soil management plan) and Condition 43 (compensatory habitat creation and management scheme).	Refused 29.10.2021
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/2021/0172	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 26 (noise) and Condition 37 (travel plan)	Refused 10.05.2022
WND/2021/0700	Reserved matters application – Zone 4 – 223 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).	Approved 18.8.2022

WND/2021/0870	Reserved matters application (access, appearance, landscaping, layout and scale) for 123 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), Condition 26 (acoustic report), Condition 36 (bus stops), Condition 37 (travel plan) and Condition 38 (public rights of way) - Resubmission of application DA/2020/1178.	Approved 23.2.2022
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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 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 Neighbourhood Plan 'made' on 3.12.2021.

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

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

Consultee Name	Position	Comments
Moulton Parish Council		Support the comments of Overstone Parish Council.
Overstone Parish Council	No further comments to make.	
WNC Local Highway Authority	No further comments to make.	The site forms part of a wider application. Given that the LHA was content that the layout under WND/2021/0172 was acceptable, this section if also acceptable.
WNC Environmental Health	Object	Unable to support the application and do not recommend that Condition 26 can be discharged.
WNC Landscape Officer	Support	In line with other schemes within the SUE.
WNC Policy Team	No comments to make	As previously agreed

Crime Prevention Design Advisor	No comments received	
Archaeology	No comments to make.	The archaeological fieldwork is complete in this area and the programme is now in the analysis phase.

7. RESPONSE TO PUBLICITY

7.1 Four site notices were posted around the site on 6 April 2022 and neighbours notified.

No representations have been received.

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 and General neighbourhood.

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 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.
- 8.12. The Design Code states, “The A43 corridor frontage will help provide a strong building line and formal avenue tree planting along its length will help to create a more formal character. Properties will be serviced via private drives running parallel to the A43 with a combination of on-street and on-plot parking”.
 - 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. The Design Code states, “The Primary Street character area relates to built form along the primary route that feed off the A43 bypass. Being an important route for the site this character area must provide a well-defined built form to aid legibility and way finding through the development. It must also function as a street, providing activity and a pleasant living environment for its residents”.
 - 8.15. 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.
 - 8.16. The Design Code states, “The General Neighbourhood will accommodate a mix of house types within a more formal setting. There will also be a great ate variation in street typologies within this area encompassing both secondary and site streets, which will provide links to the development edge,”
 - 8.17. 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.
 - 8.18. 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.
 - 8.19. 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.
 - 8.20. In order to ensure that the materials palette is acceptable, a condition is proposed to require details and samples of materials to be submitted.

- 8.21. 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.
- 8.22. 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. 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.
- 8.27. 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.
- 8.28. WNC Highways also made a number of comments on the submitted Travel Plan. Subject to these being addressed the Travel Plan condition can be discharged.
- 8.29. 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.
- 8.30. WNC Highways have confirmed that the revised layout has addressed all previous comments raised and as such is acceptable.
- 8.31. 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

- 8.32. The layout has been assessed to ensure that distances between habitable windows conform to our guidelines to prevent issues of overlooking. The dwellings within Zone 9 which are currently under construction will be the nearest dwellings to the application

site. Both Zones have been designed to take account of each other and consequently there are therefore no issues of overlooking.

- 8.33. A significant constraint on the site is the difference in levels. These levels are not so significant in this northern section of the Zone and therefore this is not a consideration for this section of Zone 10
- 8.34. 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.
- 8.35. 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

- 8.36. 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.
- 8.37. 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.
- 8.38. The landscaping was approved under application WND/2021/0152. The applicants are therefore not looking to deal with landscaping as a reserved matters under this application.
- 8.39. Our Landscape Officer has previously been involved with the application and has no objection in principle to the proposals.
- 8.40. 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

- 8.41. 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.

8.42. 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%.

8.43. The scheme will provide 28 affordable units which comprise;

Type	Affordable Rent	Shared Ownership	Total
1 bed house	4		4
2 bed house	4	4	8
3 bed house	10	2	12
4 bed house	3	1	4
Total	21	7	28

8.44. 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.

8.45. 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.

8.46. The Affordable Housing Officer has confirmed acceptance of the approach and mix proposed. It is therefore considered the proposal is in accordance with the principles of Policy H2 of the WNJCS.

Noise – Condition 26 of the outline consent

8.48. Condition 26 of the outline consent 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”.

8.49. As Members will be aware, planning permission was refused for application WND/2021/0172 for the full extent of Zone 10 as insufficient information was submitted to ensure that future residents would not be adequately protected against noise. The reason for refusal was as follows;

“The proposal is contrary to Policy BN9 of the West Northamptonshire Joint Core Strategy which required new developments which are likely to result in exposure to sources of pollution to demonstrate they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities. In this case the propose design of the residential scheme

would result in unacceptable internal and external noise levels within the development as a result of noise from the nearby industrial estate”.

- 8.50. WNC Environmental Health Officers (EHO) have raised concerns that the industrial noise when assessed against BS4142 is still a problem within this northern section of the Zone and that it is going to have an adverse and significant adverse impact on future residents. WNC EHO have advised that whilst the noise consultant for the applicant has proposed a glazing and ventilation scheme that will lower internal noise levels than outlined in BS8233, the industrial noise is not an anonymous noise source as it has required some character corrections, so BS4142 must be the assessment standard, not BS8233.
- 8.51. Officers need to consider the wording of Condition 26 and whether the applicant has submitted sufficient information to discharge Condition 26 attached to the outline consent. Condition 26 requires indoor noise levels under background ventilation rates to be as identified within BS 8233 2014 - Guidance on Sound Insulation and Noise Reduction for Buildings and external living areas (gardens) to be in accordance with World Health Organisation (W.H.O):1999 guidelines – 50-55dB LAeq, 16hr.
- 8.52. Given the difference in opinion between the applicant’s noise consultant and our EHO, an independent noise consultant has been instructed by the Council to review if the noise report submitted with the application is sufficient to enable Condition 26 to be discharged.
- 8.53. At the time of drafting the report, the noise consultant has advised that “In summary the proposals address the issues appropriately, recognise the potential for adverse and significant adverse impacts and suggest a range of mitigation measures to address those impacts so that noise and planning policy and guidance aims and objectives are likely to be achieved. The scheme relies on some sources of guidance and advice on the evaluation of noise that may not be ideally suited to the sounds emitted from the nearby commercial sources, but applies these in a precautionary way so that the risk of adverse and significant adverse effects is mitigated and minimised and avoided, as required by policy and guidance. Mitigation measures include as far as reasonably practicable using the site layout and orientation of dwellings coupled with boundary noise barriers to mitigate noise impacts. In addition, fundamental to the mitigation measures is the use of the building envelope with windows closed, and alternative means of ventilation provided, to achieve acceptable internal noise conditions. This is itself an adverse effect as it limits how the occupiers can use their home, but is recognised as a suitable means of noise mitigation in these situations in the National Planning Practice Guidance in Paragraph: 009 Reference ID: 30-009-20190722 Revision date: 22 07 2019, which advises the following:

“The agent of change will also need to define clearly the mitigation being proposed to address any potential significant adverse effects that are identified. Adopting this approach may not prevent all complaints from the new residents/users about noise or other effects, but can help to achieve a satisfactory living or working environment, and help to mitigate the risk of a statutory nuisance being found if the new development is used as designed (for example, keeping windows closed and using alternative ventilation systems when the noise or other effects are occurring). “

- 8.54. The application clearly defines the mitigation required to adequately deal with significant adverse effects and in my view this will help to achieve a satisfactory living environment where the risk of statutory nuisance has been reasonably practicably minimised”.
- 8.55. A full report will be provided and a further update will be provided as a late item.
- 8.56. Given the advice of the noise consultant, the fact that the site is allocated for residential development and has outline approval with an indicative masterplan illustrating residential within this area, on balance, it is considered that the noise report submitted is sufficient to discharge Condition 26 on the outline planning permission.

8. FINANCIAL CONSIDERATIONS

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

9. PLANNING BALANCE AND CONCLUSION

- 9.49. 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.
- 9.50. The proposal has been designed in accordance with the parameter plans approved at outline stage and the indicative masterplan.
- 9.51. 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).

10. RECOMMENDATION / CONDITIONS AND REASONS

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

Conditions

Drawing Numbers

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

Layouts

OLNVNH-MCB-ZZ-ZZ-DR-A-0200B-D5-P1-Site Location Plan

OLNVNH-MCB-ZZ-ZZ-DR-A-0230B-D5-P1-Site layout Plan

OLNVNH-MCB-ZZ-ZZ-DR-A-0231B-D5-P1-External materials and boundaries treatment plan

OLNVNH-MCB-ZZ-ZZ-DR-A-0232B-D5-P1-Surface Finishes Plan

OLNVNH-MCB-ZZ-ZZ-DR-A-0233B-D5-P1-Affordable Tenure Plan
OLNVNH-MCB-ZZ-ZZ-DR-A-0234B-D5-P1-Refuse Management Plan
OLNVNH-MCB-ZZ-ZZ-DR-A-0235B-D5-P1-Parking Strategy Plan
OLNVNH-MCB-ZZ-ZZ-DR-A-0236B-S2-P1-Garden Sizes Plan

House Types as set out in the Accommodation Schedule dated 25.02.2022

Street Scenes and Site sections

OLNVNH-MCB-ZZ-ZZ-DR-A-0300B-D5-P1 - Illustrative Streetscenes A & C

Engineering

Levels and Drainage Strategy 18927-OVER-5-SK007

Other

Planning Statement prepared by Tetra Tech

Affordable Housing Statement prepared by Pioneer Property Services Ltd

Site Waste Management Plan

Green Travel Plan prepared by Woods Hardwick

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.

Removing Permitted Development Rights

2. 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

3. Notwithstanding Drawing OLVNH-MCB-ZZ-ZZ-DR-A-0231B-D5-P1-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).

Use of garages

4. 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

5. 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-0233B D5-P1 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

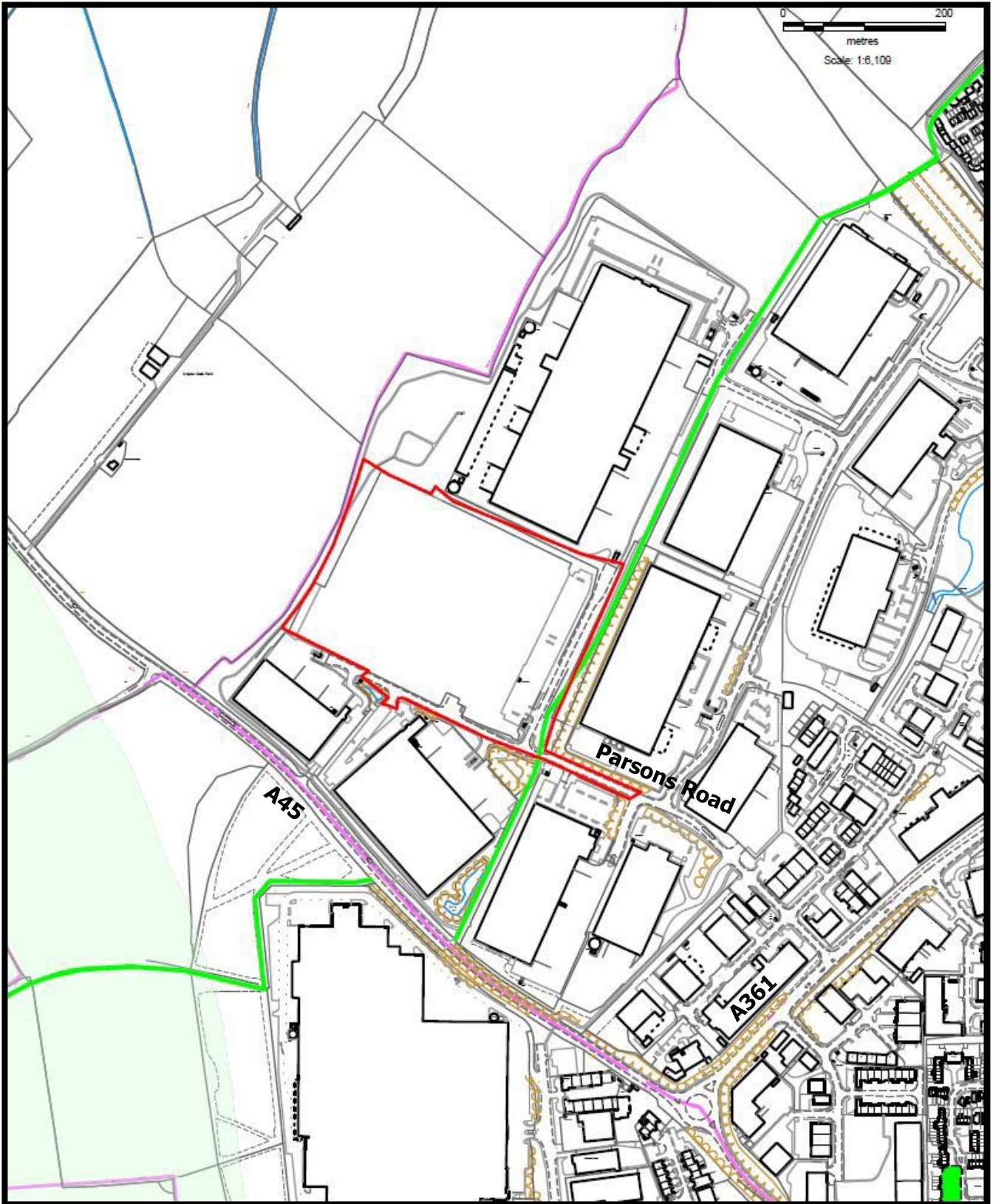
6. Notwithstanding Drawing 18927-OVER-5-SK007 Levels & Drainage Strategy, prior to construction of the dwellings above slab/foundation level, details of any retaining walls proposed shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance 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).

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.

Parish: Daventry North





Town/Village: Daventry

Site Area: 9.1ha

Grid Location: SP 264297 455487

Map Scale: 1:6109

-  Site
-  TPO Group
-  Parish
-  Special Landscape Area
-  Bridleway/Footpath

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Application Number: WND/2022/0348

Location: Apex Park Phase 3, Zone B, Parsons Road, Daventry, Northamptonshire

Development: Reserved matters application for access, layout, scale, appearance and landscaping for construction of two warehouse and distribution units including ancillary offices, landscaping, access, parking and associated infrastructure.

Applicant: Prologis UK Ltd

Agent: Lichfields

Case Officer: Eamon Mc Dowell

Ward: Braunston and Crick

Reason for Referral: Major Development

Committee Date: 12th September 2022

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: APPROVE

Proposal

Reserved matters application for access, layout, scale, appearance and landscaping for construction of two warehouse and distribution units including ancillary offices, landscaping, access, parking and associated infrastructure.

Consultations

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

- Braunston Parish Council

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

- Daventry Town Council
- WNC EHO subject to conditions
- WNC LHA subject to conditions on layout parking and access being satisfied

No letters of 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:

- design and impact on its surroundings;
- access, parking and highways;
- lighting, noise and contamination, air quality;
- surface water drainage and flood risk;
- biodiversity.

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 sustainable development on an allocated site of two warehouse and associated 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 application site presently comprises an expansive area of concrete hardstanding where the former building stood together with the service yard areas and parking areas. The site is bounded to the south by an existing estate road that affords access to and from the A45 via the existing long established industrial estate. To the south of this road are two storage warehouse buildings approved and built relatively recently. To the north of the application site there is a recently constructed and now operational warehouse under planning Reference DA/2019/0366.

2. CONSTRAINTS

- 2.1 The application site forms part of a 17ha site originally approved by the West Northamptonshire Development Corporation

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development is for two separate warehouse units with associated parking landscaping and supporting infrastructure. Specifically the buildings for which reserved matters approval is sought, will comprise:

- A 17,741 m² (190,960 ft²) Use Class B2/B8 (storage and distribution) unit (Unit DC9A) with 773 m² (8,320 ft²) of ancillary office (Use Class E), 274m² Hub (Use Class E), and a 25m² ancillary Gatehouse (all GIA); and
- A 11,842 m² (127,469 ft²) Use Class B2/B8 (storage and distribution) unit (Unit DC9B) with 771 m² (9,176 ft²) ancillary office (Use Class E) (all GIA).

- 3.2 Each will not exceed 18m in height and will comprise facia metal and cladding in grey tones. Similarly ancillary offices will be two storey in height (8.4m).

3.3 The detailed layout has been designed to meet the requirements of logistic companies and potential future occupiers. The key features of the layout of the site are illustrated by the Site Layout Plan and outlined below.

- Two units are proposed on the site. Unit DC9B is located in the west of the site and unit DC9A (the larger of the two units) is located to the east. The buildings comprise the main warehouses and ancillary offices. Entrances to both warehouses are from the southern elevations to the south east of the proposed ancillary offices, via the car parks;
- 10 docking spaces will be provided for Unit DC9B and 20 for the larger Unit DC9A. These are positioned to the east of the relevant unit. Additional HGV spaces are also provided.
- Car parking (including electric vehicle charging spaces) is provided to the south of the respective units including accommodation for cycle parking and disabled spaces. Further car parking for Unit DC9A is situated east along the development site boundary
- A new access located at the south-western corner of the site would be created to access Unit DC9B for both HGVs and cars. Unit DC9A will be accessed via two existing access points: HGVs will be directed to the southern access via a gatehouse, whilst the car parking access is situated to the south of the eastern site boundary.
- A proposed landscaped amenity area to the west connected by a 2m footpath from the access road. Both units will also have dedicated external amenity space.
- Sprinkler tanks and pump house are proposed to be located at the northwest corner of each HGV loading area.
- Electrical substations will be located in the western corner of the site, west of the vehicular access to Unit DC9B, and an additional substation will be on the southern boundary of the site, adjacent to the car parking area for Unit DC9A.
- The acoustic barrier to the west of unit DC9B will be retained and extended across the length of the site.

3.4 Three vehicular accesses to the site are proposed which are detailed below:

- Creation of access to Unit DC9A for car parking from the east accessed from an internal access road off Parsons Road. This also provides vehicular and HGV access road to the Cummins Unit to the north of the site which is currently under construction.
- A HGV vehicular access to the car park for Unit DC9A is situated along the southern boundary of the site off Parsons Road. A gatehouse will be located at this entrance point to Unit DC9A.
- Creation of a new proposed access to Unit DC9B for use by both car and HGVs. A pedestrian footpath access will also be created in this location to connect to the landscaped amenity area to the west

4. RELEVANT PLANNING HISTORY

- 4.1 The application site forms part of a 17ha site originally approved by the West Northamptonshire Development Corporation under 08/0143/FULWND for construction of 3 B8 (Storage and Warehouse) units with associated offices landscape, access parking and infrastructure. That development was subsequently varied and amended by Daventry District Council under the applications listed in the planning history above.
- 4.2 The development was completed in accordance with the planning approvals with the building on Zone B Plot 1 being completed and occupied most recently. As a result of a fire in 2018 that building was extensively damaged and had to be demolished with the site being cleared with only the concrete service yards and slab of the former building remaining on site together with surrounding fence enclosure. A subsequent approval allowed for a replacement building on a like for like basis under DA/2018/0525 but has not been implemented.
- 4.3 Outline permission was granted under reference DA/2019/0569 to allow for the redevelopment of the vacant plot for up to 4 new units. The current application is a reserved matters submission for 2 units on the whole of the site and is pursuant to the RM application referred to above.

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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029; the Daventry District Local Plan (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 - Development will be primarily in and adjoining the principal urban area of Northampton. Development in the rural areas will be limited with the emphasis being on maintaining the distinctive character and vitality of rural communities. Priority will be given to making best use of previously developed land.
- S7 - Provision of Jobs
- S8 - Distribution of Jobs
- S10 - Sustainable Development Principles

- S11 - Low Carbon and Renewable Energy
- C1 - Changing Behaviour and Achieving Modal Shift
- C2 - New Developments – Modal Shift; Sustainable Urban Extensions to provide for walking, cycling and public transport
- BN1 - Green Infrastructure Connections
- BN2 - Biodiversity: Developments that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported
- BN7 - Flood Risk

Daventry District Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- SP1 - Daventry District Spatial Strategy
- ENV3 – Green Wedges
- ENV5 – Biodiversity
- ENV9 Renewable Energy and Low Carbon Development
- ENV10 – Design
- ENV11 – Local Flood Risk Management

Material Considerations

Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF), revised July 2021:
- Planning Practice Guidance (PPG):
- National Design Guide (January 2021)

6. RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Braunston PC	Objects	The Parish Council oppose the changes in regard to the colour of the outside of the building, at the meeting with the developers it was hoped to include a more graduated colour scheme (similar to Amazon warehouse at MK on the M1) as where the proposed is two tone only
Daventry Town Council	No objection	Accepts officer advice
WNC EHO	No objection	Subject to conditions is respect of lighting and noise attenuation

WNC LHA	No objection	Subject to conditions in respect of access, parking and CEMP
WNC LLFA	No response received	
WNC Landscape	No objections	Subject to conditions on implementation and management

7. RESPONSE TO PUBLICITY

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

7.2 There have 0 number of objections/letters of support

8. APPRAISAL

Principle of Development

8.1 As the principle of development has already been established by previous planning history as referred to above the application falls to be determined in respect of the details of the development including :

- design and impact on its surroundings;
- access, parking and highways;
- lighting noise and contamination air quality;
- surface water drainage and flood risk;
- biodiversity.

Design and impact on its surroundings

8.2 As the site is within an existing industrial area it is considered that the design and appearance and layout of the proposed development would sit comfortably without adverse impact on the amenity of the area.

7.3 Although the site sits on the edge of Daventry town the proposed buildings would sit away from the existing landscape edge such that its impact from beyond the sit towards the parish of Braunston is judged to be acceptable. The smaller of the two buildings (DC9B) would be some 50m back in from the edge of the site and parallel to the boundary so presenting the lowest profile (as opposed to the gable end) to the landscape beyond.

7.4 Although this layout results in a the service yard for DC9B being close to the edge of the development it will be well screened by a combination of the acoustic fence (which will be extended along the remaining edge of the plot) and additional planting which over time wil soften this edge to the countryside beyond.

7.5 In response to the Parish Council's concerns about colour of cladding the applicants have indicated that the approach is the sam as adopted for the building to the north (the Cummins building) which was previously agreed by the Council.

7.6 Whilst noting the concerns of the PC I am not convinced that the choice of colouring for the cladding together with the proposed siting and orientation of the buildings within the site would cause any adverse impact to the wider landscape.

7.7 Accordingly I am satisfied that the design and appearance of the buildings is acceptable.

Access, parking and highways.

7.8 The Local Highway Authority has raised no objections to the proposed layout, access arrangements or parking provision. The immediate access into and out of the site at Parsons road will remain unadopted and in the ownership of the applicant.

7.9 Provision has been made for access for pedestrians and cyclists to and from the site and the nearby bridleway is unaffected by the proposals.

7.10 Accordingly the proposal is judged to be acceptable in terms of its impact on the local highway network.

Lighting noise and contamination air quality

7.11 The WNC EHO has responded on a number of matters.

7.12 A condition is recommended in respect of noise mitigation which will seek to assess impact of the operational development on nearest noise sensitive properties and how best to mitigate that.

7.13 A construction management plan was submitted which EHO has advised should be amended to restrict hours of construction works to Mon-Friday 08.00-18.00 Sat 0800-13.00 and no work on Saturdays/Bank Holidays.

7.14 The submitted lighting scheme is judged acceptable.

7.15 Conditions are recommended in terms of dealing with contamination. This is the subject of ongoing discussion with the applicants. If it is judged that these conditions satisfy the planning tests in terms of being necessary, enforceable, proportionate and reasonable they will be imposed.

7.16 In addressing concerns about air quality the applicants are proposing EV charging points (16) as part of a choice based transport plan to encourage use of other forms of transport including cycling and walking. Enhanced landscape treatment around and within the site will further add to biodiversity enhancement opportunities as well as amenity space for employees.

Surface water drainage and flood risk.

7.17 These are the subject of conditions submissions under the outline permission and will be addressed prior to commencement of work on site.

Biodiversity

7.18 The site itself does not offer much opportunity for existing biodiversity but much work has been done in respect of strategic landscaping on the edges of this and adjoining sites that will offer opportunities as landscape planting matures over time.

9. PLANNING BALANCE AND CONCLUSION

- 9.1 The application site benefits from outline permission for this type of development and is allocated as part of a Strategic Employment Area such that principle of development is already established.
- 9.2 The submission of reserved matters for two buildings on site is judged to be acceptable and subject to specific conditions outline above would represent an acceptable form of sustainable development which complies with the provisions of the development plan.

10. RECOMMENDATION / CONDITIONS AND REASONS

It is recommended that the application for reserved matters be approved with the following conditions :

1. The development hereby permitted shall be carried out in strictly in accordance with the submitted plans listed below:

Site Location Plan (ref. 10026-006-SGP-P3-ZZ-DR-A-131002 Rev. C);
Site Layout Plan (ref. 10026-006-SGP-P3-ZZ-DR-A-131001 Rev. G);
Hard Landscaping and Boundary Treatment (ref. 10026-006-SGP-P3-ZZ-DR-A-131003 Rev. G); Landscape Sections (ref. 2218-21-03A) ;
Gatehouse Plan (ref. 10026-006-SGP-9A-ZZ-DR-A-950 Rev. A);
Office Layout Plans (ref. 10026-06-SGP-9A-ZZ-DR-A-911);
Hub Office Layout (ref. 10026-06-SGP-9A-ZZ-DR-A-912) ;
Warehouse Roof Plan (ref. 10026-06-SGP-9A-ZZ-DR-A-913);
Warehouse Elevations (ref. 10026-06-SGP-9A-ZZ-DR-A-940) ;
Office Elevations (ref. 10026-006-SGP-9A-ZZ-DR-A-941);
DC9A Overall Sections (ref. 10026-06-SGP-9A-ZZ-DR-A-942) ;
Warehouse Layout (ref. 10026-06-SGP-9A-ZZ-DR-A-910 Rev. C);
Lighting Schedule (ref. P702-997-DC9A-B);
Detailed Planting Plan (ref. 2218/21-01C Rev. C);
Amenity Space Concept (ref. 2218-21-06) Warehouse DC9B;
Warehouse Layout (ref. 10026-06-SGP-9B-ZZ-DR-A-910);
Office Layout (ref. 10026-006-SGP-9B-ZZ-DR-A-911);
warehouse Roof Plan (ref. 10026-006-SGP-9B-ZZ-DR-A-913);
Warehouse Elevations (ref. 10026-06-SGP-9B-ZZ-DR-A-940) ;
DC9B Overall Sections (ref. 10026-06-SGP-9B-ZZ-DR-A-942) ;
Office Elevations (ref. 10026-06-SGP-9B-ZZ-DR-A-941) ;
Lighting Plan (ref. P702-997-DC9B-B) ;
Detailed Planting Plan (ref. 2218/21-02C);and
Amenity Space Concept (ref. 2218-21-04 Rev. A).

Reason : The condition is imposed to ensure that the development is carried out in accordance with the submitted drawings which are judged acceptable in planning terms

and to afford the LPA the opportunity of assessing any impacts on changes to the approved development.

Parking

2. Provision shall be made for the parking, turning, loading and unloading of vehicles within the site, in accordance with the submitted drawings and shall be laid out, surfaced and marked out in accordance with the approved details before the units are first occupied and shall be permanently set aside and reserved for the purpose.

Reason: In the interests of the safety and convenience of users of the adjoining highway.

Landscaping

3. The submitted landscape scheme shall be maintained and managed in accordance with the Proposed soft landscape : Landscape maintenance and management plan ref 2218-21-RP01 Rev A submitted with the application in respect of plots DC9A and 9 B.

Reason: To ensure that the approved landscape scheme as listed in the approved drawings at condition 1 is properly implemented and manage to ensure it is established in order to mitigate the visual impact of the development and to afford biodiversity opportunities.

Materials

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

Reason: From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered.

Notes: The applicants are reminded of the need to ensure compliance with those conditions set out on the Outline permission DA/2019/0569 which are still relevant to the reserved matters application hereby approved. In particular surface water drainage conditions 7, 8 and 9 . Although details have been submitted as part of this application these details remain to be agreed by the Local Lead Flood Authority.

