

Application Number: WNS/2022/2365/MAR

Location: Land at Towcester Vale, Towcester. Parcels H28, H29 and H30b

Proposal: Reserved Matters Application (appearance, landscaping layout and scale) for 165 dwellings across parcels H28, H29, and H30b (part Phase 5) pursuant to outline planning permission S/2007/0374/OUT.

Applicant: BDW Trading Ltd (David Wilson Homes)

Agent:

Case Officer: Daniel Callis

Ward: Towcester and Roade

Reason for Referral: Major development

Committee Date: 20/02/23

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The application comprises all the reserved matters for 167 dwellings within part of phase 5 of the SUE.

The proposal includes 17 affordable units.

This parcel of land does not include any open space. The main spine road is also excluded from the site. Both these elements will be provided by Persimmon Homes (the lead developer) under separate consents.

Consultations

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

- Ramblers Association

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

- Towcester Town Council, WNC Highways, WNC Strategic Housing, WNC Environmental Protection, WNC Planning Policy, Crime Prevention Design Advisor, Northants Integrated Care Board (NHS)

The following consultees are **yet to respond** to the application:

- WNC Ecology, Lead Local Flood Authority, Wood Burcote Residents' Association

5 letters of objection have been received.

Conclusion

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

The key issues arising from the application details are:

- Compliance with the Design Code
- Impact upon neighbouring amenity

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

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site relates to the sustainable urban extension (SUE) on the southern side of the town, which in total extends to an area of 180 hectares. The SUE is bounded to the east by the A5, to the west by the A43, and to the north by the existing built development of Towcester. The SUE also adjoins the hamlet of Wood Burcote. To the south of the SUE lies open countryside.
- 1.2 The site itself comprises one parcel (or sub-phase) within the SUE to the immediate west of Wood Burcote.
- 1.3 The application is for all reserved matters (appearance, landscaping, layout and scale) within the area lined in red.

2. CONSTRAINTS

- 2.1. The application site is within the Towcester Town Confines
- 2.2. A public footpath (SB29) runs north-south across the site.
- 2.3. The application site is within 2km of a Local Wildlife Site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application comprises all the reserved matters for 167 dwellings within part of phase 5 of the SUE (as defined on the Phasing Parameter Plan – P.0329_76K-7).
- 3.2. The proposed housing mix is a variety of 1, 2, 3, 4 and 5 bed units, which are predominantly 2 storey, with about roughly a third (59) 2.5 storey units and one bungalow.
- 3.3. The proposal includes 17 affordable units.

- 3.4. This parcel of land does not include any open space. The main spine road is also excluded from the site. Both these elements will be provided by Persimmon Homes (the lead developer) under separate consents.
- 3.5. *Timescales for Delivery:* The applicant/agent has advised that, in the event that planning permission is granted, they anticipate development commencing during Summer 2023 with the first houses being occupied by the end of 2023.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
S/2007/0374/OUT WNS	Outline planning application for the creation of a new mixed use neighbourhood at Towcester comprising: 2750 homes; employment land to support B1, B2 and B8 uses; a main Local Centre (food store, retail units, public house/restaurant, doctors surgery/medical centre, nursery/crèche and community hall); a support local centre (corner shops, takeaways); mixed use commercial area to accommodate Class C1 Hotel with conference and leisure facilities; two new primary schools; areas of public open space and strategic landscaping, incorporating new formal Sports Pitches, and combined community facility and Pavilion and parking and new allotments; the provision of the Towcester Relief Road connecting the A5T to the A43T; surface water/flood management works and necessary related engineering works for drainage and services	APPROVED March 2015

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S2 - Hierarchy of Centres
- S3 - Scale and Distribution of Housing Development
- S5 - Sustainable Urban Extensions
- S6 - Phasing of Housing Development
- S10 - Sustainable Development Principles
- S11 - Low Carbon and Renewable Energy
- C1 - Changing Behaviour and Achieving Modal Shift
- C2 - New Developments
- C5 - Enhancing Local and Neighbourhood Connections
- RC2 - Community Needs
- H1 - Housing Density and Mix and Type of Dwellings
- H2 - Affordable Housing
- H4 - Sustainable Housing
- BN2 - Biodiversity
- BN5 - The Historic Environment
- BN7a – Water infrastructure
- BN7 - Flood Risk
- BN9 - Planning for Pollution Control
- BN10 - Ground Instability
- INF1 - Approach to Infrastructure Delivery
- INF2 - Contributions to Infrastructure Requirements
- T1 - Spatial Strategy for Towcester
- T3 - Towcester South Sustainable Urban Extension
- T4 - Transport Improvements for Towcester

South Northamptonshire Council Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- POLICY SS1: The settlement hierarchy
- POLICY SS2: General development principles
- POLICY LH8: Affordable housing
- POLICY SDP3: Health facilities and wellbeing
- POLICY INF1: Infrastructure delivery and funding
- POLICY INF3: Education facilities
- POLICY INF4: Electric vehicle charging points
- POLICY GS1: Open space, sport and recreation
- POLICY HE1: Significance of heritage assets
- POLICY HE2: Scheduled ancient monuments and archaeology
- POLICY HE3: Historic parks and gardens
- POLICY NE3: Green infrastructure corridors
- POLICY NE4: Trees, woodlands and hedgerows
- POLICY NE5: Biodiversity and geodiversity

Material Considerations

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- SNC adopted supplementary planning guidance (SPGs) and documents (SPDs)
- Towcester South Design Code (residential phases 1-5): The outline planning permission required the approval of a Design Code for all phases of development within the SUE. The Design Code approved on 18th March 2016 (ref: S/2016/0061/COND) covers phases 1-5 of the SUE, including all of the current reserved matters proposals.
- Towcester Masterplan: The Council adopted the Towcester Masterplan in March 2011. The Masterplan identifies the application site as one of the Key Opportunity Sites in the town (Site TE – Towcester South and Site TH – Southern Gateway) to bring forward a mixed-use development of housing and employment of up to 3300 houses and 3000 jobs.
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

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
Towcester Town Council	No objection	<p>Notes the response submitted by the NHS Northamptonshire Integrated Care Board that there will be insufficient capacity for new occupiers of the development to access primary health services and the financial contribution being requested to address this.</p> <p>It supports the response from the Ramblers Association which states that no formal application has been submitted for the diversion of footpath SB29 (Grafton Way).</p> <p>Concerns were also raised over the lack of surface water drainage infrastructure; that the landscaping proposals are concentrated around the perimeter of the development and consideration should be given to tree planting along individual streets to improve the overall street scene and also the lack of consideration for the introduction of any energy efficiency measures.</p> <p><i>(Officer note: It is not possible to introduce</i></p>

		<i>additional requirement for sustainable measures at the reserved matters stage, above and beyond those required at outline stage. A request to amend a design to accord with other legislation (such as building regulation which may include solar panels and electric car charging) can be considered, which the Officer may then assess in line with the original outline permission and Design Code.)</i>
WNC Planning Policy	No objection	The currently proposed land uses are consistent with those defined in the approved Masterplan for the wider SUE.
WNC Highways	No objection	Notes that, although the allocated on-plot parking does not meet the current LHA Standards; it does however conform to the standards set out in the approved Design Code. The LHA has no additional comments to make in regard to the layout. Asks that the applicant is made fully aware of their responsibilities in respect of Public Footpath No. SB29, which crosses the proposed development site.
WNC Strategic Housing	No objection	The viability assessment undertaken at outline application stage determined that 10% of the development should be for affordable housing. The quantum of affordable housing on this parcel complies with that requirement. Therefore, both the quantum and house type mix are acceptable.
WNC Ecology	N/A	No response received at the time of writing this report.
WNC Environmental Protection	No objection	Note that matters relating to: construction management plans, contaminated land, noise, and odour are already covered on the outline permission.
WNC External Funding	N/A	No response received at the time of writing this report.
Lead Local Flood Authority	N/A	No response received at the time of writing this report.
Northamptonshire Integrated Care Board (NHS)	No objection	Request a S106 obligation for a financial contribution towards the provision of primary healthcare facilities serving the development.

		<i>(Officer note: There is already such a contribution within the existing S106 tied to the outline permission. Additional contributions cannot be sought through a reserved matters application.)</i>
Crime Prevention Design Advisor	No objection	The layout conforms to the published design code and in general terms the layout is compliant with one which addresses the potential for crime. The housing is predominantly back-to-back with controlled alleyways and parking primarily is on-plot with overlooking from ground floor rooms. There are some parking courts, which are not ideal as the vehicle is not under direct supervision from within the dwelling it serves, but these are few in number and the spaces provided small.
Ramblers Association	Objection	A public right of way (SB29) runs north/south through the site and connects with bridleway SB21 to the north. The strategy for dealing with a diverted alignment of the PRow throughout the SUE, not just within this parcel in isolation. <i>(Officer note: Persimmon are the lead developer for the whole SUE and are responsible for site-wide strategy, delivery of public open space and PRow diversion. Officers have already commenced discussions with them regarding the PRow strategy and this will be dealt with separately.)</i>
Wood Burcote Residents' Association	N/A	No response received at the time of writing this report.

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 5 objections raising the following comments:

- The application appears to be absent of detailed landscaping proposals for the area of the development that runs adjacent to the dwellings of Wood Burcote.
- A number of 2.5 storey properties will be located such that they will look over the existing dwellings within Wood Burcote (and be on higher ground) and thus compromise their privacy and have a detrimental impact on the rural and picturesque nature of this hamlet community

- Various comments also made about the adequacy of the landscaping to the public open space between the application site and the existing houses in Wood Burcote (and also the surface water drainage infrastructure therein). That landscaping (and the SUDs) is outside the remit of this application and is being considered separately under application WNS/2022/0609/COND and WNS/2022/60612/COND.

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Compliance with the approved Design Code
- Impact upon Residential Amenity (neighbours and units within the site)

Compliance with the approved Design Code

- 8.2. This is the first development on this SUE by David Wilson Homes (the previous parcels having been developed by Persimmon/Charles Church and Bloor). The application only covers the parcels of housing, with the main spine roads and surrounding open space being delivered separately by Persimmon Homes.
- 8.3. The proposed house types fully comply with the Design Code, represent a high standard of design, will sit comfortably next to the other development, and are acceptable.
- 8.4. The overall layout is well designed, providing positive connectivity between streets and clear legibility.

Impact upon Residential Amenity (neighbours and units within the site)

- 8.5. A number of objections have been received from residents of existing properties in Wood Burcote, stating that the proposed dwellings would impinge upon their privacy. This is exacerbated by the presence of proposed 2.5 storey dwellings, and the fact that the application site would be on slightly higher ground.
- 8.6. For privacy, the Council's adopted standard is that there should be a minimum of 18m between facing living area windows, such as living rooms, dining rooms and bedrooms (but excluding bathrooms and utility rooms), as set out in Chapter 4 (page 212) of the South Northants Design Guide.
- 8.7. In this instance, the closest distance between any proposed dwelling and any existing dwelling is 29m (between plot 26 and the side/rear (north-east) elevation of The Granary). There is also public open space, including a path, between the two (about 20m from The Granary). The next closest relationship is 40m, with the remainder being in excess of 50m.
- 8.8. As a result, even allowing for the 2nd floor of some units, and the modest difference in levels (<3m), the arrangement comfortably complies with the Council's adopted standards and, therefore, there are no grounds to refuse the application on the basis of privacy.
- 8.9. Any overlooking that does occur will be further mitigated in time by the interceding landscape planting.

- 8.10. The proposed dwellings are all to the north of the existing. So, therefore, there would be no impact from loss of light. The separation is also sufficient to prevent any undue harm to outlook.
- 8.11. Within the site itself, all units are provided with adequate privacy and a suitable private garden, commensurate with the size of unit served.

Highways and parking

- 8.12. The parking provision fully complies with the approved Design Code and means that adequate parking will be provided. The parking is all arranged in a manner convenient to future occupants, thereby minimising inconsiderate on-street parking or parking congestion.
- 8.13. Notwithstanding the objection from the Ramblers Association, WNC Highways have raised no objection to the PRow diversion, subject to a S257 application being submitted to regularise the necessary diversion.
- 8.14. As stated above, Persimmon are the lead developer for the whole SUE and are responsible for site-wide strategy, delivery of public open space and PRow diversion. Officers have already commenced discussions with them regarding the PRow diversion strategy and this will be dealt with separately.

Provision of affordable housing

- 8.15. The requirement for affordable housing on this development is 10%. The scheme provides 17 affordable units (10.3%).
- 8.16. The affordable units on this parcel are in 2 clusters (one cluster of 14 units and another containing 3 units). Cluster sizes of up to 20 units are acceptable on a major development of this scale.

Ecology Impact

- 8.17. Ecological mitigation site-wide is covered by a condition on the outline planning permission. The proposal should ensure that it accords with the detailed mitigation measures and enhancements outlined in the Environmental Statement and Green Infrastructure Strategy that was submitted with the outline application and the approved site wide Ecological Mitigation and Enhancement Plan (EMP) by BSG ecology dated 22nd May 2017.
- 8.18. The red line site area excludes several existing hedges. One hedge is within the site and, in accordance with the masterplan and Design Code, it is retained (and will be protected during construction), save for the creation of two gaps to provide access for shared private drives.

Surface Water Drainage

- 8.19. Although no response has been received from the Lead Local Flood Authority, surface water drainage is covered by condition 12 on the outline permission (S/2007/0374/OUTWNS). The development will plug into the site-wide Sustainable Drainage System (already largely approved), with no SUDs infrastructure (swales, basins, etc.) being located within this application area.

8.20. Therefore, it is considered that reserved matters approval can be granted in this instance without the LLFA's response.

9. FINANCIAL CONSIDERATIONS

9.1. CIL is not applicable to this development, as the outline permission pre-dates the implementation of CIL.

10. PLANNING BALANCE AND CONCLUSION

10.1. The application comprises the reserved matters for a sub-phase of 167 dwellings within the SUE.

10.2. The proposal is in general accordance with the approved Design Code for the respective phase of the sustainable urban extension. The house types all accord with the dimensions and characters set out in the Code, as does the parking provision, road hierarchy and road dimensions.

10.3. The architectural detailing of the house types is also in general accordance with the Code.

10.4. The proposal is considered to incorporate a suitable means of access and movement, as well as give suitable regard to trees and hedges, ecology, flooding and residential amenity.

10.5. Overall, therefore, the proposal is considered acceptable, to accord with the Development Plan, and is recommended for approval.

11. RECOMMENDATION / CONDITIONS AND REASONS

11.1. Detailed recommendation here and full list of conditions and reasons here:

RECOMMENDATION – DELEGATE TO THE HEAD OF PLANNING DELIVERY TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

Approved plans

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

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

Levels

2. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent land and road levels have been submitted to and approved in writing by the Local Planning

Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

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

Boundary treatments

3. No dwelling shall be constructed above slab level until full details of the enclosures along all boundaries and within the site (including how they respond to changes in ground level) have been submitted to and approved in writing by the Local Planning Authority and such means of enclosure, in respect of those dwellings which it is intended shall be screened, shall be erected prior to the first occupation of those dwellings.

Reason: To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

External lighting

4. No dwelling shall be constructed above slab level until details of the external lighting (street lighting and any lighting to shared driveways, parking courts and public open space), including the design, position, orientation and any screening of the lighting, has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

Architectural detailing

5. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwellings, including the windows, doors (including colour), cills, heads/lintels, door surrounds, chimneys, porches, bays, dormers, eaves (including parapets) and verge treatments shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

Meter boxes

6. Full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the buildings shall be submitted to and approved by the Local Planning Authority prior to the

construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details

Reason: In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

Provision of parking areas

7. The garages/parking spaces/turning areas shown on the approved plan(s) shall be constructed, drained, surfaced and completed in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority before the dwelling is occupied and shall not thereafter be used for any purpose other than the garaging parking/turning of private motor vehicles.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking and to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

Surfacing

8. Prior to the construction of any building above slab level, details of the proposed materials for the surfacing of the parking courts, mews streets, driveways and shared manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of highway safety and visual amenity and to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

Shared driveway dimensions

9. Prior to first occupation of any dwelling hereby permitted that is accessed via a shared drive, the respective shared drive shall be a minimum width of 4.5m for a distance of at least 10 metres from the highway boundary and the maximum gradient over that distance shall not exceed 1 in 15.

Reason: To ensure that an adequate and safe access is provided to the site in accordance with policy SS2 of the South Northamptonshire Part 2 Local Plan.

Alley gates

10. Prior to the first occupation of the respective dwellings, all private access alleyways to rear gardens (including individual and shared alleyways) shall be gated with a 1800mm tall gate at the end nearest the highway/shared parking court and shall be lockable/un-lockable from both sides using a mortice lock.

Reason: In the interest of security and crime prevention and in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

Handrails

11. Should any handrails be required to facilitate pedestrian access to any building hereby permitted (to accord with the Building Regulations), details of the location, height, design and material of the handrail(s) should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that work. The handrails shall thereafter be carried out in accordance with the details hereby approved.

Reason: In the interests of visual amenity and to accord with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

Removal of PD for boundaries on sensitive plots

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

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

13. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) and the means of enclosure approved by this application, no gate, fence, wall or other means of enclosure shall be altered, erected, constructed or placed on plots 1-4, 15-18, 26-29, 42-49, 75-77, 82-86, 96-99, 101-109, 116, 118-122, or 129-135 that is forward of the principal elevation, or forward of the flank wall of a dwelling at the junction of two roads, or a road and shared private drive, or facing public open space) at any time, without the prior express planning permission of the Local Planning Authority.

Reason: In order to retain the open character of the development and area in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

INFORMATIVES:-

1. Your attention is drawn to the planning obligation that was entered into in accordance with S106 Town and Country Planning Act 1990 prior to the grant of the respective outline planning permission.

2. Your attention is drawn to the need to comply with the conditions imposed on the outline planning permission [Ref No. S/2007/0374/OUTWNS].