

Application Number: WND/2023/0027

Location: Overstone Leys, Overstone Lane, Overstone

Development: Reserved matters application (landscaping) for woodland management details pursuant to outline approved DA/2013/0850 in relation to Zones 9 and 10

Applicant: Taylor Wimpey South Midlands

Agent: CC Town Planning

Case Officer: Rebecca Grant

Ward: Moulton

Reason for Referral: Relates to Overstone Leys Sustainable Urban Extension

Committee Date: 20.03.2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO GRANT PLANNING PERMISSION FOR THE DEVELOPMENT SUBJECT TO PLANNING CONDITIONS.

Proposal

Outline planning permission was granted in 2015 for the Overstone Leys Sustainable Urban Extension (SUE) (planning reference DA/2013/0850). A number of reserved matters applications have since been approved for Zones 1, 2, 3, 4, 5, 8, 9 and 10 together with a food store within the local centre. A full application was also approved for a care home within the local centre which is now built and occupied.

This application relates to an existing belt of woodland to the south of the Overstone Leys SUE, sited primarily to the north of Pine Ridge and Crabb Tree Drive which form part of the established residential area to the south of the SUE. The tree belt falls within Zones 9 and 10.

Due to the age and health of the trees within this woodland belt, significant works to the trees need to take place to ensure the safety of the trees. The works are set out in the Woodland Management Plan and detailed further in the report.

Consultations

No consultees have raised **objections** to the application:

The following consultees have raised **no objections** to the application:
Overstone Parish Council and WNC Landscape Officer

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
- Impact on trees
- Impact on residents

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, 9 and 10 together with a convenience store and care home both of which are within the southern part of the local centre.
- 1.5 The application relates to landscaping within Zones 9 and 10. To the south of Zones 9 and 10 is a large, mature tree belt beyond which is the established residential area of Crabb Tree Drive and Pine Ridge. Land levels fall considerably in the southern section of the application site. An industrial estate lies to the south west of the application site.
- 1.6 The woodland forms a shelterbelt which defines approximately 550m of the application site southern boundary, and forms a key feature within past and current field patterns. It follows the contours of Billing Brook, reaching from Billing Lane to the edge of Round Spinney Industrial Estate and separates the application site from the residential development to the south.

2. CONSTRAINTS

- 2.1. The woodland is not subject to a Tree Preservation Order.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application is a Reserved Matters Application within Zones 9 and 10 of the SUE in relation to landscaping.
- 3.2. The trees within the woodland belt have reached the end of their safe useful life expectancy and as such it is no longer appropriate to manage them on a tree by tree basis. The felling of individual Hybrid Black Poplars will only expose other companion trees and promote further tree hazards and failures, compromising the outlook of the woodland and its compatibility with adjacent residential development (existing and proposed).
- 3.3. A Woodland Management Plan has been submitted which sets out the detailed work proposed.

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) Change of house types for Phase 1 –	Approved 20.02.2017

	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 for the erection of a food store within the	Approved 27.04.2021

	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	Approved 23.2.2022

	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.	
WND/2022/0234	Reserved matters application (appearance, layout and scale) for construction of 69 dwellings (Zone 10) pursuant to outline approval DA/2013/0850.	Approved 22.09.2022
WND/2022/0833	Reserved matters application (access, appearance, landscaping, layout and scale) pursuant to outline planning permission DA/2013/0850 for 350 dwellings (Zone 10) and approval of Condition 26 (Noise) - resubmission of application WND/2021/0172	Approved 15.11.2022
WND/2022/0770	Reserved matters application (appearance, layout and scale) pursuant to outline approval DA/2013/0850 for construction of 223 dwellings relating to Zone 4	Approved 27.01.2023
WND/2022/1101	Reserved matters application Zones 6 and 7 - 229 dwellings including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approval of conditions 14 (FFL'S), 15 (Open Space), 18 (FWD), 19 (SWD), 36 (Bus Stops) and 37 (Travel Plans) of DA/2013/0850	To be determined

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 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
- BN1 Green Infrastructure Connections
- BN9 Planning for Pollution Control

Daventry Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- ENV1 Landscape
- ENV4 Green Infrastructure
- 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 8 Promoting healthy and safe communities
Chapter 12 Achieving well-designed places

6. RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comments
Overstone Parish Council	Comments	OPC supports the proposal and agrees with WNC Landscape Officer. They would like to see the ivy removed from the tree trunks. Ivy in many parts of Overstone Parish has grown unfettered and becomes a nuisance. This area suffers from the same problem.
WNC Landscape Officer	Supports	

7. RESPONSE TO PUBLICITY

7.1 Four site notices were posted around the site on 20.02.2023 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 tree belt

8.5. 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.

8.6. The landscaping approved under application WND/2021/0152 did not propose any works to the tree belt and it was to be left as existing. Due to the detailed assessment which has since taken place on this tree belt, it is evidenced that the mature Hybrid Black Poplars (HBP) have reached the end of their safe useful life expectancy. The HBP now present a high risk of structural collapse, owing to the presence of natural failures, lack of light and heavy reliance on companion shelter for stability. This risk has been

exacerbated through individual tree management, where hazardous trees have been legitimately felled or heavily pruned adjacent to existing residential units.

- 8.7. It is no longer appropriate to manage hazardous HBP on an individual basis and therefore crop must be felled and the woodland restocked.
- 8.8. The key objectives as set out in the Woodland Management Plan are;
 - To improve the woodland's structure and condition, to ensure compatibility with the approved development and to facilitate safe public access;
 - To improve the woodland's future outlook, resilience and biodiversity value; and
 - To improve public access and appreciation of the woodland, without conflicting with the objectives above.
- 8.9. The HBP have now reached their maximum size (height and crown mass) and have exceeded their safe useful life expectancy. The woodland subsequently contains a high number of HBP which are displaying symptoms of decline. As the dominant species present, the clearance of all HBP will comprise a high number of tree removals and require the woodland to be restocked. Unless in a hazardous condition and at risk of immediate failure, all English Oak, Ash and Willow will be retained and accommodated by the restocking programme.
- 8.10. In addition to providing replacement canopy cover, replanting will be an important opportunity to enhance the woodlands resilience, diversity and structural composition.
- 8.11. Felling of trees will be timed to avoid the main nesting bird season and will be completed in accordance with the principles within BS3998:2010.
- 8.12. Replanting will comprise over 4,000 new native and naturalised trees and understory plants, including 85 standard trees which will be strategically distributed throughout the woodland for immediate effect. The tree species will include Alder, Maple Silver Birch, Norway Maple, Hornbeam, English Oak, White Willow, Rowan and Lime, complimented by a rich understory of Hawthorn, Hazel, Buckthorn, Grey Willow and Osier Willow. In the long term this will create a high quality woodland with structurally diverse canopy layers and a varied structure. Importantly, it will improve the future outlook of the woodland and increase its compatibility with the proposed and existing residential setting, providing opportunity for public access.
- 8.13. Our Landscape Officer has been involved with the application and has no objection in principle to the proposals.
- 8.14. The Woodland Management Plan also includes a 25 year timetable for the management and maintenance of the woodland.
- 8.15. Given that the scheme complies with the parameters set in the outline planning approval with regards to landscaping and the management of this tree belt will secure its future providing both a visually attractive outlook for new and existing residents and also maintaining the visual separation between both residential developments, it is considered that the landscaping details are acceptable and as such in accordance with Policies ENV1, ENV4 and ENV10 of the Daventry Local Plan (Part 2).

Impact on residents

- 8.16 Policy ENV10 of the Daventry Local Plan (Part 2) sets out the criteria to achieve a high

quality and inclusive design for all new development, acknowledging the need to protect the character and setting of settlements and surrounding area but still allowing for developments of a high quality, distinctive design.

- 8.17 The development will initially impact upon residents within Crabb Tree Drive and Pine Ridge as the trees currently create a significant visual landscape buffer between the established development and the one under construction as part of the Overstone Leys SUE. It will take time for the newly planted trees and landscaping to reach the same maturity as the existing tree belt. Over time however there will be no loss of amenity to existing residents and it will create a safer environment for residents to gain access into the wooded area.
- 8.18 On balance, it is not considered that the proposals will have a significant adverse impact upon existing residents and as such the proposal is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

9. FINANCIAL CONSIDERATIONS

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

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The planning system is actively encouraged to assume a presumption in favour of sustainable development rather than being an impediment to sustainable growth. The long term management of this established tree belt will secure its future within the development of Overstone Leys SUE providing an attractive setting to the development for both existing and future residents.
- 10.2. On balance, it is considered that the proposal is acceptable in planning terms and hence overall complies with policies SA, BN1 and BN9 of the West Northamptonshire Joint Core Strategy and policies ENV1, ENV4 and ENV10 of the Settlements and Countryside Local Plan (Part 2) (February 2020).

11. RECOMMENDATION / CONDITIONS AND REASONS

- 11.1. DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PLANNING PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY):**

Conditions

Drawing Numbers

1. The development shall be carried out strictly in accordance with the following drawings and reports;
Woodland Management Plan prepared by Aspect Arboriculture dated October 2022
Woodland Belt Planting Plan 7463.WB_PP.2.0 A
Location Plan 01 E

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.

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.