

Application Number: WNS/2022/0848/MAF

Location: Land South East of Field View, Brackley

Proposal: Residential Development comprising 71 dwellings together with associated outdoor space and infrastructure on land south east of Field View (Phase 1) Brackley

Applicant: Lagan Homes Ltd

Agent: N/A

Case Officer: Saffron Loasby

Ward: Brackley

Reason for Referral:

Committee Date: 06/04/2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION SUBJECT TO:

- 1. ADEQUATE SURFACE WATER DRAINAGE INFORMATION BEING SUBMITTED TO ADDRESS COMMENTS OF THE LEAD LOCAL FLOOD AUTHORITY (WITH DELEGATED AUTHORITY TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO ADD ANY RECOMMENDED DRAINAGE CONDITIONS) AND**
- 2. SUBJECT TO THE S106 AGREEMENT AND CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)**

Proposal

Full planning permission is sought for 71 houses (including 10%, 8 No.) affordable dwellings with children's play area.

Consultations

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

- Highways, Brackley Town Council, Parish Council, NCC Lead Local Flood Authority, Crime Prevention Design Advisor, Recreation and Leisure

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

- Planning Policy, Environment Agency, Building Control, Ecology, Waste and Recycling, Archaeology, Environmental Health, Anglian Water,

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

- Strategic Housing (following Viability Assessment)

One letter of objection has been received and no letters of support have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Viability and Affordable Housing
- Highways Safety
- Layout and design
- Ecology impact
- Flooding and drainage
- Local Infrastructure and S106 obligations

The report considers the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions and a S.106 Agreement.

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is a rectangular area of land located to the south of Steane View, Brackley, comprising 2.5ha. To the north-west sits the ongoing development of the recently commenced residential build on land to the south of Field View, under planning reference S/2018/2803/MAR and the earlier S/2016/0331/MAO. To the south-east sits St James Park and to the south-west of the site is the A422, which connects Brackley with Banbury, and is separated from the site by an earth bund approximately 2 metres in height, which is covered with mature and semi mature shrubs and trees. The bund falls outside the application site.
- 1.2 To the south-east is an established hedgerow, which separates the site from a disused railway line (London and North Western Railway) that runs within a shallow cutting, and which is owned by the Town Council and in use as a pocket park.
- 1.3 Beyond the north and eastern boundaries sits predominantly residential development comprising a mixture of 19th and 20th Century single-storey, chalet style, terraced and detached two-storey dwellings. Field View, located furthest north-west of the site is an early twenty first century development containing a similar mix of housing with some additional three-storey flats, all served from a roundabout onto the Brackley Road, one of the principal highways into and out of Brackley.
- 1.4 Steane View, located directly to the north, comprises a small estate development of detached single storey 20th Century dwellings.

2. CONSTRAINTS

- 2.1. The application site constraints are as follows:

- the site is identified in the Brackley Masterplan as new Public Open Space or recreation
- the disused railway is identified as a potential wildlife site
- the site lies next to the St James County Wildlife site
- the site lies within 2km of a Local Wildlife Site
- the site lies within in area of known archaeological value
- the site has a pipeline easement relating to drainage

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The proposal is a full planning application for the construction of 71 dwellings considered as Phase 2 of the currently approved and developing site to the north-west. The development proposes a main spine road that runs almost in line with the neighbouring A422 from which the development is mainly served, with most of the properties along this road fronting the highway. There are two main road spurs reaching north-east towards the discussed railway line and the remainder of the site is served through private drives. The layout of the development is arranged similarly to that of the north, in perimeter blocks, thereby ensuring a more satisfactory street scene.
- 3.2. There are several sewer and gas easements running through this and the neighbouring developing site, which cannot have buildings built upon them. These, to a large extent dictate the road positions and, therefore, the overall layout of the site. The development proposes a number of terraced properties, which would be served by parking courts; the remainder of the dwellings have on-plot parking provision.
- 3.3. In the south-east corner of the proposal is an area of public open space and a children's play area (LEAP).
- 3.4. The housing mix is divided up as follows:
 - Market Dwellings: 15 no. 2 bed, 26 no. 3 bed, 22no. 4+ bed
 - Affordable Housing: 8no. 1 bed
- 3.5. The total percentage of affordable housing is 10%, which is a considered percentage, following the submission of a full viability assessment for the development.
- 3.6. The design of the dwellings, much like those approved as part of the adjoining scheme, follows the local vernacular for the South Northamptonshire area and utilises the Radstone Fields Design Code, which has influenced much of the recent development within Brackley. The proposed facing materials are a mixture of render, facing brickwork and with three ironstone houses proposed. The roofs would comprise a mixture of red and brown plain concrete and slate effect tiles. Photovoltaic panels are also proposed on all roof slopes. Most of the proposed dwellings would be two-storey in height, however there are three detached 2¹/₂ storey dwellings proposed, as well as one row of three terraces, each of 2¹/₂-storeys in height also. In addition, there would be four single-storey dwellings.
- 3.7. During consideration of the application the plans have been amended twice. Once to add photovoltaics and add a linking footpath next to plot 53 and once to amend the dimensions of the proposed bungalows. Additional information has also been forthcoming in response to the representations received by the Council and the views of

Council officers, thus resulting in improvements to the development as well as addressing technical issues.

- 3.8. *Timescales for Delivery*: The applicant/agent has advised that, in the event that planning permission is granted, they anticipate development commencing as soon as possible this year.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
WNS/2021/0092/P RS	Residential Development comprising up to 71 dwellings	Pre-app advice issued
S/2018/2803/MAR	Reserved Matters application for 65 dwellings (Pursuant to outline planning permission S/2016/0331/MAO)	Approved
S/2016/0331/MAO	Outline permission for 68 dwellings	Approved subject to a S106 Agreement
S/2009/1189/MAO	Outline permission for 70 dwellings	Refused
S/1994/0688/P	Use of land as allotments	Approved
S/1994/0221/P	Construction of a new access road and parking area	Approved

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
- S3 – Scale and Distribution of Housing Development
- S10 – Sustainable Development Principles
- S11 – Low Carbon and Renewable Energy
- C1 – Changing Behaviour and Achieving Modal Shift
- C2 – New Developments

- RC2 – Community Needs
- H1 - Housing Density and Mix and Type of Dwellings
- H2 - Affordable Housing
- H4 – Sustainable Housing
- BN1 – Green Infrastructure Corridors
- BN2 – Biodiversity
- BN5 – The Historic Environment and Landscape
- BN7 – Flood Risk
- BN7A - Water Supply, Quality and Wastewater Infrastructure
- INF1 - Approach to Infrastructure Delivery
- INF2 - Contributions to Infrastructure Requirements
- B1 – Spatial Strategy for Brackley

South Northamptonshire Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- SS1 – The settlement hierarchy
- SS2 – General development and design principles
- LH1 – Development within town and village confines
- LH8 – Affordable housing
- LH10 – Housing mix and type
- SDP2 – Health facilities and wellbeing
- INF1 – Infrastructure delivery and funding
- INF4 – Electric vehicle charging points
- GS1 – Open space, sport and recreation
- HE2 – Scheduled ancient monuments and archaeology
- NE2 – Special Landscape Areas
- NE3 – Green Infrastructure Corridors
- NE4 – Trees, woodlands and hedgerows
- NE5 – Biodiversity and geodiversity
- NE6 – SSSIs and Protected Species

Material Considerations

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- South Northamptonshire Council Supplementary Planning Guidance and Documents
- SNC Design Guide
- The Brackley Masterplan
- The Radstone Fields Design Code.
- Housing Land Availability Study South Northants Area May 2021
- 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”)
- SNC Corporate Priorities - to ensure the District is “Protected, Green & Clean”, is a place which supports “Thriving Communities & Wellbeing”, and is a District of “Opportunity & Growth”.

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
NCC LLFA	Objects	<ul style="list-style-type: none"> Objects until further information is submitted with regards to surface water drainage
Ecology	Objects on some grounds	<ul style="list-style-type: none"> Concerned that Ecology and Landscaping regarding the retention of the hedgerow boundary is conflicting. Concern around low BNG on site (13.19 habitat units or -82%) Suggested conditions include compliance with submitted pre and post development ecology assessments. CEMP for the mitigation of pollution on the PLWS by condition LEMP to be secured by condition (30-year period)
Waste and Recycling	Clarification needed	<ul style="list-style-type: none"> Clarification on collection points as some proposed will not be collected from.
Building Control	No objection	<ul style="list-style-type: none"> Fire access needs to be ascertained
Planning Policy	No objection	<ul style="list-style-type: none"> Subject to meeting other Development Management policies.
Archaeology	Condition required	<ul style="list-style-type: none"> Programme of archaeological work required prior to development commencing
Brackley Town Council	Objects	<ul style="list-style-type: none"> Ecology does not take into account St James Lake Drainage and flood risk concerns Play area is too small for 71 units (5 items not enough) Concern the estate will not be adopted

		<ul style="list-style-type: none"> • Lack of greenery
Environmental Health	Objection due to further clarification needed	<ul style="list-style-type: none"> • Limited information submitted • Noise concerns due to proximity to the A422 • Noise condition for pumping station • Construction phase conditions and informatives • Air and water heating and cooling systems to be conditions • Electrical charging points conditioned • Land quality and unexpected contamination condition • Considered to be insufficient information submitted to know whether a noise condition is achievable particularly in the external amenity space adjacent the A422
Anglian Water	Support subject to conditions	<ul style="list-style-type: none"> • Condition to secure onsite drainage strategy and five informatives • List documents as part of approved scheme • Surface water hierarchy evidence will need to be submitted at 106 application stage • Foul water drainage condition • Section 4 plans documented as part of approval
Crime Prevention Design Advisor	Objection	<ul style="list-style-type: none"> • Many houses do not provide surveillance over the parking courts from within a routinely inhabited ground floor room • Two large rear parking courts serving in excess of 5 dwellings • Gates leading to parking courts should be key lockable from both sides • All houses should be fitted doors and windows compliant with 3rd party accredited security standard such as PAS24:2016
Strategic Housing	Objection initially, viability assessed	<ul style="list-style-type: none"> • Agreeable to 8 x 1 bed units

		comprising 10% affordable dwellings
Local Highway Authority	Objection	<ul style="list-style-type: none"> • Suggest link to the perimeter footpath at Plot 53 • Does not allow for single garages as parking spaces • Double garages counted as one space with storage – amend sitewide • Objection to parking courts • 25% visitor parking required • Parking provision for the pumping station is required • Triple tandem spaces not favoured – (if used dimensions 9.5m x 11m) • EV points made where possible • Require 4-week or one month bus ticket for the local area at one per unit on first occupation • £1000 per unit to enhance the current bus service via S106 Agreement • Survey data requested for further assessment • Opportunities to share implementation of the site Travel Plan with St James View are expected and should be set out within the TP
Recreation and Leisure	Objection	<ul style="list-style-type: none"> • Very dense • Lack of garden space • Dwellings SW of the site very small gardens • No green spaces centrally • LEAP in poor location • No connectivity to the existing footpaths • No links to open space around the site • Paths cycle paths required • More trees to be planted • Picnic benching required • LEAP should meet Fields in Trust standards • Trees and hedgerows should be

		<p>retained, loss should be replaced</p> <ul style="list-style-type: none"> • Heat pumps/boiler bans • Electric car charging points • Very little green space, dominated by parking, roads and back-to-back housing. • Quality of life for residents questioned
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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 has been one objection and no letters of support raising the following comments:

- Unnecessary development
- Impact on Highway Safety
- Adverse impact on biodiversity

8. APPRAISAL

Principle of Development

Policy Context

- 8.1. The adopted Development Plan for South Northamptonshire comprises the West Northamptonshire Joint Core Strategy (LPP1) and the Local Plan Part 2 (LPP2).
- 8.2. LPP1– this Plan was adopted in December 2014. Spatial Objectives 1, 3, 11 and 12 are amongst those that provide direction to the policies of the LPP1. These seek to provide a range of housing in sustainable locations; to reduce the need to travel and promote sustainable travel modes; to ensure all residents have access to a home that they can afford and that meets their needs; and state that housing development will be focused at the most sustainable location of Northampton, supported by Daventry, Towcester and Brackley in their roles as rural service centres. Limited development will take place in the rural areas to provide for local needs and to support local services. The LPP1 policies most important for determining the acceptability in principle of development are policies SA, S1, S3 and S10.
- 8.3. Policy SS1 of the LPP2 advises that proposal for new development will be directed towards the most sustainable locations in accordance with the district’s settlement hierarchy with Brackley identified as a top tier, first category settlement. The most important policies in LPP2 for determining the acceptability in principle of development are Policies SS1 and LH1.
- 8.4. The site falls within the Brackley town confines, as set out in ‘Inset 10’ of the LPP2. LPP2 Policy LH1 states that “Residential development within town and village confines as defined on the Proposals Map, and within the boundary of the NRDA will be acceptable in principle where it:

a) provides for an appropriate mix of dwellings in accordance with Policy LH10 of this Plan; and

b) would not result in harm to the character of the area or the loss of public or private open spaces that contribute positively to the local character of the area (including residential gardens); and

c) does not need substantial new infrastructure or other facilities to support it; and d) would not displace an existing viable use such as employment, leisure or community facility”

- 8.5. Housing Land Supply – a Housing Land Availability Study South Northants Area from May 2021 demonstrates that there is a supply of 6.23 years of deliverable housing sites, and this supersedes the April 2020 Study which found there was a supply of 8.26 years of deliverable sites.

Assessment

- 8.6. Overall, therefore, the proposal is considered to comply with the Development Plan policies relevant to housing delivery. The principle of development is directly supported by the relevant development plan policies outlined above. It will make a significant contribution to meeting local housing need and five-year housing land supply. There are no material considerations indicating the principle of development should not be regarded as acceptable.

The Viability of the development and affordable housing

Policy Context

- 8.7. Policy H2 of the West Northamptonshire Joint Core Strategy and Policy LH8 of the South Northamptonshire LPP2.
- 8.8. The affordable housing offered on this site is 10%. This is significantly lower than the Council’s normal policy requirement of 40% affordable housing.

Assessment

- 8.9. The viability assessment has been robustly examined and officers have been back to the applicants on several occasions to provide additional information and justification for their position. The completed viability assessment does show that development is not viable as the build costs for housing developments are increasing at a much faster rate than house prices and there are several additional costs relative to site specifics. The site to the north-west also underwent a thorough examination as part of the viability assessment and similar figures have been used to assess this site also.
- 8.10. Overall, therefore, the general principle of the proposal is considered acceptable (subject to assessment of individual materials considerations below).

Highway Safety

Policy context

- 8.11. Policy SS2(1J) of the Part 2 Local Plan requires development to achieve a safe and suitable means of access for all people. Paragraph 111 of the NPPF explains that development should only be prevented or refused on highway grounds where the

residual cumulative impacts are severe, or the proposal has an unacceptable impact on highway safety.

Assessment

- 8.12. Overall, the LHA does not object to the scheme. However, it has raised concerns over parking provision as well as requesting S106 requirements. For example, the LHA has pointed out that it does not support single garages as parking spaces and that double garages are only considered as one space. However, the proposal takes the same design approach as that agreed on the site to the north, and officers consider this approach to be acceptable in this instance.
- 8.13. Whilst not wholly favoured by the LHA, the applicants have provided adequate parking provision. It follows the design ethos of the site to the north, as well as adding in the requested footpath close to plot 53 to allow for better pedestrian connectivity.

Design/Layout and Impact on Character of Area

Policy Context

- 8.14 The NPPF recognises the importance of delivering well-designed, attractive and healthy places. The creation of high-quality buildings and places is considered fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development. Achieving high quality design is also a key strategic objective of the councils with appropriate policy safeguards set out in both the LPP1 and LPP2.
- 8.15 Policy SS2 of the LPP2 sets out general development and design principles and seeks to protect the identity of its towns and villages; to ensure that development integrates with its surroundings and distinctive local character; provides a safe, accessible and inclusive environment; includes integral landscaping and sensitive lighting; provides a good standard of amenity, safe and suitable access and contributes to a healthy community.
- 8.16 The Council adopted a Design Guide in 2017, which is a material planning consideration for all development throughout the district. This document establishes a benchmark for high quality design standards for new development; improves understanding of the specific character and context of South Northamptonshire and brings greater certainty to the design element of the planning process to help speed up delivery and maintain a high quality of development within the District.

Assessment

- 8.17 The S106 agreement linked to the outline planning application for the development to the north-west of the site stated that the development will be constructed in accordance with the Radstone Fields Design Code and includes the parking standards stated within the design code. This was the case for the following reserved matters application and is followed as part of this application also.
- 8.17 Layout - The layout is heavily influenced by the constraints of the site with a drainage easement which largely dictates the location and straightness of the spinal road, which then dictates the areas of housing. Whilst a different layout may have resulted without these constraints, considerable effort has been put in by the designers to both comply with the complex technical limitations of the site and provide a good housing layout.

- 8.18 The proposed parking provision within the development accords with the standards stated in the Radstone Fields Design Code. For the terraced dwellings the parking would be located in rear parking courts, about which the Police Crime Prevention Design Advisor has expressed some concerns. However, all the parking courts would have a robust 1.8 metre high brick wall to protect the area and would have single points of access and egress, which could be observed. In addition, the rear parking courts will, as has been the case for the Radstone Fields development, provide a more traditional street scene by removing cars from the road frontage.
- 8.19 A design has been submitted for the children's play area located towards the south of the site, the scale of which is marginally smaller than would normally be required for a development of this scale. However, final details of this space can be secured by condition.
- 8.20 The site is separated from the existing residential development by the disused railway line and, given the distance between the existing and proposed residential areas, there will not be any loss of residential amenity to the existing residents by reason of overlooking or overbearing.
- 8.21 It is considered that the layout proposed will achieve the character of development required by the Radstone Fields Design Code and is, therefore, acceptable.
- 8.22 Appearance of the Development - The design of the dwellings proposed fits within the dwelling typologies set out in the Design Code. Policies S10, H4 of the West Northamptonshire Joint Core Strategy and SS2 and LH1 of Part 2 South Northamptonshire Local Plan.
- 8.23 The design of the dwellings follows the Radstone Fields Design Code and will result in a design of dwellings that are in keeping with the local vernacular for south Northamptonshire. These typically have a wide front with a shallow plan depth with casement windows. The proposed materials are predominantly brick with a slate effect or tiled roof with the occasional painted/rendered property and three stone-built dwellings, which again accords with the Design Code.
- 8.24 The height of the dwellings are predominantly 2-storeys in height with one terrace of dwellings being 2.5 storeys in height and a further three dwellings also being 2.5 storeys in height.
- 8.25 The scale of development is in keeping with the neighbouring planning permission and the design code and the policies of the Development Plan. Furthermore, given the low-lying nature of the site, it is considered that the development would not appear overly prominent in the street scene or the wider landscape. The proposed development is in accordance with the Design Code and will result in a high-quality development that also accords with the provisions of the Development Plan.
- 8.26 Lighting – Low energy LED spotlighting is proposed throughout the scheme and will follow on from the scheme used on the neighbouring site. It is important that the lighting is designed to minimise artificial light overspill beyond site boundaries. Lighting will be conditioned accordingly.
- 8.27 Landscaping - New soft landscaping including trees and specimen plants are proposed to the perimeter of the site. Soft planting is also proposed within the site to soften the internal environment and break up hard paved areas.
- 8.29 Having regard to the above assessment, the proposed development is considered acceptable in respect of its design and layout and its impact on the surrounding area and

does not conflict with the above-mentioned development plan policies subject to the attachment of relevant conditions.

Environmental Protection

Policy Context

8.30 National planning policy in the NPPF recognises that focussing growth in sustainable locations can help reduce emissions and improve air quality and public health. Para 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by, amongst other things, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality. Para 180 states that planning policies and decision should take into account the effect of pollution on health and mitigate and reduce to a minimum potential adverse impact arising from noise and avoid noise giving rise to significant adverse impacts on health and quality of life.

Ecology Impact

Legislative context

8.31 The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the Regulations, competent authorities, such as the Council, have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.

8.32 In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:

- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
- b. That there is no satisfactory alternative.
- c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

8.33. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around

developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 8.34 Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.35 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.
- 8.36 Policy NE3 of the Part 2 LP seeks to conserve and wherever possible enhance green infrastructure. Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.
- 8.37 Policy BN2 of the JCS 2014 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

Assessment

- 8.38 Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. The Standing Advice sets out habitats that may have the potential for protected species. In this case the site consists of mainly species poor grass dominated semi-improved grassland with ridge and furrow patterns, with hedgerows on the northeast and southeast boundaries, areas of dense scrub and tall ruderal vegetation and therefore has the potential to be suitable habitat for a variety of species including EPS.
- 8.39 To discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.

- 8.40 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.
- 8.41 No statutory designated sites fall within the site or within the zone of influence. A non-statutory designated site of Brackley Pocket Park potential Local Wildlife Site (pLWS No. S553) a disused railway line runs along the north-eastern site boundary. Indirect impacts on the pLWS e.g. pollution as a result of construction activities requires mitigation, the EclA details how this is to be dealt with through a Construction Ecological Management Plan (CEMP) and can be secured through a suitably worded condition.
- 8.42 The species poor grass dominated semi-improved grassland was detailed as being of low ecological value. Most of the grassland will be lost to development there is a need to compensate for the loss and ensure a net gain in biodiversity is achieved in line with NPPF and the emerging stipulations from Environment Act 2021 making 10% net gain mandatory from November 2023. Mitigation measures are detailed in the submitted EclA including the production of a Landscape and Ecological Management Plan (LEMP) to manage on site retained and created habitats to benefit local wildlife, this is welcomed and should be included in a suitably worded condition.
- 8.43 The hedgerows on the north-east and south-east boundaries are features of ecological interest these have been assessed by the EclA as being a habitat of principal importance and having district level value, the HEGS assessment assessed them as being 'moderate'. The EclA details that the hedgerows will be retained apart from small section by plots 29/30 however the Tree Protection Plan on page 30 of the Arb Impact Assessment, paragraph 5.1 indicate the hedgerow Page 2 of 4 along the northeast boundary to the disused railway line is to be removed for the installation of fencing.
- 8.44 The Soft Landscape Plan appears to indicate its removal and replacement with a path and grassland planting. The Soft landscape Plan also identifies native hedgerow of 82 field maples to be planted along the southerly end of the northeast boundary.
- 8.45 Trees within the site boundary were assessed to have negligible suitability for roosting bats due to their semi-mature nature they did not support features suitable for roosting bats e.g. cracks and fissures. The site has potential for foraging and commuting bats with the site being considered as moderate, with loss of habitat this is likely to have a not significant negative effect, however it is anticipated that the landscaping scheme can mitigate for loss of habitat.
- 8.46 Mitigation is outlined within the EclA with the installation of four bat tubes within the finished residential units. Future lighting on site should avoid increased illumination of the trees, hedgerows, adjacent disused railway line and lake to avoid impacts on light sensitive species e.g. badgers and bats. Lighting should be kept to a minimum in the surrounds of these areas and any light spill into these areas avoided. Following the BCT & IPL Guidance Note 08/18 Bats and artificial lighting. Sensitive lighting measures are proposed and can be conditioned accordingly.
- 8.47 The site was considered by the EclA to be of Local Value for breeding birds with only two confirmed species breeding which are green listed, a number are probable/possible breeding according to the survey/EclA some of which are red/amber listed species. There is considered a likely negative (not significant) impact on birds on through the loss of grassland, hedgerow, trees and scrub habitat. Mitigation measures are detailed in document with appropriate timing of works and nest checks. Enhancements for birds include planting of native tree, shrubs and hedgerows three swift boxes, four sparrow

terraces and four starling nest boxes to be integrated into the finished residential units and three bird boxes erected on the retained trees.

- 8.48 No evidence of reptiles was found during the surveys, the risk of impact is therefore considered low, mitigation measures are included and should be followed. Two ponds within 500m were assessed as having suitable habitat for Great Crested Newts, these were surveyed which found no evidence of Great Crested Newts (GCN). The impact on Great Crested Newts has been assessed it is considered that the species is unlikely to be present within the site or affected by the proposals.
- 8.49 No evidence of badgers was found within the application site, there is potential for impacts on Badgers during the construction phase of the development. Mitigation measures should be followed as detailed in the EclA.
- 8.50 The habitats created to achieve the net gain in biodiversity will need to be managed appropriately for a sufficient period of time to ensure the net gain is secured, I therefore recommend a LEMP is conditioned which should cover a 30-year period in line with DEFRA guidance. The LEMP should include monitoring points with results feedback to LPA on the achievement of net gain at these points.
- 8.51 Based on the findings of the reports it is unlikely that the development proposed will have a significant impact on protected species if the mitigation, recommendations and enhancements identified in section 6 and 7 of the Ecological Impact Assessment (EclA) by Brindle and Green dated 21st April 2022, are followed fully and successfully.
- 8.52 The Council's Ecologist is satisfied that the level of surveys undertaken, and the methodology followed are appropriate and fit for purpose, and that they follow the appropriate industry guidelines and best practice. Conditions are recommended.
- 8.53 Officers are satisfied, based on the advice from the Council's Ecologist, and subject to conditions, that the welfare of any EPS found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.
- 8.54 However, it has not been demonstrated using the DEFRA metric how a net gain in biodiversity will be achieved and the Soft Landscaping Plan submitted seems unlikely to achieve a net gain in biodiversity from the small areas of wildflower grassland and tree, shrub and hedgerow planting proposed.
- 8.55 A Biodiversity Impact Assessment (BIA) is referred to in the EclA, but this has not been submitted. The application involves a net biodiversity loss of 13.19 habitat units or -82%. It is possible to partially compensate against this by requiring a financial contribution towards off site bio-diversity enhancements. The financial contribution in this case would be given to the Council towards biodiversity enhancements in the local area (as the other land parcel in the developer's ownership - Phase 1 – is already a construction site).
- 8.56 As explained earlier in the report the applicant has undertaken a viability assessment and due to abnormal costs and other relevant financial considerations the scheme cannot viably support any more than 8 one-bedroom units. A £40,000 contribution towards biodiversity enhancements has been requested; the size of contribution is the most the scheme can sustain without reducing the level of affordable housing provided or reducing any other section 106 contributions.

Flooding and Drainage

Policy Context

8.57 LPP1 Policy BH7 requires appropriate flood risk assessment to be completed and for development not to result in an increased risk of flooding to existing or proposed properties. Policy SS2 of the Part 2 Local Plan also requires development to be adequately serviced with infrastructure and to consider flood risk.

Assessment

8.58 The application is supported by a Flood Risk Assessment (FRA). The site lies within FZ1 and risk from fluvial flooding is considered low. The proposed use is one which is suitable for such a location.

8.59 It can be seen from the surface water flood map that the site is shown to have a low risk of flooding, although an area along the southern boundary (outside of the site boundary) is shown to have a high risk from surface flooding (FZ3).

8.60 The LLFA have requested further information in respect of surface water drainage and this information has been received and further comments sought. A written or verbal update will be provided to Members.

9. FINANCIAL CONSIDERATIONS

S106 contributions

9.01 Policy LH8 of the LPP2 requires provision of 40% on site affordable housing. However, following review of the viability assessment the affordable housing provision has been reduced to 8 units equating to 10% provision. The mix and tenure of those units (as amended) is considered acceptable. This will be secured with the S106 agreement.

9.02 Financial Contributions are also required in relation to:

- Primary Education
- Early Years Education
- Libraries
- Primary Health Care
- Public transport
- Provision of wheelie bins for each unit
- Financial contribution towards the maintenance of the open space.

9.03 Secondary education needs would be met via CIL funding.

9.04 The full Heads of Terms for the S106 are set out in the recommendation below.

10 PLANNING BALANCE AND CONCLUSION

10.01 Legislation requires that planning applications be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise. The NPPF, at paragraph 11, states that decisions should apply a presumption in favour of sustainable development. For decision taking this means approving development proposal that accord with an up-to-date development plan without delay.

- 10.02 As set out above, it is considered that the development proposed accords with an up-to-date development plan, and it is considered that on balance the proposal would result in sustainable development. The development would create economic benefits for the town and wider district, would be appropriately designed and laid out, can be accessed safely by both vehicles, motorcyclists, cyclists and pedestrians and without significant adverse effects on the highway network. Measures to protect and enhance biodiversity can be secured and matters of environmental protection can be addressed, if necessary, through attaching suitable conditions.
- 10.03 Assuming the concerns of the Surface Water Drainage Team can be satisfactorily addressed the scheme will not cause flooding off-site nor will it have any other significant adverse environmental impact that would warrant the refusal of planning permission.
- 10.04 Paragraph 8 of the NPPF emphasises that there are three dimensions to sustainable development: economic, social and environmental. The proposals address each of three dimensions to deliver a sustainable development
- 10.05 In light of the above appraisal it is considered that the planning balance in this case comes down in favour of approval. It is therefore recommended that planning permission be granted for the development, subject to the resolution of the outstanding matters, the imposition of the conditions (draft listed in the attached schedule) and the completion of a satisfactory Section 106 Agreement.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 Detailed recommendation here and full list of conditions and reasons here

RECOMMENDATION / CONDITIONS AND REASONS DELEGATE TO THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION TO GRANT PERMISSION, SUBJECT TO:

1. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND

2. NO FURTHER OBJECTIONS FROM THE LEAD LOCAL FLOOD AUTHORITY AND

3. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):

- a) Provision of 10% affordable housing on site
- b) Accessibility standards to comply with SNP2LP policy LH10.2(a)
- c) Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £4,970.00 (index linked)
- d) Payment of a financial contribution towards secondary educational infrastructure serving the development of £260,992.00 (index linked).
- e) Payment of a financial contribution towards early years educational infrastructure serving the development of £251,476 (index linked).
- f) Payment of a financial contribution towards library infrastructure serving the development of £15,540 (index linked).
- g) Payment of a financial contribution towards primary health care provision

serving the development of £36,096.73 (index linked)

h) Payment of a financial contribution towards public transport serving the development of £71,000.00 (index linked).

i) The LHA require the applicant to provide 4-week or one month bus ticket for the local area, at one per unit on first occupation.

j) Payment of the Council's monitoring costs of £5,000.00.

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

Time limit

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

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

Approved plans

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

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

Avoid bird nesting season

3. All site clearance (including the removal of any vegetation or works to hedgerows) should be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive unless alternative provisions have been previously agreed in writing by the Local Planning Authority

Reason : To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Ecological appraisal

4. The development hereby permitted shall be carried out in accordance with the recommendations set out in sections 6, 7 and 8 of the Ecological Appraisal by Brindle and Green Ecological Impact Assessment Ecology, dated April 2022, unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

Levels

5. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings 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.

Tree protection

6. No development shall take place until the existing tree(s) to be retained have been protected in the following manner unless otherwise previously agreed in writing by the Local Planning Authority;

a) Protective barriers shall be erected around the tree(s) to a distance not less than a radius of 12 times the trunk diameter when measured at 1.5m above natural ground level (on the highest side) for single stemmed trees and for multi-stemmed trees 10 times the trunk diameter just above the root flare.

b) The barriers shall comply with the specification set out in British Standard BS5837:2012 'Trees in Relation to Construction – Recommendations' that is steel mesh panels at least 2.3m tall securely fixed to a scaffold pole framework with the uprights driven into the ground a minimum of 0.6m depth and braced with additional scaffold poles between the barrier and the tree[s] at a minimum spacing of 3m.

c) The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development [and / or demolition] and shall be maintained until all equipment, machinery and surplus material has been removed from the site.

d) Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason : To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies SS2 and NE5 of the South Northamptonshire Local Plan and Government guidance contained within 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.

Land contamination

7. No part of the development hereby permitted shall take place until:

(a) a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and

(b) has been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core Strategy and Section 15 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.

Land contamination

8. If a potential risk from contamination is identified as a result of the work carried out under condition 7 above, then no part of the development hereby permitted shall take place until:

(a) a comprehensive intrusive investigation to characterise the type, nature and extent of contamination present has been carried out;

(b) the risks to receptors and to inform the remediation strategy proposals has been documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and

(c) both (a) and (b) above has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 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.

9. If contamination is found by undertaking the work carried out under condition 8, then no development hereby permitted shall take place until

(a) a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use has been prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and

(b) has been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 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.

Archaeology

10. No development shall take place until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design shall be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;

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

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16). This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Construction and environmental management plan

11. No development shall take place, including any works of demolition until a Construction Method Statement [for that phase] has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:

- a) The parking of vehicles of site operatives and visitors;
- b) The routing of HGVs to and from the site;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials used in constructing the development;
- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- g) Measures to control the emission of dust and dirt during construction;
- h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- i) Delivery, demolition and construction working hours;

j) Measures to control overspill of light from security lighting

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within 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.

Pumping Station

11. Prior to use a noise assessment that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014. Once approved the use hereby permitted shall be operated in accordance with the approved details and thereafter maintained in this approved state at all times.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

Materials

12. A schedule of materials and finishes to be used in the external walls and roof(s) of the dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 of the South Northamptonshire Part 2 Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

Landscaping

14. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and

the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

(d) details of the LEAP (including details of any proposed equipment, benches and bins, surfacing, enclosures, etc.)

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

Foul drainage

15. Prior to construction of any dwelling above slab level, details of a scheme for on-site foul water drainage works, including connection point and discharge rate, must be submitted to and approved in writing by the local planning authority. Prior to the occupation of any Phase, the foul drainage works relating to that Phase must be completed.

Reason : To prevent environmental and amenity problems arising from flooding and to accord with Sections 14 and 15 of the National Planning Policy Framework.

16. Surface Water Condition tbc and to be added, where applicable.

Architectural detailing

17. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the development, including the windows and doors (and their surrounds), the eaves and verge treatment, chimneys, porches and garage doors 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 Local Plan.

Meter boxes

18. 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 Local Plan.

Noise mitigation

19. No development above slab level shall take place until a scheme for achieving the external and internal noise levels outlined in BS8233:2014 and World Health Organisation Guidelines has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme shall be completed in accordance with the approved details before any of the permitted dwellings to which the scheme relates are occupied.

Reason : To avoid noise giving rise to significant adverse impacts on health and quality of life and to comply with advice in the NPPF (section 15) and Policy SS2 of the South Northamptonshire Local Plan.

Boundary treatments

20. 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

21. 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.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

Land contamination remediation

22. If remedial works have been identified in condition 8, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 8. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

Fire hydrants

23. The development shall provide 4 fire hydrants within the site. No construction shall start on any dwelling until a scheme detailing the provision of fire hydrants and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme prior to the occupation of the 200th dwelling (or flat).

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

EV charging

24. No dwelling hereby permitted (with a garage or driveway) shall be occupied until it has been provided with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) to serve that dwelling.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

Stonework

25. The external walls of the dwelling(s) to be faced in stone shall be constructed in natural guillotine-cut rubble limestone which shall be laid, dressed, coursed and pointed in accordance with a sample panel (minimum 1 metre squared in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority before the respective dwelling(s) is constructed above slab level. The sample panel shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel shall be retained on site for the duration of the construction contract.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan. Required to be approved pre-commencement in order to ensure material delivery leadin times do not compromise construction.

26. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

Unexpected contamination

27. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

Landscaping maintenance

28. 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 building(s) 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 Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.