



Strategic Planning Committee

Minutes of a meeting of the Strategic Planning Committee held at Forum, Moat Lane, Towcester on Monday 22 May 2023 at 2.00 pm.

Present:

Councillor Phil Bignell (Chair)
Councillor Kevin Parker (Vice-Chair)
Councillor Ann Addison
Councillor Alan Chantler
Councillor Andre Gonzalez De Savage
Councillor Rosie Herring
Councillor Rosie Humphreys
Councillor David James
Councillor Ken Pritchard
Councillor Bob Purser
Councillor Cathrine Russell

Substitute Members:

Councillor Stephen Clarke

Also Present:

Chris Morley
Lorna McGoldrick
Collette Panther

Apologies for Absence:

Councillor Charles Manners

Officers:

Chris Burton, Principal Planning Policy Officer
Suzanne Clear, Majors Team Leader
James Rodger, Development Management Manager
Pritpal Singh-Swarn, Planning Solicitor
Diana Davies, Democratic Services Officer

123. **Declarations of Interest**

There were no declarations of interest.

124. **Minutes**

That, the Minutes of the Strategic Planning Committee of 17 April 2023 be approved and signed as a correct record.

125. **WND/2022/1101 Zone 6 and 7 Overstone Leys, Overstone Lane, Overstone**

The Principal Planning Policy Officer clarified the Parish Council had provided, confirmation that they had no objection to the Reserved Matters application for Zones 6 and 7. The letter written in objection to the application, by the Parish Councillor, represented that Parish Councillors personal opinion.

The Principal Planning Policy Officer outlined the information in the report and provided a presentation which included maps, plans and, street scenes, layout and a phasing plan of the site to give context of the siting of the Reserved Matters application within the overall site.

The Principal Planning Policy Officer advised that:

- Permission had been granted for the Outline planning consent, for development of the whole site, on 28 August 2015, and a Section 106 agreed. The discussion would be limited to the Reserved Matters application for 227 dwellings including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approved conditions 14 (FFL'S), 15 (Open Space), 36 (Bus Stops) and 37 (Travel Plans) of DA/2013/0850,
- The application made provision for 227 dwellings,
- Provision for 15% affordable dwellings had been agreed for the site. 3 affordable units would be provided, whilst appearing as an under provision, the 15% overall affordable figure as per the Section 106 agreement had been met,
- 3,150sqm of public open space would be delivered. The Section 106 agreement defined open space to include playing fields, green infrastructure, structural landscaping, first phase open space, Sustainable Drainage Systems (SuDS) and play areas,
- Two dwellings had been removed from the original plans to include an addition are of open space,
- Indicative Open Space and Play Areas Plan Open Space had been built and accorded with Plan 2,
- An additional plan provided a view showing the parking spaces in relation to the dwellings,
- A spine road would travel through the new development,
- Bus stops would be provided within 400m walking distance,
- The Local Plan in 2015 had not required solar panels to be included on dwellings,
- The site would have a good level of accessibility and be within a reasonable walking. and cycling to the local centre,
- Designed in accordance with the parameter plans approved at outline stage and the Design Code approved via the discharge of Condition 12 attached to the outline approval,
- The outline application required 3,150sqm for open space which related to the school and had been provided,
- The application submitted by the developer would provide an overall provision of open space of 9.53ha.

In response to questions The Principal Planning Policy Officer reported:

- The Tenure Plan showed the 3 affordable houses neighbouring each other,
- Adequate provision had been made for car parking,
- All of the dwellings would meet the minimum national space standards required by National Space Standards, Policy H08 part Ciii. No conditions were included in the Outline permission requiring the development to adhere to the maximum occupancy standards,
- Overstone Parish Council had made representations, Moulton Parish Council had not,
- Sufficient access to the rear of the property would allow for appropriate wheeled bin storage,
- The Local Highways Authority had raised no objections to the proposed car parking,
- There would be cycle provision down the spine road, however that was not within the scope of the Reserved Matters application,
- The roads within the application were residential streets and would not provide many cut throughs for vehicles and limiting traffic congestion at junctions,
- No provision was made for Electric Vehicle Charging Points in the 2015 Outline application and it was not possible to include this retrospectively.

In response to questions the Development Management Manager added that all roads within the development would be adopted, and standard streetlights provided.

Chris Morley spoke in objection to the application, the actions of the planning officers and the Committee. lack of provision of a playing field/area for residents to meet; the inclusion of Local Equipment Area of Play (LEAPs) and Local Area of Play (LAPs) in the calculation of open space provision; lack of open space provision for over 15 year olds; the additional burden on the Parish; the number of dwellings per hectare; the property types; missing provision of half a playing field.

In response to questions the objector added:

- Questions had been put to planning officers had not elicited the level of response required,
- The 2015 Outline Application was approved prior to his election to the Parish Council,
- Anecdotally it was thought that the majority of the Section 106 monies allocated to the Parishes for the development, had been directed to Moulton Parish Council.

Lorna McGoldrick. Clerk for Overstone Parish Council spoke in support of the application for Zone 6 and 7 and the developer had provided more opens space than originally planned. And continued to express dissatisfaction with the overall development, the failure to apply Policies and adhere to the Design Code; the failings of the Section 106 agreement; the quality of the Sustainable Urban Extension (SUE); increase in the housing allocation; unresolved concerns on the last zone; lack of playing field and large open space.

In response to questions the Clerk added:

- The Outline Application had been discussed by the Parish Council in 2015. Wasn't in post at that time but had attended a developer's briefing session,
- Inadequate SUE,
- The Parish had met to discuss the Reserved Matters application and were not objecting,
- The Parish wanted to avoid the same problems being experienced with the SUE on an adjacent site,
- The Parish Council had met with planning officers, requested a review of the Outline application; the development; insufficient open space, playing fields and facilities. The request to review the Outline application, Design Code and Section 106 agreement was declined,
- There was no planning reason on which the Parish Council could base an objection to the application for Zone 6 and 7. The provision of lower density with open space was better than that in other zones.

The Development Management Manager provided clarification for members:

- The Overstone Leyes Outline application and Section 106 signed decision was issued in 2015. The Section 106 plans show that a total of 9.08 hectares of Public Space would be delivered. The Reserved Matter application would be providing the Open Space per hectares for this site,
- Overstone Green was a separate application, neighbouring Overstone Leyes, which had been approved by the Committee, but a decision notice had not been issued. The allocations would be scrutinised and any shortfall in provision of open space could be accounted for in the conditions for this application,
- Reminded the Committee that their consideration was for the Reserved matter application,
- In 2015 both Moulton Parish Council and Overstone Parish Council had been consulted and there had been varying degrees of engagement.

Collette Panther, the applicant spoke in support of the application and informed members: The principle for the Outline application had been established in 2016, the applicant was committed to work with all stake holders and had engaged in extensive discussions, the public open space had increased by the removal of two dwellings and would exceed the provision required by the Section 106 Agreement, Overstone Parish Council had not objected to the application, the sports pitches and playing fields were outside of the remit of the David Wilson, Reserved Matters application for Zone 6 and 7, the SUE required a minimum of 25 dwellings per hectare and the combined site would exceed that requirement; affordable housing had been over provided on previous zones.

In response to questions from Members the applicant added:

- Zone 6 and 7, the final phase, would include the outstanding number of affordable housing across the Outline site,
- The dwellings would be 90% compliant with the National Space Standards,
- Provision for a Multi-Use Games Area (MUGA) had been made within other phases of the development,
- David Wilson Homes did not own the land that included the playing field, they would fulfil their part of the commitment to the SUE,

In response to questions the Principal Planning Policy Officer added:

- There was no obligation for the applicant to provide EVP on the development,
- The Development Plan for the application allowed for the variance of open space provision across the site identified in the Outline permission,
- The Section 106 Agreement had been signed.

The Legal Advisor further added that the application had undergone a democratic process. A lawful decision had been made by a Committee the decision of the Council should be legally binding. The Section 106 Agreement was a legally binding document. If the Outline permission and the Section 106 agreement were ignored the Council could be exposed to claims from the beneficiary.

The Development Management Manager added that, should a review of the open space provision on the Overstone Leyes development identify a shortfall, that could be addressed when issuing the decision for the Overstone Gate application.

In response to a question the Principal Planning Policy Officer advised that the Section 106 Agreement Plan 2 showed a total of 9.98 hectares of Public Space to be delivered (5.88ha with no water attenuation). The 3.2ha of attenuated land would be unlikely to hold water during the periods of the year that people wished to use it. Provision was bound by the Section 106 Agreement, Plan 2.

The Principal Planning Policy Officer advised that, whilst the 2015 Outline application may not have been fully compliant with every policy, on planning balance the proposal was considered acceptable, and the Committee had made a decision to approve.

The Development Management Manager added that the applicant had 10 years from the issue of the decision to comply with the permission, that being 27 August 2025.

In reaching its decision, the Committee considered the officer's report, presentation and the representations.

Councillor Pritchard proposed the application be approved, the proposition was seconded by Councillor Chantler, and on being put to the meeting was declared carried with 10 voting in favour, and 2 abstentions.

Resolved:

That the Head of Planning and Delivery for Planning and Environment be given delegated authority to grant permission subject to the conditions set out in the report (and any amendments to those conditions as deemed necessary).

The Committee further requested that the Development Management Manager provide a detailed response regarding the provision of playing fields and opens spaces on the Overstone Leyes/Overstone Green developments.

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Councillor Herring informed the Committee that the Sports and Leisure Policy would be reviewed by the Place Overview and Scrutiny Committee.

The Chair advised that the Committee remain in session.

In response to a statement the Legal Advisor advised the Committee that, should the council review its position on decisions lawfully taken by the Sovereign Authorities it could be exposed to compensation claims.

The meeting closed at 3.25 pm

Chair: _____

Date: _____