



# Planning Committee Report

**Application Number:** WNS/2023/0011/MAF

**Location:** Land east of The Meadows  
**Old Stratford**

**Development:** Affordable residential development comprising 32 dwellings including public open space, localised land remodelling, flood storage, structural planting and access.

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**Applicant:** RO Land

**Agent:** Mr Peter Chambers

**Case Officer:** James Paterson

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**Ward:** Deanshanger

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**Reason for Referral:** Major application requiring a S106 agreement

**Committee Date:** 07 December 2023

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

**RECOMMENDATION:** THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO GRANT PERMISSION FOR THE DEVELOPMENT SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT.

### **Proposal**

Affordable residential development comprising 32 dwellings including public open space, localised land remodelling, flood storage, structural planting and access.

### **Consultations**

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

- Old Stratford Parish Council

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

- Anglican Water
- Bedford Group of Drainage Boards
- Crime Prevention Officer
- Environment Agency
- Milton Keynes City Council
- NHS Integrated Care Board
- NNC Developer Contributions
- WNC Ecology
- WNC Environmental Protection

- WNC Lead Local Flood Authority
- WNC Local Highways Authority
- WNC Planning Policy

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

- WNC Strategic Housing

89 letters of objection have 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
- Design and Impact on Landscape
- Neighbouring Amenity
- Occupier Amenity
- Highways
- Ecology
- Flooding and Drainage
- Pollution
- Trees

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 This application relates to two adjoining fields to the east of The Meadows just outside of Old Stratford. The application site itself only includes the western field, which is 1.1 hectares in size, although the location plan indicates that the field to the east is also within the Applicant's ownership and does relate to this application insofar as it is required to accommodate much of the various proposed ecological enhancements to secure a biodiversity net gain. These ecology measures are included as part of the application.
- 1.2 The application site is largely devoid of significant topographical features although the land does slope down towards the River Ouse. The field is enclosed by mature hedgerows along its southern and eastern borders while the northern and western borders are largely defined by domestic boundary treatments with sporadic mature vegetation. Officer's understanding is that the field is used in an agricultural capacity as it is intermittently used for the grazing of livestock.
- 1.3 To the north of the site lies Manorfields Road; this road is a small cul-de-sac which runs from Deanshanger Road to the River Ouse and is comprised of semi-detached houses,

likely dating from the 1960s. A number of the houses on the south side of this road back on to the application site, although their gardens are of a fairly generous depth.

- 1.4 To the east of the site lies the River Ouse which runs broadly along a north-south course in this section of the river. This is a fairly substantial river which has flooded its banks in recent years, which is reflected in the EA Flood Zone designations on both sides of the river. The adjoining field in the Applicant's ownership also lies to the east of the site, although this field continues southward along the border of the River Ouse. A Public Right of Way (reference: RS12) runs along the eastern boundary of the site; this is connected to an informal access across the application site which connected The Meadows to the Public Right of Way.
- 1.5 To the south of the site lies further fields which appear to be cultivated in an agricultural capacity.
- 1.6 To the west of the site lie the River View (33 dwellings) and The Meadows (34 dwellings) developments. These were approved in 2012 (reference: S/2012/0368/MAR) and 2002 (reference: S/2002/1473/P) respectively. These developments comprise entirely of residential dwellinghouses and are of a similar design in terms of their overall layout and the scale and appearance of the dwellings, although the River View development comprises both stone and brick dwellings, whereas The Meadows is entirely finished in red brick. Private parking is predominantly provided in the form of tandem parking, often with a garage, although many occupants store their vehicle on the public highway, which is a typical two-lane road. Both developments contain turning heads on the east and southern ends of the development.

## **2 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 This application seeks full planning permission for the erection of 32 dwellinghouses on the site. The proposed dwellings would all be affordable, as per the definition in the NPPF Glossary, with 16 intended to be available for purchase via a shared ownership scheme while the other 16 would be available for social rent. The proposed houses would be a mixture of terraced, semi-detached and detached and would also include two bungalows.
- 2.2 The houses would be broadly arranged in two perimeter blocks which extend from the existing turning heads to the west. The western block would square off the existing end of houses on River View and The Meadows while the eastern block would infill the area between the first block and the Public Right of Way. Dwellings would also be arranged in a linear pattern along the northern edge of the site, facing the proposed new road and backing onto the gardens of dwellings fronting Manorfields Road.
- 2.3 The easternmost dwellings would be accessed via one of two private drives while an estate road, proposed to be adopted Highway, would comprise the remaining road.
- 2.4 The application includes some soft landscaping, including new trees spread across the development as well as an attenuation basin and the provision of a new hedge boundary around much of the development. Other associated works include bin storage, off-street car parking and drainage measures.
- 2.5 An important aspect of the proposals is the use of the area outlined in blue on the location plan for ecological enhancement measures with a possibility of being publicly accessible space, with the option for the MK Parks trust to manage. This is to ensure

biodiversity net gain as well as potentially enhance public amenity in the area, since that field is currently in the private ownership of the applicant.

### **3 RELEVANT PLANNING HISTORY**

3.1 The following planning history is considered relevant to the current proposal:

3.2 P/WNS/2021/0189/PRS - Land east of The Meadows Old Stratford - Residential development comprising first homes/entry level housing and parkland (approximately 30 dwellings) - Pre-application advice issued

*Officer summary: The advice was supportive of the development in principle and in terms of the overall approach to designing the scheme and its impact on the wider landscape and character of the area. Other technical matters were discussed, and the view was taken that these could likely resolved, although no detailed advice was offered in terms of flooding and drainage.*

3.3 S/2010/0639/MAO - Land East of The Meadows Old Stratford - Residential development of 15 dwellings (outline). - Appeal Dismissed (Against Refusal)

*Officer comment on the appeal: The Planning Inspector concluded that the Council had a 5-Year Housing Land Supply at the time of the appeal. The appeal was largely dismissed on the basis of the development would cause unacceptable harm to the character of the area and countryside since it would “urbanise the site and in views from Tomb Meadows visibly extend the village south eastwards towards the river. Landscaping would soften the built form of the development but would not overcome the loss of openness and urbanisation of an area of open countryside which is prominent in views from public vantage points.” The original application was also refused on density grounds as only 15 houses did not make best use of the land and a greater density should have been provided; this was also the Planning Inspector’s view.*

3.4 S/2010/0146/MAO - Land east of The Meadows Old Stratford - Residential development of 31 dwellings (Outline) - Appeal Dismissed (Against Refusal)

*Officer comment on the appeal: The Planning Inspector concluded that the Council did not have a 5-Year Housing Land Supply at the time of the appeal. The appeal was identified harm to the character of the area and countryside: “I consider therefore that the proposal would harm the character and appearance of its rural surroundings, thereby conflicting with the national and local policy objective of protecting the countryside’s quality and character.” However, the main issue of the appeal was whether the site was in a sustainable location. The Planning Inspector found that “Old Stratford does have a range of facilities, including some employment opportunities and some public transport services, but on the basis of the IRHPP assessment, which was not disputed by the appellant, it clearly does not rank as one of the ‘most sustainable’ villages.” Furthermore, there was a lack of demand for such housing, in the Planning Inspector’s view: “However the Council explained that, of 38 households on its Housing Register for affordable housing in Old Stratford, only 18 have clear local connections to the village: the remainder simply give the village as a preference. Applying a similar rationale, to identify need rather than demand, would substantially reduce the 95 or so new houses which the appellant calculates as a more realistic figure to provide for market as well as affordable housing. I do not therefore find the appellant’s argument in this respect a compelling reason to exceed the 5% figure. Moreover, whilst I have borne in mind that 5% is an indicative rather than an absolute limit, the appeal proposal does not satisfy any of the additional criteria which come into play where proposals would result in an increase of more than 5%.”*

It should be stressed that this appeal was for market housing, not a fully affordable scheme as is proposed here.

- 3.5 S/2020/0670/MAF - Land To The Rear Of 2 To 26 Grays Lane Paulerspury - Construction of 19 x 2 & 3 bed social rented and shared ownership houses and all ancillary works (approved)

*This application did not relate to the land subject of this application. However, this application was also for a mix of shared ownership and socially rented units sought under an entry level exception under LH3. It should be noted that this was approved on the basis of being an entry level exception site and not a rural exception site; this includes meaning that a formal housing needs survey is not required: "Whilst policy H3 permits rural exception sites, this needs to meet an identified need that is evidenced through a Housing Needs Survey. A Housing Needs Survey has not been submitted with this application. This is because the proposal is considered as an "Entry-Level" exception site as set out in Para. 71 of the NPPF and further supported by LPP2 policy LH3. Neither the NPPF nor policy LH3 require a formal Housing Needs Survey to be submitted in the same way as they are specifically required for normal exception sites."*

#### 4 RELEVANT PLANNING POLICY AND GUIDANCE

##### Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 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 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)

- 4.3 The relevant policies of the LPP1 are:
- SA – Presumption in Favour of Sustainable Development
  - S1 – Distribution of Development
  - S2 – Hierarchy of Centres
  - S10 – Sustainable Development Principles
  - S11 – Low Carbon and Renewable Energy
  - RC2 – Community Needs
  - H1 – Housing Density and Mix and Type of Dwellings
  - H2 – Affordable Housing
  - H3 – Rural Exception Sites
  - H4 – Sustainable Housing
  - C2 – New Developments
  - BN2 – Biodiversity
  - BN7 – Flood Risk
  - BN7A - Water Supply, Quality and Wastewater Infrastructure
  - INF2 – Contributions to Infrastructure Requirements
  - R1 – Spatial Strategy for the Rural Areas

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

- 4.4 The relevant policies of the LPP2 are:
- SS1 – The Settlement Hierarchy
  - SS2 – General Development and Design Principles
  - LH1 – Residential Development Inside and Outside Settlement Confines
  - LH3 - Starter Homes Outside Settlement Confines
  - LH8 - Affordable Housing
  - LH10 – Housing Mix and Type
  - INF4 - Electric Vehicle Charging Points
  - GS1 - Open Space, Sport and Recreation
  - NE4 - Trees, Woodlands and Hedgerows
  - NE5 - Biodiversity and Geodiversity

## 5 RESPONSE TO CONSULTATION

- 5.1 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.

Consultee Name	Position	Comment
Anglican Water	No Objection	<i>Officer Summary: No objection. Informatives required.</i>
Crime Prevention Officer	Comment	<p>“The layout for the houses is somewhat disjointed with orientations of some plots ensuring that the front door does not address the street - plots 29, 30 and 31 as examples. Although supposedly a back-to-back layout this altered orientation leads to a less than tight configuration with long lengths of alleyway splitting the back-to-back gardens. To reduce opportunities for crime particularly burglary and vehicle crime I would recommend the following: Those garden fences which do not fully abut their neighbour's fence should be supplemented with a trellis topping to reduce opportunities for climbing. All alleys are gated with a full height lockable gate in line with the front building line. The lock to be operable from both sides for convenience. Where parking is to the side of the dwelling a window, to provide overlooking from a routinely inhabited ground floor room, should be provided in the gable end. Most house types have no windows in the side elevation. Defensible space shall be provided at the front of the dwellings in the form of a low hedge, hoop topped railings or similar to reduce confusion about land ownership and to reduce incidences of neighbour nuisance. The access to the public right of way should be less close to the parking for plot 20. Likely to give</p>

		rise to nuisance for the occupants of plot 20 and best designed away from the private frontage of a dwelling. The cycle storage should meet the requirements of a secure standard such as LPS 1175. The protect a cycle range from www.trimetals.co.uk meets the security rating of LPS 1175”
Environment Agency	No Objection, Condition Required	<i>Officer Summary: A condition is required securing the measures outlined in the FRA.</i>
Group of Bedford Drainage Boards	No Comment	Please note the Board has no comments to make regarding this planning application.
Milton Keynes City Council	Comment	<i>Officer Note: MKCC initially objected to the application before confirming they were satisfied with a revised FRA and calculations. However, they still raised some concern in relation to Long Term Storage Calculations.</i>
NHS Integrated Care Board	No Objection, Financial Contributions Required	“The ICB can confirm there will not be sufficient capacity in the local primary healthcare system to absorb the anticipated increase in demand created by the proposed new housing development of 32 dwellings, Land East of The Meadows, Old Stratford. Practices in the local area are already at the limit of their capacity and the increase in population could push practices to the point that they are no longer able to accept new patients. If this were to be the case it could result in the population brought to the area by the new housing development experiencing difficulties accessing primary care health services. Therefore the ICB and NHSE are seeking a financial contribution towards infrastructure support to ensure the new population has access to good quality primary health care services.”
NNC Developer Contributions	No Objection, Contributions Required	<i>Officer Summary: Contributions are required in relation to libraries, education, early years</i>
Old Stratford Parish Council	Objection	“OBJECTION In the initial literature produced by the applicant it was stated that at least 38 people were in need of Social or Affordable housing and this is why this application was put forward. Yet we have not been consulted by WNC on housing need in Old Stratford or see an attached report from WNC to support this. Currently the first phase

		<p>of The Meadows estate has affordable houses available and just recently WNS/2022/2320/106DV the developer have asked for their affordable and social status to be removed as the Housing Association were having difficulty in disposing of these houses. If this is the case were has this local need for this type of properties come from? Observing the site map and plan, shows that the current historical footpath will be relocated to allow for property layout which is in part of the flood plain. There has been NO consultation with the Parish Council regarding the relocation of this footpath or diversion or an Environmental Impact Assessment regarding flood risk. There is also a section of land bordering the south side of the development within the parish boundary which the applicant states that they will give to Milton Keynes Parks Trust. The Parrish Council and residents cannot understand why the applicant wishes to give the land to them and has not being offered to the Parish Council as public open space For the reasons outlined above and given the history of refused applications for this area and that planning laws only allow affordable housing outside the village confines in certain circumstance as part of a new development within confines. We seek that this application be refused”</p>
WNC Ecology	No Objection, Conditions Required	<p>“The site contains a range of habitats those to be lost are of mainly of low ecological value, with the species poor grassland due to be lost. Protected species have been evidenced from the site including reptiles, a range of appropriate mitigation measures are outlined in the ecology report to control impacts. Habitat will be lost resulting in a net loss in biodiversity, however the report, appendices and plans show where habitats will be created and retained habitats enhanced (including off site) to reduce the net loss and in line NPPF ensure a indicative 2.96 habitat units, equivalent to a biodiversity net gain of +72.83% net gain is achieved. If the mitigation</p>



		measures contained within the Ecology Report and Biodiversity Net Gain Assessment, future CEMP and LEMP are carried out fully and successfully then the development proposals are not thought to have a significant effect on habitats or protected species.
WNC Environmental Protection	No Objection, Conditions Required	<i>Officer Summary: Conditions are required relating to land contamination and construction works</i>
WNC Lead Local Flood Authority	No Objection, Conditions Required	<i>Officer Summary: The LLFA originally objected on the basis of insufficient information being provided in relation to flooding and there being issues with the outfall from the site. Following the submission of details, the LLFA withdrew their objection and confirmed they are satisfied in relation to the proposed drainage details and flooding mitigation measures, subject to conditions relating to both flooding and drainage.</i>
WNC Local Highways Authority	No Objection	“In respect of the above planning application, the local highway authority (LHA) has previously made comments in regards to the internal layout including surface transitions, turning heads and parking. The applicant has addressed the highways issues raised as demonstrated on the revised layout plan SK011-REV B which now shows; a private drive north east on the site layout; and a shared surface arrangement to the south east. Tracking for a 4-axel refuse vehicle and a fire tender have been provided and demonstrates that these vehicles are able to access turn and manoeuvre within the site/turning heads. Parking meets the Northamptonshire parking Standards”
WNC Planning Policy	Comment	Policy H3 of the JCS supports the provision of affordable housing to meet identified local needs in rural areas on ‘exception sites’. The proposal meets criterion a) of the policy as the application site adjoins the built-up area of Old Stratford. Criterion b) requires that the form and scale of development be clearly justified by evidence of need through a local housing needs survey. There does not appear to be such a survey submitted with the application. The Planning

		<p>Statement does refer to discussions with Strategic Housing at the pre-application stage which identify a local need for affordable housing in Old Stratford and it states that the size and tenure mix has been agreed with the Council's Housing Officer. The absence of a local housing needs survey means that the proposal, as submitted, does not comply with this requirement of Policy H3.</p> <p>Policy SS1 sets out the settlement hierarchy for the district and identifies Old Stratford as a Secondary Village (A). SS1 also confirms that the Local Plan supports the delivery of housing beyond settlement confines where it would comply with relevant housing policies. This is echoed in Policy LH1 which sets out circumstances in which development outside settlement confines could be considered acceptable. In this case, the exception tests set out in Policy LH3 would apply. Policy LH3 supports proposals to deliver entry level exception sites adjoining the confines of Secondary Villages (A) where: a. the scheme comprises at least one or more types of affordable housing that are suitable for first time buyers or renters; and b. the scheme can demonstrate that products have regard to local income and local house prices; and c. arrangements are in place to ensure housing remains at a discount for future eligible households. The proposal includes both shared ownership and affordable rent, which would meet the requirements of a). I would expect the Strategic Housing Team to confirm the proposal's suitability with regards to b).</p>
WNC Strategic Housing	Support	<p><i>Officer Summary: The Strategic Housing Officer confirmed that they support the application. They consider it is acceptable in terms of its strategic fit into housing across the district, the need for such housing, the design standards, the tenure and balance of dwellings as well as accessibility. They have advised that there are currently 38 households on the Housing Register who would be willing</i></p>

		<i>to be housed in Old Stratford and who require a variety of property types.</i>
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## 6 RESPONSE TO PUBLICITY

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

6.1 The Council has received 84 letters of objection raising the following comments:

- Anti-social behaviour
- Better alternative sites
- Encroachment into the open countryside
- Flooding
  - Proposed measures are insufficient
  - Site is prone to flooding
  - Impact on wider floodplain
- Harm to biodiversity on the site
  - Protected species
  - Loss of habitat
- Harm to landscape
  - Setting of the village
  - Harm to public amenity
  - Harm to views from Public Rights of Way
  - Impact on trees
- Highway safety
  - Existing junction with Deanshanger Road is already dangerous
  - Existing arrangement is already narrow and hard to navigate
  - Parked cars across the length of The Meadows
  - Traffic generation
  - Impact on Public Rights of Way
- Impact of construction
  - Construction traffic
  - Construction work – dust, noise etc
- Lack of/ over-stretching of local facilities
- Loss of amenity for neighbours – daylight, overbearing, privacy
- Overdevelopment / the proposed houses are not needed

## 7 APPRAISAL

### Principle of Development

#### *Policy Context*

- 7.1 Policy SA of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out that when considering development proposals the relevant council will take a positive approach that reflects the presumption in favour of sustainable development contained in the national planning policy framework. Policies S1 and S2 deal with the distribution of development and the settlement hierarchy within the district.
- 7.2 Policy SS1 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that proposals for new development will be directed towards the most sustainable locations in accordance with the District's settlement hierarchy. It also states that new development should be within the settlement boundaries of first, second, third and

fourth category settlements, as defined on the proposals maps, in accordance with their scale, role and function unless otherwise indicated in the local plan.

- 7.3 Policy R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out the spatial strategy for rural areas. The policy specifies that development in rural areas will be guided by the rural settlement hierarchy and sets out a list of criteria that will be considered when considering development proposals in rural areas. It also lists a set of requirements for residential developments in rural areas.
- 7.4 Policy H1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out that across West Northamptonshire new housing development will provide for a mix of house types, sizes and tenures to cater for different accommodation needs including the needs of older people and vulnerable groups. It states that housing developments will be expected to make the most efficient use of land having regard to the considerations listed in the Policy.
- 7.5 Policy H2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out the Council's requirements in terms of affordable housing. The policy also states that the tenure mix of affordable housing should reflect local housing need and viability on individual sites. Policy LH8 of the South Northamptonshire Part 2 Local Plan 2011-2029 also sets out that proposals for 10 or more dwellings, or on sites of 0.5ha or more should achieve 40% affordable dwellings in the market towns of Towcester and Brackley, 50% in the rural areas or 35% within or directly adjoining the Northampton Related Development Area as defined in Policy S4 of the WNJCS. It states that affordable housing should be provided on the application site as an integral part of the development and units should be dispersed throughout the site and integrated with the market housing to promote community cohesion and tenure blindness.
- 7.6 Policy H3 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that the provision of affordable housing to meet identified local needs in rural areas on 'exception sites' will be supported. Schemes must either be purely affordable housing or mixed tenure schemes including an element of market housing where this is essential to the delivery of the affordable housing. It will be a requirement that the market housing is the minimum necessary to make the scheme viable and that it meets specific locally identified housing needs. In all cases the site must be within or immediately adjoining the main built-up area of a rural settlement while the form and scale of development should be clearly justified by evidence of need through a local housing needs survey and finally arrangements for the management and occupation of affordable housing must ensure that it will be available and affordable in perpetuity for people in local housing need.
- 7.7 Policy LH1 of the South Northamptonshire Part 2 Local Plan 2011-2029 sets out the criteria for residential development being acceptable both within and without defined settlement boundaries. Development outside settlement confines is considered to be in the open countryside and will not be acceptable unless it meets the criteria set out in the policy.
- 7.8 Policy LH3 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that proposals to deliver entry level exception sites adjoining the confines of Rural Service Centres, and Primary and Secondary villages (A) as defined within policy SS1, will be supported where the scheme comprises at least one or more types of affordable housing that are suitable for first time buyers or renters and the scheme can demonstrate that products have regard to local income and local house prices. Proposals must also have arrangements in place to ensure housing remains at a discount for future eligible households.

- 7.9 Paragraph 72 of the NPPF states that Local Planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. These sites should be on land which is not already allocated for housing and should comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of the Framework and b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the Framework, and comply with any local design policies and standards.
- 7.10 Paragraph 78 of the NPPF states that, in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.

*Assessment – Entry-Level Exception/ Rural Exception*

- 7.11 Old Stratford is a Third Category Secondary Village (A), as defined by Policy SS1 and is a sustainable location for development. However, the site lies outside of the settlement confines and is therefore in open countryside for the purposes of the Council's planning policies. There is therefore a minor tension with the aims Policies SA and SS1 in that these policies seek to direct development to the most sustainable locations within the district, namely sites within existing settlement confines, and sites within the open countryside are typically less sustainable due to developments in such locations often exacerbating car reliance and putting new homes in locations that are not well-served by existing physical and social infrastructure.
- 7.12 Although development is still to be directed to the most sustainable locations in the district, and housing development in the open countryside will be restricted, the development plan, specifically Policies H3, LH1 and LH3 in this case, identifies that there may be specific circumstances where sustainable development which relates well to the settlement confines of adjacent settlements may be allowed to meet specific local housing needs. Since this application is for a development entirely comprised of affordable homes available for purchase through shared ownership or available for social rent, officers consider that the housing offer on site would be suitable for first time buyers or equivalent for those looking to rent. Therefore, having taken this and the site's location immediately adjoining a Secondary Village A into account, officers are of the view that the proposal would be considered under LH3(1) as an entry-level exception site.
- 7.13 The proposed development would meet the first exception outlined in the policy in that the proposed development would comprise of at least one variety of affordable homes which are suitable for first time buyers or renters. The Applicant has also demonstrated that the proposed products for this site have had regard to local income and house prices through their planning statement which analyses the relative affordability and expected sales prices for the dwelling; this has been completed in consultation with the Council's Strategic Housing Officer. Having taken into account the consultation response of the Strategic Housing Officer as well as the data supplied by the Applicant, officers are satisfied that the proposal fulfils this requirement, in the letter they submitted on 02/11/23 which identifies a clear housing need. Officers are satisfied that the development would be capable of satisfying LH3(1c) through an appropriate S106 agreement which will secure the affordability of the dwellings in perpetuity.

- 7.14 Officers also consider that the proposed development would accord with paragraph 72 of the NPPF since the proposed development would comprise one or more types of affordable housing and would be immediately adjacent to an existing settlement while being of a proportionate size to Old Stratford. This is because although the area within the red line of the location plan is 1.1 hectares, the developed part of the site would be under 1 hectare. Furthermore, the application site would not exceed 5% the size of Old Stratford, both in terms of the number of houses and the size of the site itself. Paragraph 72 also requires any entry-level exception site to be of appropriate design; this is fully explored in a subsequent section of this report; however, officers consider the proposed development would be acceptable in this regard.
- 7.15 It should be noted that the development should be considered as either an entry-level exception or a rural exception site. Since the application meets the criteria for an entry-level exception and complied with the relevant policies, the proposal does not also need to be considered under the rural exception policies. However, in the interest of fullness, and having noted public representation raising concern about potential demand for such housing and the comment from the Planning Policy Team which erroneously refers to the site as a rural exception site, officers note that the proposal would also have been acceptable as a rural exception. This is because the proposal is for 100% affordable homes, and the proposed development does not require any market housing to ensure the scheme would be viable and which would be essential to the delivery of the affordable housing; this would also have complied with the first part of H3. The application site immediately adjoins the settlement boundary and therefore also would have complied with part a of H3. No formal full local housing needs survey has been submitted, however, the Applicant has submitted a letter on 02/11/23 which goes some way to fulfilling the requirements of a housing survey and demonstrates that there is sufficient demand for such housing as is being proposed. To supplement this, officers have had regard to the comments of the Strategic Housing Officer who considers that sufficient demand exists in Old Stratford for the types of affordable homes being proposed. It is also noted that the number and tenure of the homes being proposed has been informed via pre-application discussions with the Strategic Housing Officer. Therefore, however officers are satisfied that enough evidence has been provided to demonstrate that there is demand for affordable homes in the locality, despite the lack of a formal survey. Finally, officers note that a S106 will need to be prepared as part of any approval to cover the management and occupation of affordable housing to ensure that it will be available and affordable in perpetuity for people in local housing need, which is a requirement of H3. Overall, therefore, officers note that the proposal cannot be assessed as an entry-level exception site and rural exception site, however, the proposal would have been capable of also coming forward as a rural exception site.
- 7.16 The proposed development is not considered by Officers to comply with the requirements of Policy R1 in respect of its location outside the village confines. The application is directly in conflict with R1(g) as there are no exceptional circumstances that would justify development outside the confines in this instance. The exceptional circumstances where dwellings may be permitted in the open countryside are set out in R1, namely whether the proposed development would re-use existing buildings or whether the development would enhance or maintain the vitality of rural communities or would contribute towards and improve the local economy. While the development would provide affordable housing and would make appropriate contributions to local infrastructure via developer contributions secured by a suitable S106 agreement, the proposal is not exceptional in that respect and would, in officers' view, not meet the test for being 'exceptional'. Therefore, the proposal is in conflict with Policy R1 of the development plan.

- 7.17 To conclude, officers have attributed full weight to the consideration of the site as an entry-level exception site under LH1, LH3 and paragraph 72 of the NPPF, since the site meets the criteria of such exceptions, and consider that the proposal complies with these policies. For completeness, and in response to the comments from colleagues in the Planning Policy Team, officers have also made an assessment of the site as a rural exception site; notwithstanding that the proposal does not need to meet the requirements of a rural exception site, officers consider that the proposal would have been capable of complying with the policies relating to rural exception.

*Assessment – Land Supply*

- 7.18 In considering this application, officers have had regard to the Council's existing housing land supply. The Council relies upon the most recent Five-Year Housing Land Availability Study ('HLAS') (April 2022), published by West Northamptonshire Council for the South Northamptonshire area of West Northamptonshire (excluding the NRDA), covering the period 1 April 2022 to 31 March 2027. This would provide for 6.90 years' supply of deliverable sites against the relevant housing requirement. This means that the Council is complying with national policy on housing land supply in NPPF paragraph 73 and with the national policy objective to significantly boost housing land supply. It also means that the tilted balance in paragraph 11(d) of the NPPF is not engaged by reason of the housing land supply position.

*Assessment – Need for Affordable Housing*

- 7.19 The applicant was asked to provide arguments to support the need for affordable housing (in part as this was queried by the parish Council), in response (via letter dated 2<sup>nd</sup> November) the applicant has stated that:
- The West Northamptonshire Housing and Economic Needs Assessment (2021) highlights an increasing shortfall of affordable housing across West Northamptonshire. Relevant headline points to note from the study include the following:*
- *In South Northamptonshire the estimated household income required to buy is now £47,000 and privately rent is now £27,800.*
  - *There are 12,049 households living in unsuitable housing (or without housing) in West Northamptonshire. In South Northamptonshire, 1,595 households are living in unsuitable households be it in homeless, concealed households, overcrowded or in need.*
  - *For Social/Affordable rented housing, there is a need for 1,253 dwellings per annum in West Northamptonshire between 2020-2050, (around 58% of the overall housing need of 2,149 dwellings per annum) of which 231 per annum are needed in South Northamptonshire.*
  - *Access to buying a home is being restricted by having insufficient savings to be able to afford to buy a home on the open market (in terms of the ability to afford both a deposit and stamp duty). as well as some mortgage restrictions (e.g. where employment is temporary). This can be addressed by low-cost homeownership homes – and Shared Ownership homes.*
- Further, the latest available Joint Authorities Monitoring Report for Local Plans in West Northamptonshire (1 April 2020 – 31 March 2021) shows that between 2018 and 2021, 1,352 affordable dwellings were completed across West Northamptonshire of which only 301 were in South Northamptonshire.*
- The same report also states that in South Northamptonshire permissions between 2018-2021 equate to only 20.82% affordable housing.*
- The Five-Year Housing Land Supply Assessment (October 2023) states that the affordable housing requirement has been unmet in all years from 2011 to 2023 and now demonstrates an under delivery of 982 affordable dwellings.*

- 7.20 There is no specific housing requirement figure for Old Stratford in the Development Plan. There is also no up to date Housing Needs Survey for Old Stratford. However, officers have had regard to the West Northamptonshire Strategic Housing Market Assessment (SHMA) 2010, which highlights the increasing shortfall of affordable housing across West Northamptonshire and an update to the SHMA demonstrates a district wide requirement of 183 new affordable homes are required per annum in the South Northamptonshire area. Officers have also had regard to the Parish level housing needs survey for Old Stratford, which was completed in 2010, in forming a view on this application, although this survey is very out of date and is now too old to be relied upon. Officers have therefore reviewed the Council's Housing Register. This is a 'live' list and provides a snapshot of current need for rented affordable housing, from applicants approaching the council for re-housing. On 16 March 2023 there were 38 households on the Housing Register for the South Northamptonshire area who would be willing to be housed in Old Stratford. Their needs range from 1 to 4 bed-room homes. Officers have also had regard to the letter submitted by the Applicant on 02/11/23 which demonstrates a clear need for affordable housing in the district.
- 7.21 Overall, officers are content that there is a need for affordable housing in the district and the proposed affordable homes would go some way to meeting a tangible unmet need. This weighs in favour of the application; officers have afforded this matter substantial weight.

*Assessment – Sustainability of the site*

- 7.22 Old Stratford is a Third Category Secondary Village (A), as defined by Policy SS1; Old Stratford is therefore one of the villages outside of the Rural Service Centres of Brackley and Towcester and the Primary Service Villages which has the highest levels of goods, services and infrastructure and is therefore a sustainable location where the plan seeks to direct development since it has scope to meet some local needs for housing, employment and service provision. It is noted that several bus stops which have buses to Towcester, Northampton and Milton Keynes are all within walking distance as are various shops, primary schools and employment opportunities. While the proposed development would still likely generate a degree of private vehicle use, the proposed development is also within a short drive of Milton Keynes and all of the services, facilities and employment opportunities afforded there.
- 7.23 Officers have had regard to the Settlement Hierarchy background paper for the South Northamptonshire Local Plan (Part 2). This background paper identified Old Stratford as having a score of 49 on the sustainability matrix. This puts it towards the higher end of Secondary Villages (A) in terms of sustainability.
- 7.24 Having considered the above, officers consider that Old Stratford is a very sustainable location for residential development; this has been afforded substantial weight.

*Assessment – Recent Appeal Decisions*

- 7.25 Officers have had regard to a recent appeal decision in Flore dismissing a housing development on the edge of a settlement in the open countryside (reference: APP/W2845/W/23/3318366). That appeal was dismissed on the basis of landscape impact and the sustainability, or lack thereof, of the site. While the appeal site shares some similarities with this application site, such as its edge of settlement location, the quantum of development and the proximity to public rights of way, officers consider that there are significant differences which mean that this is not a useful comparison. Firstly, the application is far less undulating and more self-contained than the appeal site; the application site also abuts far more built form than the appeal site and therefore is more



obviously set into the backdrop of built form while Old Stratford is also a more sustainable location given the ease of access to public transport and local goods and services. Most significantly, this application is for 100% affordable housing for which there are policy exceptions, whereas this was not the case with the appeal.

- 7.26 Officers have considered an appeal, which was allowed, brought to their attention by the Applicant. This appeal (reference: AAP/P0240/W/23/3317184) relates to an entry level exception site for 16 homes which shares many similarities with the application site. The appeal scheme relied on paragraph 72 of the NPPF relating to entry level exception sites to succeed, as is the case here. While the Planning Inspector identified a conflict with that development plan in terms of the sustainability of that site, since it is an edge of village location, they afforded this conflict moderate weight while the provision of 16 sorely needed affordable units was afforded substantial weight. This enabled the Planning Inspector to take a view that the planning balance weighed in favour of that application and therefore allowed the appeal. This is relevant to this application since the circumstances are similar to this application with the exception that Old Stratford is a relatively sustainable location and is providing more affordable residential units.

#### *Conclusion*

- 7.27 Officers note that the proposal complies with the policies relating to the entry-level exception sites. Officers note there is a conflict in terms of Policy R1g as there are no exceptional circumstances that would justify development outside the confines in this instance. Officers have carefully considered this in the context of the *R v Rochdale Metropolitan Borough Council, ex parte Milne* decision from the High Court which remarks on the conflicting aims of the policies typically contained within Development Plans and notes that developments may comply with parts of the Development Plan and not others. In paragraph 50, the Judge states that “for the purposes of Section 54A [of the TCPA 1990] it is enough that the proposals accord with the development plan considered as a whole. It does not have to accord with each and every policy therein.” Therefore, in considering the principle of the development, officers consider that it is enough for the development to be acceptable in terms of being entry-level exception sites and the conflict with R1g, which outlines the Council’s overall rural spatial strategy, would not constrain the Council from granting planning permission in this case, since the proposal accords with the overall aims of national and local planning policy in delivering a fully affordable housing development in an appropriate location.
- 7.28 Overall, officers consider that the proposal is acceptable in principle and accords with the Development Plan.

#### Design and Impact on Landscape

- 7.29 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 sets out general principles and criteria for high quality development. Where development proposals contravene any of the criteria of relevance to that proposal, they will be refused unless outweighed by other material considerations. The policy also states that the use of design codes, masterplans or planning briefs will be considered for multi-phased developments to ensure consistency of design approach.

#### *Design – Siting and Layout*

- 7.30 The siting of the development responds to the existing built form in the area by mirroring the size of both The Meadows and River View developments while also continuing the infilling of the area to the east of Deanshanger Road and Manorfields Road which was

begun by those developments. It is also noted that the site is immediately adjoining the settlement confines on both its northern and western boundaries which means that it borders significant built form and has a strong relationship with the existing settlement. For these reasons, it is considered that the siting of the development is appropriate in design terms and would complement the existing grain of development of the village.

- 7.31 The proposed development would be laid out in two perimeter blocks with additional housing along the north side of the site. Two roads would run largely along an east-west access and would be connected via a road running north to south. Two turning heads are proposed at the east end of the site, although these would form part of the private roads.
- 7.32 Officers consider that the overall layout of the development is appropriate since the SNC Design Guide supports perimeter blocks as design principle. This is because this form of development has outward facing houses with private amenity spaces concentrated to the centre of the blocks which enhances natural surveillance and reduces anti-social behaviour. Furthermore, the blocks maximise the permeability of the development thereby enhancing walkability and give rise to an organic grain of development. While the blocks are irregularly laid out in the proposed development, with the houses arranged in an unusual manner on the western block, this has largely been necessitated by the layout of neighbours' fenestration so as to not impede their light or views out of their side windows. This has also led to the car parking arrangements not being in the form of tandem parking, as suggested by the SNC Design Guide, with some spaces being to the front of dwellings which is not optimal as this impedes views of the principal elevations of houses and detracts from the street scene. It should also be noted that some parking bays have been staggered so as to not impede emergency service or large service vehicles. The design has also led to some alleyways to rear gardens being longer and more winding than would be optimal and this would give rise to some security concerns. However, while the design has led to some contrivances in the final layout, with the constraints of the site caused by existing neighbouring developments in mind, officers are content with the overall layout.
- 7.33 The development would include and adopted portion of highway with two private roads extending from this to serve the easternmost dwellings. This is appropriate since each private driveway serves no more than six dwellings, as recommended by the Northamptonshire Parking Standards. While these private roads include turning heads, it is noted that these cannot be used to extend the development due to their status as private roads. While the SNC Design Guide encourages the use of turning heads at the edge of developments as a means to extend settlements in the future, in this case it is considered that the settlement cannot reasonably be extended eastwards due to the river; therefore, the proposed arrangement is acceptable in this case.
- 7.34 Officers have had regard to the density of the proposed development and note that the under-provision of housing on the site formed the basis of the dismissal of a previous appeal for a housing development on the site. Officers consider that the proposed development addresses these issues by making best use of the site while not overdeveloping the site. The SNC Design Guide suggests that 20-30dph, into which category this site would fall, makes best use of land in village locations and development on this density should be used for future village development. Officers have also had regard to the fact that the proposed development would include two bungalows, as well as some terraced dwellings, and thereby offering a good mix of dwellings of varying density.

- 7.35 Overall, officers consider that the siting, layout and density of the proposed development would ensure that it would be read as a natural extension to the village and would compliment the existing grain of development in the locality

#### *Design – Proposed Dwellings*

- 7.36 Turning to the design of the dwellings themselves, it is clear that the design has drawn heavily on the characteristic of The Meadows and River View developments to the west. This is considered appropriate as, while this approach has led to some departures from the advice set out in the SNC Design Guide and the dwellings being of a simple overall design, such as the unusual dormers emerging through the line of the eaves on some dwellings, this would ensure that the development would relate well to the nearest built form and would read as a natural continuation of those developments.
- 7.37 Officers have recommended several conditions relating to the design of the proposed dwellings, including conditions requiring samples, final architectural details as well as other details. With these conditions in place, officers are content that the final finish of the proposed dwellings can be well-controlled and would ensure a high quality finish.

#### *Landscape Impact*

- 7.38 In forming a view on the impact of the proposal on the wider landscape, and in terms of the setting of the village, officers have used the appeal decision from 2012 as a starting point. In that appeal decision, the Planning Inspector concluded that the proposed development would urbanise the countryside and lead to a total loss of the existing openness of the site and would therefore cause unacceptable harm to the character of the area. With this in mind, officers required a full Landscape Visual Impact Assessment to be submitted by the Applicant.
- 7.39 The 2012 appeal decision noted that views of the site are possible from Tombs Meadow across the river and the urbanising of these views formed a large part of their reasoning behind dismissing the appeal. While officers note the view of the Planning Inspector and attach weight to it, it is also noted that the circumstances of the site have changed somewhat since over a decade has elapsed and the River View development has since been completed.
- 7.40 In considering the landscape impact of the development, officers consider that the application site the area identified for the proposed dwellings is contained by existing vegetation along both the southern and western boundaries and localised views from the surrounding public vantage points to the south and east, such as Tomb Meadow, would set the development against an existing backdrop of houses to the immediate north and west.
- 7.41 Officers consider that the location of one of the estate roads between the proposed dwellings and the southern boundary would prevent future conflict between those living in properties and the existing boundary vegetation. This would allow the trees and shrubs on the southern boundary to naturally mature without any specific need to curtail growth; this would go some way to mitigating the visual impact of the development to views from the south.
- 7.42 It is also considered that the termination of development immediately west of the Public Right of Way (RS12) that crosses the site would limit the impact on users of the footpath though the experience of those using the footpath since development would only take place on one side of it and views of the river and beyond would still be available. Notwithstanding this, it is noted that should this application be approved and built the

setting of the portion of the Public Right of Way running along the eastern boundary of the site would still significantly change. While a change to the setting is unavoidable since this application seeks to develop a greenfield site, it is noted that it could partially delay the enjoyment of the countryside to users of the footpath since built form would continue for a longer portion of the path and would extend the perception of the built form to the southern boundary of the site. However, it is noted that the development would not extend southwards beyond the River View development which arguably has already extended this perception of built form beyond the extent of the application site. Furthermore, officers note that a strong landscaping scheme such as that being proposed would heavily screen views of the proposed development and would limit the impact of the development on the footpath, as would the intervening balancing pond and the houses being set back from the eastern boundary of the site.

- 7.43 While officers note there will be a visual impact on the landscape by developing the site, it is noted that this is intrinsic to development greenfield site. Officers note the view of the Planning Inspector in 2012 who was of the view that this impact would be unacceptable; since that time, additional built form has been built and extended the settlement somewhat and there has therefore been a material change in planning circumstances. Overall, officers consider that the visual impact would be tempered by a strong sense of enclosure of the site, the existing back drop of built form to the north and west and an appropriate landscaping scheme. Therefore, on balance, officers consider that the development would have an acceptable impact on the wider landscape.

#### Neighbouring Amenity

- 7.44 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that developments must not unacceptably harm the amenity of occupiers and users of neighbouring properties and the area through noise, odour, vibration, overshadowing or result in loss of privacy, sunlight daylight or outlook, unless adequate mitigation measures are proposed and secured.
- 7.45 Officers note that, a number of dwellings back onto the site and therefore the impact on their amenity has been carefully considered by officers.
- 7.46 Officers note that the site lies to the east of dwellings on The Meadows and River View and therefore has the potential to impact their morning sun while the site lies to the south of dwellings on Manorfields Road and therefore has the potential to impact their sun throughout the day.
- 7.47 Having regard to the layout of the proposed windows serving habitable rooms, the orientation of the sun and the layout of the housing on the site officers consider that the proposal would not give rise to an unacceptable loss of light or unacceptable overshadowing to any future occupiers. Likewise, the houses would be set across the site in a measured manner which ensures that they would not give rise to an unacceptable sense of enclosure or overbearing to their neighbours. The proposed houses have been set behind neighbours' windows which overlook the site so as to not impinge the daylight received by these windows, such as is evident in the siting of Plots 1-3.
- 7.48 Officers are also satisfied that the proposal would not lead to a situation where future occupiers would be unacceptably overlooked, with any overlooking being limited to 'glimpses' of neighbours windows and gardens which would be typical for any housing development; officers also consider that existing nearby dwellings and would also not suffer from an unacceptable perception of being overlooked. In reaching this conclusion

officers have had careful consideration of the Council's standing advice for distances between neighbours' windows, garden depths and daylight to windows, as set out in the SNC Design Guide.

- 7.49 Officers notes that a number of comments have been received with regard to a loss of a private view from some of the properties overlooking the site. However, there is no 'right to a view' in planning law or policy and therefore this is not a material consideration; officers have still considered the impact on the amenity of neighbours and consider that the magnitude of the visual impact would not be so acute so as to impact the living conditions of neighbours.

#### Occupier Amenity

- 7.50 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that developments must result in a good standard of amenity for its future occupiers in terms of privacy, sunlight, daylight, outlook, natural ventilation, noise, odour and vibration. The SNC design guide sets out standards of amenity that should be afforded to future occupiers of developments.
- 7.51 The proposed dwellings would all have a coherent internal layout that would offer a good level of amenity to future occupiers. All of the proposed dwellings accord with the nationally described space standards. Private amenity spaces serving each dwelling are all of a good size and would likewise offer a good level of amenity to future occupiers.
- 7.52 In instances where dwellings would be back-to-back, the distances between dwellings would 18m in most locations and there would be no instances of blank, two-storey elevations being addressed by habitable accommodation at close range.
- 7.53 Dwellings that would address the primary streets through the site would also face each other at a distance that would not result in unacceptable inter-looking; officers also note that there would be relief between these views as a result of the street and associated street furniture and car parking.
- 7.54 Overall, it is considered that the proposed development would offer a good level of amenity to future occupiers and would accord with this aspect of Policy SS2.

#### Highways

- 7.55 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 states planning permission will be approved where developments include a safe and suitable means of access for all people (including pedestrians, cyclists and those using vehicles). Developments must also take into account existing or planned social and transport infrastructure to ensure development is adequately served by public transport or is in reasonable proximity to a range of local facilities which can be reached without the need for private car journeys.
- 7.56 Policy C2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) requires development to mitigate its impacts on highway.
- 7.57 Policy INF4 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that on all sites where an additional dwelling is created (including conversions) with a garage or driveway, electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) will be required. Furthermore, for residential developments of 10 or more units (including conversions) with communal parking areas

for every 10 dwellings provided, 2 parking bays marked out for use by electric vehicles only together with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) will be required. Where business, retail, commercial or leisure developments provide 10 or more parking bays, for every 10 bays or part thereof one parking bay marked out for use by electric vehicles only together with DC fast charging equipment or equivalent charging equipment providing no less standard of efficiency, will be required.

- 7.58 Paragraph 111 of the NPPF makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.59 Paragraph 112 of the NPPF states that planning decisions should ensure that appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its location, safe and suitable access to the site can be achieved for all users, the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and that d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 7.60 The access would be provided off of Deanshanger Road, via The Meadows and River View, while the development would create a new modest estate road which would solely serve the proposed houses, with portions of the new road being in private ownership.
- 7.61 The Local Highways Authority raised concern with regard to the access points to the site as well as aspects of the internal layout, such as the location of footpaths, the width and the transitions to private shared surfaces. The Highways Authority have withdrawn their concerns, following the receipt of revised plans and additional detail from the Applicant. Officers therefore consider that the proposed access into and throughout the site is appropriate
- 7.62 Officers note that concern has been raised in the public consultation with regard to the existing junction of The Meadows and Deanshanger Road already being dangerous and narrow. Officers note that the Highways Authority has not objected on this basis of these concerns. The Deanshanger Road junction is in a 30mph zone with good visibility exiting the junction; vehicles should not be parking within 10m of a junction and therefore should be at a distance which would not block views of the junction. The road at The Meadows is of a width where two cars can pass one another; while some vehicles park on the street, officers consider that the road would still be navigable and the proposed development would not worsen the existing situation to the point that it would give rise to severe highways impacts or highways safety concern which would substantiate refusing the application.
- 7.63 In forming this view, officers have also considered the impact of the existing bus gate at the southern end of Deanshanger Road. This means that only limited traffic accessing the village hall, Dickens Drive and the houses at the southern end of Deanshanger Road pass junction of Deanshanger Road and The Meadows. This limited traffic will further ensure there is no unacceptable intensification of that junction.
- 7.64 Officers have considered the potential impacts of the development in terms of traffic generation and consider that the proposed development is unlikely to create a

sufficiently high number of vehicles movements to substantiate refusing the application on these grounds.

- 7.65 Officers consider the proposed development would not have a negative impact on the Public Rights of Way which would not be altered. While the proposal would result in the loss of the informal route from The Meadows to the Public Right of Way, officers note that this is not publicly accessible space and is in private ownership and access could be prevented at any time, therefore the loss of that route it not considered to weigh against the development.
- 7.66 Officers have also included a condition relating to EV charging facilities.
- 7.67 Buses only left – only taking traffic from the west in the village
- 7.68 Officers consider that the proposed development would have acceptable highways impacts, subject to conditions, and would accord with Policies SS2, INF4 and C2.

### Ecology

- 7.69 Policy NE3 of the South Northamptonshire Part 2 Local Plan 2011-2029 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.
- 7.70 Policy BN2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) 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.
- 7.71 The site contains hedgerows on the southern boundary which is described as mature, unmanaged species poor with semi-mature field maple tree present, the two fields are divided by mature, unmanaged species-rich hedge with trees, to the south a species-poor intact hedge primarily of hawthorn and blackthorn with mature pedunculate oak and ash trees. The Hedgerow provide value to wildlife for shelter, commuting and foraging purposes e.g. for bats and badgers. The majority of the hedgerows and trees within and on the boundaries of the development will be retained as part of the proposals. It is important hedgerow and tree protection is detailed in CEMP in line with the recommendations of the Ecology Report.

- 7.72 The site contains a range of habitats those that would be lost are of mainly of low ecological value, with the species poor grassland due to be lost. Protected species have been evidenced from the site including reptiles, a range of appropriate mitigation measures are outlined in the ecology report to control impacts, these measures would be secured by condition.
- 7.73 Habitats which would be lost would result in a net loss in biodiversity, however the report, appendices and plans show where habitats would be created and retained habitats enhanced (including off site) to reduce the net loss and in line NPPF ensure a indicative 2.96 habitat units, equivalent to a biodiversity net gain of +72.83% net gain would be achieved. Much of this gain would be made on the adjacent site, outlined in blue on the submitted location plan, which will be improved for biodiversity and then offered to the Parks Trust for them to manage, this net gain would be secured as part of the S106 agreement.
- 7.74 In considering the proposed ecological enhancements, officers have had regard to the fact that a 72.83% net gain is a substantial improvement which far exceeds the 10% requirement and provides a public benefit and aligns with the aims of the Development Plan and the Council's corporate strategy. While access to the site may be controlled to ensure wildlife on the site is not unacceptably disturbed, the Applicant has also indicated that there may be scope to make the site publicly accessible green space which would also be a benefit in terms of public amenity. This weighs in favour of the application.
- 7.75 Subject to conditions, the proposal would be acceptable in terms of ecology and Policies BN5 and NE3.

#### Flooding and Drainage

- 7.76 Policy BN7 of the west Northamptonshire Joint Core Strategy Local Plan (Part 1) states development proposals must comply with relevant flood risk assessment and management requirements. A sequential approach will be applied to all proposals for development in order to direct development to areas at the lowest probability of flooding unless it has met the requirements of the sequential test and the exception test. All new development, including regeneration proposals, must demonstrate that there is no increased risk of flooding to existing properties, and proposed development is (or can be) safe and shall seek to improve existing flood risk management. The policy also states that all proposals for development of 1 hectare or above in Flood Zone 1 and for development in 2, 3a or 3b must be accompanied by a flood risk assessment that sets out the mitigation measures for the site and agreed with the relevant authority.
- 7.77 Policy BN7A of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that development should use sustainable drainage systems, wherever practicable, to improve water quality, reduce flood risk and provide environmental and adaptation benefits.
- 7.78 Parts of the site lie within Flood Zone 3 and Flood Zone 2 although the majority of the site lies within Flood Zone 1; officers do have not had confirmation from the LLFA as to whether the Flood Zone 3 would be 3a or 3b but have considered this application on the basis that it would be 3b since this supports the findings in the Applicant's FRA. Flood Zone 3b is the most likely parts of the land to flood and forms part of the active flood plain.
- 7.79 The site is therefore considered to be in Flood Zone 3b for the purposes of planning and a sequential test is therefore required. As part of the sequential test, alternative



sites where the development may be delivered with a lower risk of flooding must be considered, as per paragraph 162 of the NPPF, or development can be directed to parts of the application site which are at lower risk of flooding. In this case, the proposed development has been exclusively directed to the portion of the site within Flood Zone 1 with only portions of the attenuation pond and undeveloped parts of the site being within Flood Zones 2 and 3. This is considered sufficient to pass the sequential test.

- 7.80 The Lead Local Flood Authority (LLFA) originally objected to the application on two grounds. The first was due to the surface water drainage strategy having been design with an outfall to the river Ouse. The Flood Risk Assessment at the time also concludes that the River Ouse floods out of bank during a range of modelled return periods and therefore the surface water drainage strategy should have been designed with a surcharged outfall. The other objection related to evidence of previous flooding in 2020; the LLFA requested clarification as to where these photographs specifically relate to. The Milton Keynes City Council LLFA also stated they had concerns in relation to the 2020 flood event, inappropriate discharge rates and the hydraulic calculations being advanced by the Applicant.
- 7.81 The Applicant has worked proactively with both the WNC LLFA and MKCC LLFA to arrive at a technical solution to the objections, following correspondence and meetings. The Applicant submitted additional and amended drainage information which satisfied the objections of the WNC LLFA. While the MKCC LLFA issued correspondence seeking clarification in relation to long term storage calculations, the Applicant has since also provided clarification on this matter to the contentment the WNC LLFA and has sought to work proactively with the MK LLFA to address their concerns but have had no response to communications for a number of months. It is noted that the MK LLFA is not objecting to the development. Officers also note that the EA raised no objection, subject to conditions being imposed.
- 7.82 Overall, having considered the view of both LLFAs, although it is noted that it is the WNC LLFA who is the statutory consultee in this case, officers consider that the Applicant has demonstrated that there is a technical solution to address flood risk and drainage on the site and, subject to conditions, the proposal would be acceptable in terms of flooding and drainage and thereby Policies BN7 and BN7A.

#### Pollution

- 7.83 Policy BN9 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that proposals for new development which are likely to cause pollution or likely to result in exposure to sources of pollution or risks to safety will need to demonstrate that they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities. This includes reducing the adverse impacts of noise, ensuring the remediation of contaminated land so as not to pose a risk to health and the environment and finally maintaining and improving air quality, particularly in poor air quality areas, in accordance with national air quality standards and best practice
- 7.84 The site is located near to sensitive receptors to the north and west, officers have therefore included a condition requiring a Construction Environment Management Plan to avoid unacceptable impacts on neighbours during construction.
- 7.85 Officers note that the Environmental Protection Team have concerns in relation to land contamination, presumably due to possible agricultural activity that may have historically taken place on the site. Officers have therefore included a condition relating to land quality.

- 7.86 Overall officers are satisfied that the proposed development would not have an unacceptable impact in terms of pollution and would accord with Policy BN9.

### Trees

- 7.87 Policy BN3 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that the protection of aged or veteran trees outside ancient woodlands will also be supported. development that would lead to further fragmentation or result in a loss of ancient woodland, aged and veteran trees will not be permitted unless the need for, and benefits of, the development in that location clearly outweigh the loss.
- 7.88 The proposal would necessitate the removal of a number of mature trees and some hedgerow, none of which are subject to a Tree Preservation Order, on the western portion of the site. However, this would be mitigated by new tree planting across the site and the reinforcement of the existing line of hedgerows along the eastern and southern boundaries.
- 7.89 Officers consider the proposal would have an acceptable impact on trees and would be acceptable in terms of Policy BN3.

## **8 FINANCIAL CONSIDERATIONS**

- 8.1 CIL is liable. The amount liable would be £340,102.20, although the proposal is for a fully affordable scheme which would then allow the Applicant 100% relief from CIL liability.
- 8.2 The development would also be liable for financial contributions for social infrastructure, in accordance with the Development Contributions SPD:
- If there is a lack of capacity identified for Early Years, a S106 contribution of £93,592 would be required.
  - A Primary Education contribution of £73,608 will be required.
  - A contribution towards Secondary Education of £80,123 will be required.
  - A Libraries Contribution of £6,071 is required.
  - Payment of a financial contribution towards primary health care provision serving the development of £59,875.20 (index linked)
  - A monitoring contribution of £3000 to enable management and monitoring of the above contributions
- 8.3 These figures may be subject to change, should updated capacity data from the Council be forthcoming.

## **9 PLANNING BALANCE AND CONCLUSION**

- 9.1 Officer are satisfied that the scheme accords with the relevant national and local policies and guidance and should be approved, subject to conditions and an appropriate S106 agreement. The S106 would need to secure financial contributions, the proposed dwellings as affordable in perpetuity and to secure the off-site biodiversity net gain and the offering of that land to the Parks Trust to manage.

## 10 RECOMMENDATION AND CONDITIONS

- 10.1 To grant permission subject to conditions as set out below with delegated authority to the Assistant Director for Planning to approve any amendments to those conditions as deemed necessary and finalise a suitable S106 agreement (The Heads of terms of the S106 agreement are set out in full in paragraph 8.2).
- 10.2 Officers would like to make the committee aware that Conditions 2, 15, 16 and 17 may require minor tweaks to ensure final layouts are to the satisfaction of the local Highways Authority. This is simply to ensure all plans are in accordance with one another. re subject to being updated after this committee meeting; this is necessary due to the minor amendments to the site layout to address concerns from the Local Highways Authority. That amendments, and these amendments proposed for post-committee do not substantially alter the proposed development before the committee today and is a small technical matter to ensure the plans are all in accordance with one another.
- 10.3 A full list of conditions is provided below:

### CONDITIONS: -

#### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

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.

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:

#### **A FINAL DRAWING LIST WILL BE INCLUDED IN THE WRITTEN UPDATE AHEAD OF THE COMMITTEE MEETING**

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

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

3. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's ' Land Contamination Risk Management (LCRM).

#### B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

#### D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part B, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part C.

Reason: Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 11 of the NPPF and in the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

4. No development shall take place [on any phase], including any works of demolition until a Construction Method Statement 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;

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.

5. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:
- a) Risk assessment of potentially damaging construction activities;
  - b) Identification of 'Biodiversity Protection Zones';
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - d) The location and timing of sensitive works to avoid harm to biodiversity features;
  - e) The times during construction when specialist ecologists need to be present on site to oversee works;
  - f) Responsible persons and lines of communication;
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
  - h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

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

6. A schedule of materials and finishes to be used in the external finishes of the dwellings and hard surfacing (including roads and paths) hereby approved 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 Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

7. Samples of the tiles (including ridge tiles) to be used in the covering of the roof of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

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 Local Plan Policy and Government guidance contained within the National Planning Policy Framework

8. Samples of the bricks to be used in the construction of the walls of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

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 Local Plan and Government guidance contained within the National Planning Policy Framework.

9. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwellings hereby approved, including the windows and doors (and their surrounds), together with the eaves and verge treatment 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.

10. 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.

11. Full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.

Reason : To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Government Guidance contained within the National Planning Policy Framework.

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

12. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason : In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

13. 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

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

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

15. The proposed boundary treatments enclosing each dwelling, as shown in the submitted drawing 'Proposed Boundary Treatments And Hard Surfacing Plan' (reference: 2692 AI0801 P05, dated September 2022), shall be erected and in situ prior to first occupation of any dwelling hereby approved.

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

16. The proposed landscape scheme, as shown in the below drawings shall be implemented by the end of the first planting season following occupation of the development:

153 Olameadows Old Stratford Planting Plan 3  
153 Ola The Meadows Old Stratford Landscape Maintenance Schedule  
153 Ola Meadows Old Stratford Landscape Strategy V4  
153 Ola The Meadows Old Stratford Soft Landscaping Specification

(All received 23/12/22)

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.

17. The proposed landscape scheme shall be maintained for a period of 5 years after its implementation in accordance with the submitted 'Landscape Maintenance Schedule' (received 23/12/22).

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 Government guidance contained within the National Planning Policy Framework.

18. Prior to the occupation of any of the dwellings hereby permitted the estate road, driveways and turning areas shall be laid out, drained, constructed, surfaced and sealed.

Reason : In the interests of highway safety, to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework..

19. Prior to the commencement of works affecting any existing public right of way, full details of any enhancement, improvement, diversion or closure shall be submitted to and gain the approval of the local planning authority.

Reason: In the interests of safeguarding highway safety in accordance with Policy SS2 of the of the South Northamptonshire Local Plan.

20. 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. The charging equipment shall then remain in place in perpetuity.

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.

21. Before any above ground works commence, full details of the surface water drainage scheme for the site, based on the approved clarification document prepared by EAS



(reference: 20230727-F-FRA & SUDS OLD STRATFORD v2, dated July 2023) will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

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

Reason : To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site, in accordance with the requirements of Policies BN7 and BN7A of the West Northamptonshire Joint Core Strategy Local Plan (Part 1).

22. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the flood risk and drainage clarification document prepared by EAS (reference: 20230727-F-FRA & SUDS OLD STRATFORD v2, dated July 2023) has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority.

The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV confirmation that the system is free from defects, damage and foreign objects.

Reason : To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site, in accordance with the requirements of Policies BN7 and BN7A of the West Northamptonshire Joint Core Strategy Local Plan (Part 1).

23. The development hereby permitted shall not be commenced until such time as a scheme to ensure finished floor levels are set no lower than 300mm above adjacent ground levels has been submitted to and approved in writing by the Local Planning Authority.

The applicant must also demonstrate the no water susceptible development is located within water susceptible / flood flow route(s).

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason : To reduce the risk of flooding to the proposed development and future users and to ensure that pluvial flood flow routes are not displaced causing flooding to others, in accordance with the requirements of Policies BN7 and BN7A of the West Northamptonshire Joint Core Strategy Local Plan (Part 1).

24. The development shall be carried out in accordance with the submitted flood risk assessment (reference: 20230727-F-FRA & SUDS OLD STRATFORD v2, dated July 2023) and the following mitigation measures it details:

- All proposed buildings will be located within flood zone 1.
- Access and egress to the site is located within flood zone 1.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason : To reduce the risk of flooding to the proposed development and future occupants in accordance with the requirements of Policies BN7 and BN7A of the West Northamptonshire Joint Core Strategy Local Plan (Part 1).

25. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancements set out in Ecology Report by Applied Ecology dated December 2022 and Biodiversity Net Gain Assessment by Applied Ecology dated December 2023, 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.

26. No external lighting shall be installed within the ecology mitigation and biodiversity enhancement areas.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

27. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

28. All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason : To conserve and enhance biodiversity and prevent the spread of non-native species 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.

29. Notwithstanding the provisions of Classes A-D (inclusive) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement alteration or improvement of any dwellinghouse shall be undertaken at any time without the prior planning permission of the Local Planning Authority.

Reason : Taking into account the density of the site it is considered to be in the public interest to ensure the merits of future proposals can be assessed by the Local Planning Authority so that the amenities of the adjoining occupier(s) are not adversely affected in accordance with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

30. Notwithstanding the provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no building or structure shall be erected or placed within the curtilage of the dwelling hereby permitted without the prior planning permission of the Local Planning Authority.

Reason : Having regard to the density, character and layout of the development the Local Planning Authority consider such structures would be likely to adversely affect the amenity of neighbouring occupiers and the character of the area and consider it is in the public interest to require an application to enable the merits of any proposal to be assessed in accordance with Policy SS2 of the South Northamptonshire Local Plan.

#### INFORMATIVES:-

1. Your attention is drawn to the letter received as part of the public consultation from Anglian Water and the requested informatives contained therein.
2. The applicant's attention is drawn to the presence of a public right of way crossing the site. If it is necessary to divert this route (in part or whole) in order to allow the development to take place, early application should be made to this Local Planning Authority for a Path Order made under the Town and Country Planning Act 1990 s. 257. If the proposed diverted route affects a neighbouring landowner, the application should be accompanied by a signed and dated consent from such landowner indemnifying the Local Planning Authority from any claims for damage or otherwise and agreeing to the diversion on his land.

Before submitting the application, the applicant is recommended to consult with all other councils in whose area the proposed diversion is located (Parish/Town Council and County Council) particularly if new furniture or structures are required.

The existing route must remain open and the surface undisturbed until the Path Order has been confirmed and the route certified by the Local Planning Authority as suitable for use

3. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species

are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. If any vegetation or trees are to be removed, it should first be ensured that they do not contain nesting birds or roosting bats. For further information or to obtain approval contact Natural England.

4. The West Northamptonshire Joint Core Strategy Local Plan (Part 1) (December 2014) policy C1, Changing Behaviour and Achieving Modal Shift, states that new development should be accessed by fibre to the premise (FTTP) technology. This supports the government's Gigabit programme and local targets to see 80% full fibre and 90% gigabit coverage by the end of 2028. Developers should approach telecoms providers at the earliest opportunity to agree gigabit-ready infrastructure and connectivity plans. The network capability delivered by full fibre technology supports the fastest broadband speeds available, is considered future proof, and will bring a multitude of opportunities, savings and benefits. It may also add value to the development and is a major selling point to attract potential homebuyers and occupiers, with many people now regarding fast broadband as one of the most important considerations.

Efficiencies can be secured if ducting works and other network infrastructure is planned early and carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works- specifically Volume 1 Specification Series 500 Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 - I Series Underground Cable Ducts. These documents can be found at:

<http://www.standardsforhighways.co.uk/ha/standards/mchw/index.htm>.

Streetworks UK Guidelines on the Positioning and Colour Coding of Underground Utilities' Apparatus can be found here National Joint Utilities Group ([streetworks.org.uk](http://streetworks.org.uk)). Proposals should also be compliant with Part R, Schedule 1 of the Building Regulations 2010 (soon to be amended to strengthen requirements for gigabit connectivity to new dwellings) and the Approved Document R.

Some telecoms network providers have dedicated online portals providing advice for developers, including:

Openreach <https://www.ournetwork.openreach.co.uk/property-development.aspx>

Virgin Media <http://www.virginmedia.com/lightning/network-expansion/property-developers>

OFNL (GTC) <http://www.ofni.co.uk/developers>

CityFibre <http://cityfibre.com/property-developers>

Details of other fibre network providers operating locally, including Gigaclear Networks and Glide, can be found here <http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecoms-providers.aspx>. For help and advice on broadband connectivity in West Northamptonshire email the Superfast Northamptonshire team at [bigidea.ncc@northnorthants.gov.uk](mailto:bigidea.ncc@northnorthants.gov.uk)