



Planning Committee Report

Application Number: WND/2022/0245
Location: Land West of Sandy Hill Lane Moulton Northamptonshire
Development: Construction of 15 specialist supported living apartments.

Applicant: SSL CO 1 Ltd
Agent: rg&p Ltd
Case Officer: Chuong Phillips

Ward: Moulton

Reason for Referral: Major application requiring a Section 106 Agreement
Committee Date: 10th January 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary.

And SUBJECT TO THE COMPLETION IF A SECTION 106 AGREEMENT to secure the following planning obligation:

- Secure the affordable housing provision and tenure in perpetuity.

Proposal

Construction of 15 specialist supported living apartments.

Consultations

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

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

- WNC EHO subject to conditions
- WNC LLFA require more information on SWD

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

- Moulton Parish Council
- Policy & Housing Strategy

4 letters of objection have been received

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 9 of the report.

The key issues arising from the application details are:

- Principle of Development
- Impact on Residential Amenity
- Impacts on Visual Amenity
- Highway Safety

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is a vacant area of land sitting within a predominantly modern residential development which lies to the eastern side of Moulton village off Sandy Hill Lane. Sandy Hill Lane serves a recently completed residential development and offers access to Overstone Road which forms the main road into and out of the eastern side of the village.
- 1.2 The existing residential properties are sited to the east and west of the application. To the north is a vacant plot the subject of an approved separate application for commercial development. To the south open space including surface water attenuation pond and sub-station.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The development is for the construction of a single building 3 storey in height with hipped roof to provide 15 apartments under Use Class C3b where specialist care is provided in support of independent living. All 15 apartments are to be affordable rented with the properties being managed by a social housing provider.
- 2.2 The building will be constructed of brick with tiled roof over and set along the southern edge of the plot. Access is from the existing turning head. A parking area providing up to 7 parking spaces and 2 accessibility parking spaces and a cycle store is to be sited to the north and western edge of the site. This access will also serve the commercial development to the north. An amenity area will be provided in the south west corner of the site and the building will sit within a landscaped plot.

3 RELEVANT PLANNING HISTORY

- 3.1 WND/2023/0241 -Construction of 894 square metres of class E (commercial, business and service) floor space split between two buildings and four individual units – approved with conditions

WND/2022/0246- Construction of two commercial office buildings (use Class E) - approved with conditions

DA/2012/0578 -145 dwellings, open space and associated road layout, drainage and parking – approved with conditions

DA/2009/0995 – Outline application for mixed use development comprising 150 dwellings, employment, open space and land for community uses with associated parking and access. The residential element will consist of a mix of 2, 3 and 4 bedroom dwellings with affordable housing provision. – refused – allowed on appeal

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 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

West Northamptonshire Joint Core Strategy Local Plan (2014) (Part 1) (LPP1)

Policy SA – Presumption in favour of sustainable development

Policy S1 – The distribution of development

Policy S3- Scale and distribution of housing development

Policy C2 – New Developments

Policy RC2 – Community needs

Policy H1 – Housing density and mix and type of dwellings

Policy H2 – Affordable housing

Daventry District Settlements and Countryside (Part 2) Local Plan (2019) (LPP2)

Policy SP1 – Daventry District Spatial Strategy

Policy RA1 – Primary service villages

Policy HO8 – Housing mix and type

Policy ENV10 – Design

Moulton Neighbourhood Plan

Policy H1 – Housing

Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG) (as revised)

5.0 RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Moulton Parish Council	Support	
WNC EHO	No Objections	Subject to conditions in respect of CMP, contamination, lighting
WNC LHA	No objections	Request conditions in respect of travel plan and same as attached to WND/2022/0246
WNC Planning Policy & Housing Strategy	Support	<p>Policy H2 of the West Northants JCS (WNJCS) sets out the requirement for affordable housing, which for the Daventry rural area is 40% and applies to sites of 5 or more dwellings. This application is for 100% affordable rented accommodation and therefore meets this requirement. The homes will be managed by a registered provider of social housing. The affordable rented dwellings should be secured via a S106 agreement or a Unilateral Undertaking as affordable in perpetuity and as defined in the NPPF.</p> <p>Part D of policy HO8 of the Daventry Local Plan Part 2 supports specialised accommodation that promotes independent living, subject to the proposal meeting all five criteria.</p> <p>Policy HO8 part C iii) requires that all dwellings should meet the national space standards.</p>
Crime Prevention Design Adviser	No comments received	

6.0 RESPONSE TO PUBLICITY

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

6.1 There have four objections received citing the following:

- More traffic into a one entrance/exit street;
- Overlooking;
- Occupation of the units;
- Do we get a say into who is housed in these apartments;
- If old people housed sounds of emergency services though out the night if taken ill;
- Increased crime;
- Parking;
- Need;
- Impact on the open space;

- If it was to go ahead a permanent fence needs putting up to stop access from Sandhills estate, more specifically Silverthorn Drive.

7.0 APPRAISAL

Principle of Development

- 7.1 The site lies within an established residential development within the confines of Moulton village which is identified as a Primary Service Village. The above Development Plan policies support both affordable and residential development within the confines subject to the criteria as set out within RA1 of the Settlements and Countryside Local Plan and as such its use as a residential use under Class C3B is judged acceptable in principle.

Impacts on Residential Amenity

- 7.2 Following discussions with officers, the building has been redesigned to reduce its height and therefore impact on the amenity of direct neighbours. The siting of the building is relatively central between existing residential development to the east and west with some 17.9 m building to building distances to nearest easterly buildings and some 29m to the nearest west buildings. There are no properties immediately to the south affected and commercial development to the north is at an acceptable distance.
- 7.3 The side windows to the first and second floor apartments on the east elevation could be secured as obscured glazed to minimise any potential for loss of privacy to existing residential units to the east. This is because although a side elevation, the windows serve living spaces and as such the distance between building elevations at 17.9m is below normal standard of 22m from elevation to main elevation. In any case these windows are secondary with the apartments living spaces being served by primary windows on the front and rear elevations of the building.
- 7.4 Having regard to the above, it is considered that the impacts on residential amenity are acceptable.

Impact on Visual Amenity

- 7.5 At 3 storeys the apartment building may not be wholly reflective of the predominantly residential character of the area which is derived mainly from modern detached, semi detached and terraced properties. However, the cross sections demonstrate that the proposed building would be sited against the background of commercial building which would be of comparable height and would not significantly higher than the dwellings to the east.
- 7.6 The proposed use of brick with tiled roof would reinforce the materials used amongst the existing properties. It is considered that this together with the scale and height of the proposed building, the proposal would blend well and provide a gentle transition from the residential to commercial development beyond. The proposal would therefore accord with the above Development Plan policies which seek to reinforce local character and enhance surroundings.

Highways

- 7.7 The Development Plan policies as supported by the NPPF seeks ensure that safe and suitable access be provided for all proposals. It is noted that a number of concerns have been raised regarding the additional traffic generated by the proposal.

However, the application has been subject of consideration by WNC Local Highway Authority, and no objections are raised subject to the imposition of appropriate conditions. The impacts on highway safety and traffic are therefor considered to be satisfied.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 CIL is payable on the residential units. However, as the units are affordable, social housing exemption will be applied resulting in zero liability.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposed application for 15 residential units would allow the provision of much need affordable specialist care provision within the confines of Moulton village without detriment to the visual amenity of the area, residential amenity of nearby neighbours or compromise to highway safety in accordance with the Development Plan policies as cited within the preceding chapters of his report.

10 RECOMMENDATION

- 10.1 Approve, subject to conditions and S.106 Agreement to secure the following:
- The affordable housing provision and tenure in perpetuity.

11 CONDITIONS

Time

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

Approved Plans

2. The development shall be carried out strictly in accordance with drawings;

21-047 01 Rev A Location Plan SSL A2
21 047 03 Rev E Proposed Supported Living Units
21 047 02 Rev G Planning Layout Ssl A1
21 047 07 Rev A Street Scene and Site Cross Section A1
21-047 03 Rev A Proposed Apartments Floor Plans and Elevations
registered valid under application ref: WND/2022/0245.

Reason: To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any changes to the approved plans.

Materials

3. Prior to construction works above slab level samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered.

Landscape

4. The submitted and approved landscape scheme shall be implemented prior to the development, or any phase of the development, being first occupied/used, or in accordance with a programme approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of the visual amenity of the area.

PD Rights

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows, other than those expressly authorised by this permission, shall be constructed.

Reason: To safeguard the amenities of nearby residents.

6. Before the eastern units are first occupied the window/s on the first and second floor, east side elevation shall be fitted with obscure glass which shall not be removed without the prior express consent in writing of the Local Planning Authority (Replacement of the glass with glass of an identical type would not necessitate the Council being notified).

Reason: To avoid overlooking of the adjoining property.

Highways

7. The parking space and turning areas shown on the approved plan(s) shall be constructed/laid out and surfaced in accordance with the approved drawings before the dwelling is first occupied and shall not thereafter be used for any purpose other than parking of private motor vehicles.

Reason: In the interests of residential amenity and the safety and convenience of users of the adjoining highway.

Construction Management Plan

8. Prior to the commencement a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution.

Lighting

9. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of the impact of the lighting on the vertical facades of sensitive properties and the measures necessary to reduce the impact. Any floodlighting shall be operated in accordance with the approved details at all times.

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution.

Contamination

10. 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 condition 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,
- Groundwater's 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 condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 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 condition 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.

Drainage

11. Before any above ground works commence a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should 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
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which will include a 10% allowance for urban creep(if necessary).
- iii) Cross sections of the control chambers (including site specific levels

mAOD) and manufacturers' hydraulic curves should be submitted for all hydro-brakes and other flow control devices.

iv) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.

v) Confirmation of site-specific soil conditions to confirm or exclude use of infiltration solutions.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN9 of the WNJCS by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

12. Before any above ground works commence a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

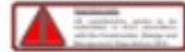
The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To ensure the future maintenance of drainage systems associated with the development.





Planning Committee Report

