



Planning Committee Report

Application Number: WNS/2023/0351/MAO

Location: Land South East Of Stoneway Hartwell

Development: Outline application (some matters reserved except for access) for the erection of up to 34 affordable homes and formation of a new vehicular and pedestrian access from Stoneway

Applicant: Grand Union Housing Group

Agent: Mr Andrew Moger

Case Officer: James Paterson

Ward: Hackleton and Grange Park

Reason for Referral: Major application

Committee Date: 11 January 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO REFUSE PERMISSION

Proposal

Outline application (some matters reserved except for access) for the erection of up to 34 affordable homes and formation of a new vehicular and pedestrian access from Stoneway.

Consultations

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

- Hartwell Parish Council

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

- Anglian Water, Crime Prevention Design Adviser, NHS Integrated Care Board, National Highways, NNC Developer Contributions, WNC Ecology, WNC Environmental Protection, WNC Highways, WNC Lead Local Flood Authority, WNC Planning Policy, WNC Strategic Housing Officer

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

- None

31 letters of objection have been received and 1 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 unacceptable for the following reasons detailed below:

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 the majority of a field to the east of Stoneway and the village of Hartwell, a Secondary Village (B) as per Policy SS1 of the development plan. The application site is 1.47 hectares in size, although the location plan indicates that a small part of the field would be retained by the Applicant and does not form part of the application site.
- 1.2 The application site is largely devoid of significant topographical features although the land does slope gently from west to east while the field is enclosed by mature hedgerows along all but its western boundary. The western boundary is defined by an agricultural access from the easternmost end of Stoneway while the rest of the boundary is comprised of domestic boundary treatments with sporadic mature vegetation. The site has historically been used in an agricultural capacity; however, since the completion of the M1 motorway which severely reduced the size of the field, the application site is too small for modern agricultural purposes. It is understood by officers that the site has been used to store motorway maintenance equipment at various points although the site is now vacant and has been for a number of years. This is evident by the unkept nature of the site which appears as scrubland rather than anything well-used for agricultural purposes and hosts abandoned trailers and other waste.
- 1.3 To the north and east of the site lies the M1 motorway with Salcey Forest beyond. Notably there is a small underpass underneath the motorway on the eastern end of the site for use by highways maintenance vehicles. To the south of the site lies a small drainage ditch which forms the southern site boundary while open agricultural fields lie

beyond. To the west of the site lies the residential development formed around Stoneway, including Lime Close and Rose Close. The houses largely do not back directly on to the site with most either facing side-on to the site with only two houses backing directly on to the site itself.

- 1.4 The site is located entirely within Flood Zone 1 (low probability of flooding) and does not lie near to any main rivers or other significant sources of flooding. The submitted flood risk assessment shows some risk of surface water flooding across parts of the site, although this is shown to be within the lowest category of below 300mm.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 This application seeks full planning permission for the erection of 34 dwellinghouses on the site. The proposed dwellings would all be affordable, as per the definition in the NPPF Glossary, with 20 intended to be available for purchase via a shared ownership scheme while the other 14 would be available for social rent. The proposed houses would be a mixture of terraced and semi-detached and would include a mixture of 1-4 bedroom dwellings.
- 2.2 The houses would be broadly arranged around an estate road which would extend Stoneway. The road would continue the winding pattern of this road with the proposed estate road slowly meandering southwards. While the majority of the houses would front the estate road which extends the Stoneway, a small number of dwellings would front small cul-de-sacs or private drives branching from the principal estate road. It should be noted that the proposed layout is indicative and would be subject to change as part of a reserved matters application; although officers would expect any evolution of the design to broadly reflect the submitted plans.
- 2.3 The application includes some soft landscaping measures, as shown in the submitted layout plan. Although also subject to reserved matters, it is proposed to include a small area of open space to the north of the site, next to the boundary with the M1, new planting, retained trees as well as a new attenuation basin and reinforcing planting around the boundaries of the development. Other associated works include bin storage, off-street car parking and drainage measures.
- 2.4 It should be noted that, as per the submitted application, officers have considered this application on the basis of both a rural exception site and an entry-level exception site since it has the capability to meet both criteria. It is noted that the entry-level exception has been removed from the NPPF (December 2023); however there is still provision for such exceptions in Policy LH3 and the application can still be considered on this basis.

3 RELEVANT PLANNING HISTORY

- 3.1 The following planning history is considered relevant to the current proposal:
 - 3.1.1 P/WNS/2022/0110/PRS - Land at Stoneway Hartwell - Erection of 35 affordable homes. Formation of a new vehicular and pedestrian access from Stoneway and associated landscaping - Pre-application advice issued
 - 3.1.2 S/1993/0647/PO - Land Off Stoneway Hartwell - Erection Of 12 Dwellings (Outline) - Refusal

- 3.1.3 S/1992/0435/PO - Land Off Stoneway Hartwell - Erection Of 12 Dwellings (Outline) - Refusal

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 Area

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
 - INF1 - Infrastructure Delivery and Funding
 - 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
Anglian Water	No Objection	<i>Officer Comment: Anglian Water have also recommended a number of informatives should the application be approved. Anglian Water have also confirmed the wastewater treatment and used water network would have adequate capacity to deal with the proposed development but have provided no comment on surface water drainage</i>
National Highways	No Objection	"The proposed development is not expected to have a significant impact on the operation of the SRN. National Highways therefore has no objection to this application."
NNC Developer Contributions	No Objection	<i>Officer Comment: Various contributions are required in accordance with the WNC Developer Contributions SPD</i>
NHS Integrated Care Board	No Objection	"Northamptonshire ICB/NHSE are requesting a contribution from the developer towards the increased primary health care capacity directly attributable to the population of the proposed new development. Northamptonshire ICB will be working with the Practice/s local to the development, to establish specifically where there is scope to expand/improve capacity to effectively care for the additional patients."
WNC Ecology	Comment	<i>Officer Comment: Ecology officers required ecology information including an assessment of BNG to be submitted. The applicant has since submitted this information, however ecology officers have not responded to any subsequent consultation in light of the new information.</i>
WNC Environmental Protection	No Objection	<i>Officer Comment: Environmental Health Officers have no objection, however they have recommended conditions relating to noise, air quality, land contamination and construction management.</i>
WNC Highways	No Objection	<i>Officer Comment: Highways Officers originally raised some questions as to the width of the highway, locations of dropped kerbs, angles of driveways in relation to the highway and car parking arrangements. These issues were addressed in correspondence between highways officers and the applicant and the highways team confirm they have no objections.</i>
WNC Lead Local Flood Authority	Comment	"Having reviewed the applicant's submitted details located within the Flood risk Assessment report reference: R-FRA-22635-01-D prepared by JPP on the 9th October 2023, we would advise that there is still insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed

		<p>development.</p> <p>The applicant has failed to adequately assess the flood risk to the site posed by the watercourse that forms the sites southern boundary.”</p> <p><i>Officer Comment: Officers note that the LLFA have not specified what information they would need to see included in the FRA in order to overcome this issue and have not been responsive to communication following this comment.</i></p>
<p>WNC Planning Policy</p>	<p>Comment</p>	<p><i>Whilst this application should be assessed with regard to a range of Development Plan policies the Planning Policy and Growth Strategy Team currently offer the following comments in relation to the principle only. Silence in respect of other matters does not signify either the Policy or rejection of them.</i></p> <p><i>The Development Plan for South Northamptonshire (relevant to this application) comprises:</i></p> <ul style="list-style-type: none"> <i>• West Northamptonshire Joint Core Strategy (WNJCS), and</i> <i>• South Northamptonshire Part 2 Local Plan (SNP2LP),</i> <p><i>The application site is located outside of, but adjacent to, the settlement confines of Hartwell. The site is therefore located in open countryside (SNP2LP Policy SS1). The application proposes up to 34 affordable homes comprising 41% social rented units and 59% affordable home ownership units.</i></p> <p><i>WNJCS</i> <i>Policy R1 of the WNJCS permits development outside of the existing confines “...in exceptional circumstances, where it will enhance or maintain the vitality of rural communities or would contribute towards and improve the local economy”.</i></p> <p><i>Policy H3 of the JCS supports the provision of affordable housing to meet identified local needs in rural areas on ‘exception sites’, subject to the following criteria:</i></p> <p><i>A) the site is within or immediately adjoins the main built-up area of a rural settlement;</i></p> <p><i>B) the form and scale of development should be clearly justified by evidence of need through a local housing needs survey; and</i></p>

	<p>C) 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.</p> <p>The proposal meets criterion A) of the policy as the application site adjoins the built-up area of Hartwell, however there is a SNP2LP policy conflict with respect to this location, detailed below. With respect to criterion B), the Applicant has submitted an Affordable Housing Statement which should be assessed by the Strategic Housing Team.</p> <p>SNP2LP Policy SS1 sets out the settlement hierarchy for the district and identifies Hartwell as a Secondary Village (B). 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. Policy LH3 makes provision for entry level exception sites adjoining the confines of Rural Service Centres, and Primary and Secondary villages (A). The application site is located adjacent to a Secondary Village (B) and therefore does not comply with the requirements of this policy.</p> <p>The submitted planning statement acknowledges this policy conflict, and suggests that this is outweighed by the benefits of the proposal, because neither the JCS policies or the SNP2LP policies are delivering sufficient levels of affordable housing to secondary village (B) locations. The Applicant has submitted evidence regarding affordable housing need and delivery in the vicinity of the application site which should be assessed by the Strategic Housing Team. However, whilst it is acknowledged that there has been a shortfall in affordable housing delivery, the overall housing need has been met. Additionally, the development plan does make provision for affordable housing (such as exception sites) in other locations, and policy LH3 supports single plot exception sites adjoining secondary villages (B) (such as Hartwell).</p>
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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 There have 31 letters of objections, 5 general comments and 1 letter of support have been received, raising the following comments:

Objection

- Lack of Infrastructure
 - Lack of medical care
 - Lack of amenities
 - Lack of school places
- Highways
 - Congestion on Stoneway
 - Speeding on Stoneway
 - Roads in need of repair
 - Highways safety issues
 - Impact of additional vehicle movements from the site
 - Limited public transport services
 - Parking issues
- Harm to the character of the village
- Harm to ecology
 - Impact on protected species
- Harm to amenity
 - Construction causing disruption
 - Impact of noise from M1 on occupiers
 - Loss of privacy
 - Light pollution
- Flooding
 - Site is a flood plain
 - More houses will increase drainage issues
- Air Quality
 - Proximity to M1
 - Fumes from additional traffic

Support

- Support if genuinely affordable for villagers
- Traffic not that bad
- Pressure on infrastructure possibly temporary / acceptable subject to improvements to community infrastructure

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 previous version of the NPPF included provision for 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. This has since been deleted from the NPPF (December 2023) following the entry-level exception site policy not delivering affordable housing to the extent originally envisaged by government. Notwithstanding this, as per paragraph 6 of the NPPF, officers note that the Written Ministerial Statement: Affordable Homes (24 May 2021) refers to entry-level exceptions and therefore some weight is still afforded to the presumption in favour of entry-level exception sites in terms of national policy. The entry-level exception can also still be considered under Policy LH3 since it is contained within an up-to-date development plan which is afforded full weight.

7.10 Paragraph 82 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

7.11 Hartwell is a Third Category Secondary Village (B), as defined by Policy SS1. 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 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 can be considered under LH3(1).

7.13 The proposed development would fail on the first part of the policy in proposals must deliver entry level exception sites adjoining the confines of Rural Service Centres, and Primary and Secondary villages (A) in order to be supported. Since Hartwell is a Secondary Village (B), and thereby a less sustainable location than those cited in the policy, the proposal does not trigger this part of the policy and so fails on this count. Notwithstanding this, the proposed development would comply with parts 1a-1c of the policy since the proposed development would comprise one or more types of affordable housing for first time buyers and renters. Furthermore, 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. Officers are also 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. However, it should be noted that compliance with LH3(1a-c) does not overcome the failure to comply with LH3(1) and clearly there is a significant conflict with the development plan in this regard.

- 7.14 Officers also consider that the proposed development would have failed to accord with paragraph 72 of the previous NPPF since, although the proposed development would comprise one or more types of affordable housing and would be immediately adjacent to an existing settlement, the site would exceed over 1 hectare and would therefore not be a proportionate increase to Hartwell. However, it should be noted that this is now of much more limited weight as reference to entry-level exception sites has been removed from the NPPF and is only referred to in a written ministerial statement which is afforded less weight while it is also clear that government policy has moved away from entry-level exception sites towards first homes and community-led exception sites. Officers therefore do not consider that this should form part of any reason for refusal.
- 7.15 Officers have noted the comments on the Strategic Housing Officer with regard to the utility of the site as an entry-level exception site; while the Strategic Housing Officers states that there may be scope for the proposed development to meet a demand in this regard, although this has not been demonstrated and is not conclusive, it is noted that it is not necessary to demonstrate demand when seeking an entry-level exception since demand is implicit in these circumstances. Therefore, officers do not consider that the Strategic Housing Officer's comment would bring to light to material consideration which would alter the planning balance in terms of the entry-level exception route.
- 7.16 Overall, the proposed development would fail to comply with the relevant criteria to qualify as an entry-level exception site and is therefore contrary to the development plan.

Assessment – Rural Exception

- 7.17 It should be noted that the development should be considered as either an entry-level exception or a rural exception site. Since the application refers to both types of exception site and is not specifically seeking permission via one route or another, officers have also assessed the acceptability of the development in terms of being a rural exception site.
- 7.18 Officers note that the proposed development is for 100% affordable homes, and the development would not require any market housing to ensure the scheme would be viable and which would be essential to the delivery of the affordable housing; the proposal therefore complies with the first part of H3. The application site immediately adjoins the settlement boundary of Hartwell and therefore also complies with Part A of Policy H3 which sets no minimum requirement on what scale, role or function a settlement must be to comply with this criteria. Likewise, officers note that, if planning permission were granted, a S106 would need to be prepared as part of any approval to cover the management and occupation of affordable housing to ensure that it would be available as affordable housing in perpetuity for people in local housing need, which is a requirement of H3. The proposed development would therefore comply with Part C of Policy H3.
- 7.19 No formal full local housing needs survey has been submitted, which is a technical requirement of Part B of Policy H3. Therefore, the application is contrary to this policy. While the application does include an affordable housing statement, this largely includes an assessment of the shortfall of affordable homes across the West

Northamptonshire unitary area and the South Northamptonshire legacy authority area. Officers accept that there is a shortfall in the delivery of affordable housing across these areas and that the supply of such housing has not kept pace with demand; the provision of such homes is therefore afforded positive weight, however this is not sufficient to overcome a clear conflict with Policy H3 which required a housing survey to be prepared in order to understand whether there is demand for such housing in the locality specific to the application site.

- 7.20 Officers have had regard to the comments of the Strategic Housing Officer who considers that there is no evidence that the proposed development would meet a clear unmet need in the locality were it to be considered as a rural exception site. This is due to the lack of formal housing survey and no up-to-date data being available which shows a clear demand in the locality. It is also noted that this view is consistent with that put forward by officers at pre-application stage where the lack of formal housing survey was highlighted as a key issue. While officers have considered the Strategic Housing Officer's comment with regard to demand for the proposed affordable housing in relation to suitability for the site as entry-level, officers consider that the limited information that is available in relation to housing need in Hartwell would not compensate for the lack of formal housing survey.
- 7.21 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. Policy R1 is clear that once the housing requirement in the rural areas is met, as is the case here, then further housing would only be permitted where it complies with the 5 criteria in R1. 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.
- 7.22 To conclude, officers have considered the site as an entry-level exception site under LH1, LH3 and Written Ministerial Statement: Affordable Homes (24 May 2021), since the site meets the criteria of such exceptions; officers consider that the proposed development is contrary to these policies by reason of the size of Hartwell. Officers have also made an assessment of the site as a rural exception site since the proposed development is capable of meeting the relevant criteria to be considered as a rural exception site and the application makes clear that it seeks permission under either exception. Due to a lack of a formal housing survey demonstrating a clear demand in the locality, officers consider the proposal is contrary to Policy H3 and is unacceptable in this regard.

Assessment – Land Supply

- 7.23 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

- 7.24 There is no specific housing requirement figure for Hartwell in the Development Plan. There is also no up to date Housing Needs Survey for Hartwell. 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 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 23rd August 2023 there were 29 households on the Housing Register for the South Northamptonshire area who would be willing to be housed in Hartwell. Their needs range from 1 to 4 bed-room homes. Officers have also reviewed the affordable housing statement prepared by the Applicant; this makes clear that there is a substantial need for affordable housing in the district when considered as a whole.
- 7.25 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 significant weight.

Assessment – Sustainability of the site

- 7.26 Hartwell is a Third Category Secondary Village (B), as defined by Policy SS1. Secondary Service Villages are defined in the accompanying text as having a more limited range of services, but still provide scope to meet some local needs for housing, employment and service provision. However, SS1 (2c) makes clear that Secondary Villages (A) are likely to be more suitable for limited development by virtue of the Plan's policies for housing (LH1-LH11) than Secondary Service Villages (B). This makes clear that the inclusion of Hartwell in SS1 as a Secondary Village (B) means that it is not one of the more sustainable locations in the district and this is reflected in LH1-LH11 not directing development to such locations. Of particular note, LH3 does not direct development to these locations on account of there being more sustainable locations in the district to concentrate new housing development.
- 7.27 It is noted that there are bus stops in the village which provide buses to Northampton and Milton Keynes; however, these are not within walking distance of the site, being some 55m distant from the closest point of the site. However, there is a primary school, post office/village shop, public houses and some employment opportunities within the village although not all within walking distance of the site. With this in mind, it is noted that there are some positive indicators of the sustainability of the site, the site is clearly not a particularly sustainable location and any positive attributes of the site do not outweigh this characterisation or the categorisation of the village as a Secondary Village (B). The proposed development would very likely, therefore, generate a degree of private vehicle use and exacerbate car reliance in the district.
- 7.28 Officers have had regard to the Settlement Hierarchy background paper for the South Northamptonshire Local Plan (Part 2). This background paper identified Hartwell as having a score of 51 on the sustainability matrix. This puts it firmly within the Secondary

Villages (B) category. The circumstances of the village in terms of sustainability have changed little since that background paper was published

- 7.29 Having considered the above, officers consider that the application site has some positive indicators of sustainability but overall is clearly not one of the more sustainable locations in the district where the development plan seeks to direct development. Therefore, the sustainability of the site would not outweigh the conflict with the development plan in terms of the principle of development.

Assessment – Recent Appeal Decisions

- 7.30 The Applicant has references appeal decisions in Wivelsfield Green and Ducklington. The Wivelsfield appeal decision included a comment from the Planning Inspector where they disagree with a third party's position that Wivelsfield needed no more housing, the Planning Inspector stated that "there is no reason why that affordable housing should not be located in Wivelsfield." This has no bearing on the determination of this application since it is unclear what that Council's rural exception policy is, whether Wivelsfield is a sustainable location and the tilted balance set out in paragraph 11 of the NPPF was in effect.
- 7.31 The Ducklington appeal decision likewise includes a Planning Inspector taking the view that "the Council however suggests that the need in Ducklington is low based on the responses to the housing register. The appellant suggests that those in need are unlikely to select Ducklington because of the assumed unavailability. In any event the site would be well placed to meet the needs of West Oxfordshire." This is also not helpful in forming a view on this application since the substance of that appeal related to visual impact and the impact on heritage assets, not the principle of development. Furthermore, the circumstances of the appeal site compared to the application site are again very different; Ducklington is a satellite village of Witney, the largest settlement in West Oxfordshire, and is far more sustainably located than Hartwell. Furthermore, the tilted balance of paragraph 11 of the NPPF was in effect during that appeal.

Conclusion

- 7.32 Officers note that the proposal fails to comply with the policies relating to both the entry-level and rural exception sites. Officers note there is also a conflict in terms of Policy R1g as there are no exceptional circumstances that would justify development outside the confines in this instance. There are no other policy exceptions in the development plan which would support a residential development of this nature in the open countryside. Having regard to this conflict with policy, officers consider that there are also insufficient material consideration, in the form of affordable housing delivery and other lesser benefits of the development, to outweigh this conflict.
- 7.33 Overall, officers consider that the proposal is unacceptable in principle and does not accord with the Development Plan.

Impact on Character of Area

- 7.34 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

- 7.35 The siting of the development responds to the existing built form in the village by extending Stoneway in a sympathetic manner which would mean that the development would read as a natural extension to the village. The density and meandering main estate road with some houses branching off small side cul-de-sacs would also relate well to the built form to the north-west of the site. The development would also mirror the northern and southern boundaries of this part of the village which is enclosed by the M1 to the north and a large agricultural field to the south. 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.
- 7.36 The layout, appearance, landscaping and final architectural details are all reserved matters and cannot be considered as part of this application for outline planning permission. Officers therefore cannot provide robust commentary on the acceptability of the proposed layout or the appearance of the dwellings being proposed. While the submitted layout plans are indicative, officers have reviewed them and consider that while the overall layout and scale of the dwellings would be appropriate there are final refinements which will be needed at reserved matters stage, such as amending the car parking layout several plots to tandem parking, amending the layout to ensure houses would be secure by design and to ensure the dwellings accord with the aims of the SNC Design Guide in terms of materials and finish. However, these matters do not represent a constraint on the Council's ability to grant permission for this application since these matters would be assessed as part of any subsequent reserved matters application.
- 7.37 While design details are a reserved matter, officers consider that the proposed development would be capable of achieving high-quality design which would accord with the Council's policies and design guidance. While further development of the proposal would be needed prior to the submission of a reserved matters application, officers are also content with the overall approach shown in the indicative plans.

Landscape Impact

- 7.38 In considering the landscape impact of the development, officers note that the application site is contained by existing mature vegetation along the southern, northern and eastern boundaries. These boundaries mean that the site is very self-contained and not perceptible to local or distant views, beyond glimpses from the nearest parts of Stoneway to the west of the site. These characteristics would somewhat lessen the visual impact of the development of the site while additional landscaping which would come forward as part of any reserved matters application would likely further screen the development and reinforce the existing green boundaries.
- 7.39 Turning to the quality of the site itself, the site is clearly disused and while it clearly has some merits, including mature trees, various grasses and providing a green edge to the village, the site is overall of a fairly low quality since it is largely an area of scrubland with an abandoned trailer and other waste strewn about portions of the site. The fact that the site immediately abuts the M1 motorway also lessens the value of the site and means that it does not particularly contribute to the tranquil rural character of the village.
- 7.40 Officers note there will inevitably be a visual impact on the landscape and in terms of the rural setting of the village by developing the site, it is noted that this is intrinsic to development greenfield site. However, 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.

Conclusion

- 7.41 Overall, officers consider the proposal would be acceptable in terms of design and visual impact and would accord with Policy SS2 in this regard.

Neighbouring Amenity

- 7.42 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.
- 7.43 Officers note that, a number of dwellings back onto the site or abut the site and therefore the impact on their amenity has been carefully considered by officers.
- 7.44 Officers note that the site lies to the east of dwellings on Stoneway and Lime Close and therefore development of the site has the potential to impact their morning sun and also to create concerns in relation to overbearing and privacy.
- 7.45 Officers are not able to make a full assessment as to the impact of the proposed development on the amenity of neighbouring occupiers since final design details are not available as part of this application and would be provided as part of any reserved matters application. However, having regard to the indicative plans, existing arrangement of the site in relation to neighbours, the topography of the site and the orientation of the sun, officers consider that it would be readily possible to accommodate the proposed dwellings on the application site without giving rise to an unacceptable loss of daylight to neighbours' habitable internal rooms or outdoor amenity areas. Furthermore, officers consider that, subject to final design details, the proposed dwellings on the site could be carefully designed in such a way so as to avoid causing unacceptable overbearing or a sense of enclosure to neighbouring occupiers. Likewise, officers are satisfied that a well-design development with thoughtfully laid out fenestration could likewise avoid an unacceptable erosion of privacy to neighbours. This could be achieved by directing away from neighbours as well as through a careful landscaping and boundary treatment strategy.
- 7.46 Overall, the proposal would be acceptable in terms of neighbouring amenity and this aspect of Policy SS2.

Occupier Amenity

- 7.47 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.
- 7.48 While the layout, siting and appearance of the proposed development are reserved matters and it is therefore impossible to make a full assessment as to the amenity of any future occupiers, officers consider that it would be readily possible to design a

development which would provide housing with coherent internal layouts that would offer a good level of amenity to future occupiers. Furthermore, it would be possible to provide all of the proposed dwellings with internal space which complies with the nationally described space standards and gardens of an appropriate size.

- 7.49 Officers note that the site abuts the M1 motorway and there is therefore a potential for unacceptable noise and disturbance to be caused to future occupiers. While some measures have been proposed by the developer, such as a 5.5m bund along the northern boundary, further details would need to be provided to ensure adequate noise attenuation. Officers note that the proposed housing would not be unique in this situation, given the proximity of the other houses on Stoneway to the M1, and consider that it would be readily possible to design the development in such a way so as to ensure adequate attenuation from traffic noises from the M1. Officers consider that this could have been dealt with by condition requiring a technical response to this issue had the application been recommended for approval and this would therefore not represent a constraint on granting planning permission.
- 7.50 Overall, the proposed development would be acceptable in terms of occupier amenity and this aspect of Policy SS2.

Highways

- 7.51 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.
- 7.52 Policy C2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) requires development to mitigate its impacts on highway.
- 7.53 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.
- 7.54 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.
- 7.55 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.

- 7.56 The access would be provided off of Stoneway, which in turn is accessed from Forest Road which is the main road through the village. The final layout is subject to reserved matters; however it is likely that the development would create a new modest estate road which would solely serve the proposed houses, with minor side streets branching off from this main estate road.
- 7.57 The Local Highways Authority raised concern with regard to the width of the highway, locations of dropped kerbs, angles of driveways in relation to the highway and car parking arrangements to the access points to the site as well as aspects of the internal layout. The Highways Authority have withdrawn their concerns, following the receipt of revised plans and additional detail from the Applicant provided via correspondence with the Highways Authority. Officers therefore consider that the proposed access into and throughout the site is appropriate.
- 7.58 Officers note that concern has been raised in the public consultation with regard to the existing level of traffic and parked cars on Stoneway, since this would remain the only route into and out of the application site. Officers note that the Highways Authority has not objected on this basis of these concerns. Stoneway is in a 30mph zone and is of a width where two cars can pass one another. While it is noted that Stoneway is a winding road with parts of the road having limited visibility and while some vehicles park on the street, officers consider that the road would still be navigable with the proposed development in situ and the proposed development would not substantially 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.
- 7.59 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.
- 7.60 Officers note that concerns have been raised with regard to construction traffic; while construction works would inevitably cause some disruption for a period of time, a construction traffic management plan would go some way to managing any disruption and ensure that vehicle movements can be avoided at peak times. Had this recommendation been to approve, officers consider that this issue could have been acceptably mitigated by a suitably worded planning condition.
- 7.61 Officers also would have included a condition relating to EV charging facilities, had this recommendation been to approve, in order to comply with INF4.
- 7.62 Officers consider that the proposed development would have acceptable highways impacts, and would accord with Policies SS2, INF4 and C2.

Ecology

- 7.63 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.

- 7.64 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.
- 7.65 The site contains hedgerows, scrubland and mature trees. The majority of the site is categorised as poor in terms of its biodiversity value whilst parts of the woodland on site is categorised as having moderate value. The majority of the hedgerows and trees within and on the boundaries of the development would be retained as part of the proposals. The site contains a range of habitats those that would be lost are of mainly of low ecological value, with the species poor scrubland due to be lost. Protected species have not been evidenced on the site itself.
- 7.66 Habitats which would be lost would result in a net loss in biodiversity on the site, 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 5.81 habitat units, equivalent to a biodiversity net gain of +10.74% net gain would be achieved. The off-set contribution would have been secured as part of any S106 agreement.
- 7.67 While officers note that no comment was received from the Council's ecology officer following the submission of the Ecological Appraisal by the Applicant; officers consider that the appraisal shows that the site is capable of providing adequate biodiversity net gain to comply with the Council's policies.
- 7.68 Subject to conditions, the proposal would be acceptable in terms of ecology and Policies BN5 and NE3.

Flooding and Drainage

- 7.69 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.

- 7.70 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.
- 7.71 The site lies exclusively in Flood Zone 1 and is therefore not at significant risk of flooding. The proposed development therefore does not need to be subjected to the sequential test or exceptions test which seeks to direct development away from Flood Zones 3. There is therefore no principle issue with developing the site in terms of flooding and officers are therefore satisfied that the proposed development would be acceptable in this regard subject to conditions had this recommendation been to approve.
- 7.72 It is noted that there is a small drainage ditch which comprises the site's southern boundary. The Lead Local Flood Authority have raised concern with the submitted Flood Risk Assessment on the basis that it does not adequately assess the flood risk arising from this ditch. This comment has not been substantiated with specific concerns as to what the deficiencies in the flood risk assessment are, given that this does appear to be addressed in the assessment. Having regard to this comment from a statutory consultee and technical expert, albeit an unsubstantiated comment, as well as concerns officers are aware of as a result of the public consultation, officers have carefully considered this issue. Overall, officers are satisfied that the risk of flooding from this source would be low and has been assessed in the flood risk assessment and can enable the Council to reach an informed view on this matter; officers' view is that the risk of flooding from this source is low and, subject to satisfactory drainage arrangements, would not represent a constraint on granting planning permission.
- 7.73 In terms of drainage, officers have also received comments raising concern as to how surface and foul water is to be drained from the site and how this would interact with the existing drainage ditch. Given that the site is not at significant risk of flooding nor particularly high risk of surface water flooding, officers are content that there would be a technical solution to this issue and that a suitably worded condition could have dealt with these matters.
- 7.74 Overall, 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

- 7.75 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

- 7.76 The site is located near to sensitive receptors (dwellings) to the west, officers would have therefore included a condition requiring a Construction Environment Management Plan to avoid unacceptable impacts on neighbours during construction had this recommendation been to approve.
- 7.77 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 would have included conditions relating to land quality had this recommendation been to approve.
- 7.78 Officers note the concerns raised during the public consultation relating to air quality since the site abuts the M1. Officers note that environmental health officer have concerns regarding PM10/2.5 pollutants resulting from the proximity of the site to the M1. However, it is noted that the objectives for these pollutants, set out by DEFRA, is high and the development would likely not exceed these standards. Therefore, officers are satisfied that a condition requiring a robust air quality assessment with suitable mitigation and monitoring could have adequately dealt with this issue.
- 7.79 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

- 7.80 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.
- 7.81 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. However, officers are satisfied that this could be mitigated by new tree planting across the site and the reinforcement of the existing line of hedgerows along the boundaries as part of any reserved matters application.
- 7.82 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 would be liable on this development; however, the amount liable would have been calculated as part of any reserved matters application, 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 have been liable for financial contributions for social infrastructure, in accordance with the Development Contributions SPD, had this recommendation been to approve:
- An Early Years contribution of £117,176 would be required.
 - An NHS contribution of £63,617.40 will be required.
 - A contribution towards Secondary Education of £104,293 will be required.
 - A Libraries contribution of £7,006 is required.

- 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 Officers consider that the proposed development does not accord with the relevant national and local policies and guidance and should be refused.

10 RECOMMENDATION AND CONDITIONS

- 10.1 To refuse permission subject for the reason set out below with delegated authority to the Assistant Director for Planning to approve any amendments to this reason:

- 1 The location of the proposed development, by reason of its siting outside of the settlement confines of Hartwell, falls within the open countryside and does not meet any of the exceptions in the Development Plan where development would be supported outside of the settlement confines. The need for such housing has also not been robustly demonstrated as part of this application and the proposal therefore fails to meet the requirements of a rural exception site set out in Policy H3b, which requires the scale of such development to be clearly justified by evidence of need through a local housing needs survey. The proposed development also fails to meet the criteria for an entry-level exception site due to the development extending a Secondary Village (B), contrary to Policy LH3(1) The proposed development has therefore not been adequately justified and represents an unsustainable form of development which would result in a harmful encroachment into open countryside and would fail to preserve the character and appearance of the area. This conflict is not outweighed by any material consideration. The proposal is therefore unacceptable in principle and is contrary to Policies SA, S1, R1 and H3 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1), Policies SS1, LH1 and LH3 of the South Northamptonshire Local Plan (Part 2).
- 2 In the absence of a Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure, facilities and services required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents. Furthermore, there are no legal provisions securing the proposed affordable housing as such in perpetuity. The proposed development is therefore contrary to Policies LH1, LH3 and INF1 of the South Northamptonshire Local Plan Part 2 and Policies H3 and INF1 of the West Northamptonshire Joint Core Strategy.