

<b><u>Application Number:</u></b>	WND/2021/0870
<b>Location:</b>	Overstone Leys, Overstone Lane, Overstone
<b>Proposal:</b>	Reserved matters application (access, appearance, landscaping, layout and scale) for 123 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 18 (Foul Water), Condition 19 (Surface Water), Condition 26 (acoustic report), Condition 36 (bus stops), Condition 37 (travel plan) and Condition 38 (public rights of way) - Resubmission of application DA/2020/1178.
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<b>Applicant:</b>	BDW Trading Ltd (David Wilson Homes South Midlands)
<b>Agent:</b>	N/A
<b>Case Officer:</b>	Rebecca Grant
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<b>Ward:</b>	Moulton
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<b>Reason for Referral:</b>	Relates to Overstone Leys Sustainable Urban Extension
<b>Committee Date:</b>	14/02/2021
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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

**RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION BE GIVEN DELEGATED POWERS TO GRANT PLANNING PERMISSION FOR THE DEVELOPMENT SUBJECT TO CONDITIONS AND SATISFACTORY RESOLUTION OF SURFACE WATER DRAINAGE MATTERS.**

### **Proposal**

The application is a reserved matters application for Zone 5 of Overstone Leys Sustainable Urban Extension.

Planning permission was refused for a scheme within Zone 5 for 129 units which went to October 2021 Strategic Planning Committee.

The application was refused by reason of its high density constitutes an overdevelopment of the site which results in a development which does not blend well within the site and its surroundings. Following the refusal, the applicant has undertaken consultation with both planning officers and Overstone Parish Council in order to address the issues raised in the refusal notice.

The amended scheme now proposes 123 dwellings, a reduction 6 dwellings.

Whilst the overall quantum of development has reduced from 129 to 123 units, the total number of affordable units remains the same at 40 units. Given the reduction in overall units, the total number of affordable units has increased from 31% to 33%.

The application is considered to be in accordance with the Design Code approved by a discharge of condition application.

### **Consultations**

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

- WNC Highways, WNC Ecology, WNC Environmental Health, WNC Landscape Officer, WNC Policy Team

No representations have been received in response to the application.

### **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
- Highway Safety
- Character of Development (accordance with Design Code, density, pedestrian footpath and materials)
- Landscape and Open Space
- Affordable Housing
- Noise
- Drainage

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

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

## **MAIN REPORT**

### **1. APPLICATION SITE AND LOCALITY**

- 1.1 Overstone Leys is located to the north of Northampton. The site has direct access from the A43. The spine road travels through the site and links to Sywell Road. Whilst the infrastructure is in place, this link is not yet open.
- 1.2 Outline planning permission (ref DA/2013/0850) was approved in 2015 for the Sustainable Urban Extension (SUE) which comprises up to 2,000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings. This forms part of the West Northamptonshire Joint Core Strategy (WNJCS) policy N3.
- 1.3 The SUE application site is defined by the existing settlement edge of Northampton to the south, which includes the Round Spinney Industrial Estate. Immediately to the east

of the site is the A43, to the south is partly the local centre and partly Sywell Road, to the north and west are further residential phases of development.

- 1.4 The first phase was split into two sections phases 1A (104 dwellings) and 1B (96 dwellings). Construction of the approved Phase 1A development has commenced. Planning permission was granted in 2019 for the primary infrastructure to Zone 2 and 207 dwellings within Zone 2. Work has progressed on site and a number of dwellings are occupied. Planning permission has now been granted for Zone 3 of the residential element of the overall scheme.
- 1.5 The remainder of WNJCS policy N3 falls Overstone Green SUE (planning reference DA/2020/0001) which has not yet been determined. This is an outline application for an urban extension consisting circa 1600 dwellings, a new section of A43 dual carriageway, local centre, care home, community hub, employment, primary school and associated open space and infrastructure.
- 1.6 The application forms Zone 5 of the development. It is located partially fronting the A43 and is located to the north and east of the land allocated for the local centre.
- 1.7 Access to the site is taken from the approved spine road off Sywell Road.

## **2. CONSTRAINTS**

- 2.1. The application site falls within the Overstone Leys Sustainable Urban Extension. The development is positioned to the north and east of the local centre. The relationship between both sites is important to ensure that there are linkages between the sites.

## **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The application is a Reserved Matters Application for Zone 5 of the Overstone Leys Sustainable Urban Extension (SUE). The proposal is for 123 dwellings of which 40 units will be affordable. This equates to 33 % affordable units.
- 3.2. The scheme will deliver;  
Affordable units;  
One bed flat x 9units  
Two bed flat x 9units  
Two bed house x 13 units  
Three bed house x 8 units  
Four bed house x 1 unit  
  
Market units;  
One bed flats x 0 units  
Two bed flats x 0 units  
Two bed houses x 10 units  
Three bed houses x 36 units  
Four bed houses x 37 units
- 3.4 The location of the affordable housing within Zone 5 has been positioned to be within close proximity to the local centre for good access to public transport links and local services.
- 3.5 9 of the units (22%) are to be shared ownership and 31 units (78%) are to be affordable rent.

- 3.6 With regards to the amended proposal, the following changes have been made;
- Quantum of development reduced from 129 to 123 units – affordable housing remains the same.
  - 6 plots lost by way of removing private central apartment block – overall density reduced from 46 to 44dph – making the average density of the wider site 33dph which is under the Policy requirement of 35dph.
  - Incidental green space retained and increased by additional 10% and broken up frontage parking with increased landscaping.
  - 3x 1 bed affordable flats swapped to 3 x 2 bed flats.
  - Removed timber cladding from all remaining apartment blocks and replaced with cream render.
  - Plots 25 and 30 changed from buff brick to stone.

#### 4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
DA/2013/0850	Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access	Approved 28.08.2015
DA/2015/0263/NCC	Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	No objection
DA/2016/0082	Surface water attenuation scheme in relation to Phase 1A & B of Overstone Leys development, including re-profiling of existing ditch, construction of connection ditch and balancing pond	Approved 14.04.2016
NMA/2016/0084	Non material amendment to application to application DA/2013/0850 (Outline application for up to 2000 dwellings) Change of house types for Phase 1 –	Approved 20.02.2017

	approved 20.02.17 DA/2013/0850 (Outline application for up to 2000 dwellings) Change to house types	
DA/2017/0010	Reserved matters application for 96 dwellings (including 14 affordable); open space; landscaping and infrastructure	Approved 26.10.2017
NMA/2017/0036	Non material amendment to application DA/2013/0850 (Outline application for up to 2000 dwellings) to revise house types (New Plot Nos 20-34 (inclusive) and 47-53 (inclusive)) and amend layout	Approved 14.06.2017
NMA/2017/0082	Non material amendment to application DA/2013/0850 (outline application for up to 2000 dwellings) to revise access arrangement for Phase 1A – approved 12.10.17 DA/2017/1262 Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	Approved 20.06.2018
NMA/2018/0077	Non material amendment to planning consent 15/00022/CCDFUL for the replacement of acoustic bund – withdrawn DA/2019/0067 Reserved matters application (access – primary infrastructure or Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015 for outline application of up to 2000 dwellings	Approved 15.04.2019
DA/2019/0260	Reserved matters application (appearance, landscaping, layout and scale) for construction of 207 dwellings (Phase 2) pursuant to Condition 1 of outline planning permission DA/2013/0859 in addition to the discharge of Condition 19 (surface water drainage)	Approved 24.10.2019
DA/2020/0950	Construction of 66 bedroom care home with associated access, car parking and landscaping	Approved 26.04.2021
DA/2020/0490	Reserved matters application for 172 dwellings and supporting infrastructure including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approval of Condition 36 (bus stops), Condition 37 (Travel Plan) and Condition 38 (public rights of way)	Approved 17.03.2021
DA/2020/1034	Reserved matters application (access, appearance, landscaping, layout and scale) relating to application DA/2013/0850 for the erection of a food store within the local centre, including discharge of Condition 18 (foul water disposal), Condition 19 - partially discharged (surface water drainage), Condition 20 (ground	Approved 27.04.2021

	investigation), Condition 23 (closure report), Condition 25 (ground gas) and Condition 43 (Compensatory Habitat Creation)	
DA/2020/1178	Reserved matters application (access, appearance, landscaping, layout and scale) for 129 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 18 (foul water drainage), Condition 26 (acoustic report), Condition 30 (fire hydrants), Condition 37 (travel plan), Condition 39 (arrangements for management and maintenance of proposed streets), Condition 42 (soil management plan) and Condition 43 (compensatory habitat creation and management scheme).	Refused 29.10.2021
WND/2021/0072	Reserved Matters application (Zone 8) (Appearance, landscaping, layout & scale) for 64 dwellings and supporting infrastructure pursuant to outline approval DA/2013/0850 and approval of Condition 36 (bus stops), Condition 37 (travel plan), Condition 38 (public right of way) and Condition 16 (tree protection).	Approved 26.10.2021
WND/2021/0132	Reserved matters application (access - primary infrastructure for Zone 9) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015.	Approved 26.10.2021
WND/2021/0152	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Phase 9) pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (details of open space), Condition 26 (internal noise levels), Condition 36 (Bus stops), Condition 37 (Travel Plan) and Condition 41 (external lighting)	Approved 29.10.2021
WND/2021/0172	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 18 (foul water drainage), Condition 19 (surface water drainage), Condition 26 (noise) and Condition 37 (travel plan)	Resolution to approve subject to resolving noise issue.
WND/2021/0700	Reserved matters application – Zone 4 – 229 dwellings including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850	To be determined

	and approval of Condition 14 (finished floor levels), Condition 15 (open space), Condition 26 (internal noise levels), 36 (bus stops), 37 travel plan) and 38 (public rights of way).	
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## 5. RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Daventry Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

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

- 5.3. The relevant policies of the LPP1 are:

- SA Presumption in Favour of Sustainable Development
- S1 Distribution of Development
- S10 Sustainable Development Principles
- H1 Housing Density and Mix and Type of Dwellings
- H2 Affordable Housing
- N3 Northampton North Sustainable Urban Extension
- C1 Changing Behaviour and Achieving Modal Shift
- C2 New developments
- BN1 Green Infrastructure Connections
- BN2 Biodiversity
- BN9 Planning for Pollution Control

#### Daventry Local Plan (Part 2) (LPP2)

- 5.4. The relevant policies of the LPP2 are:

- H08 Housing Mix and Space Standards
- CW1 Health and Well Being
- CW2 Open Space Requirements
- ST1 Sustainable Transport Infrastructure
- EN1 Landscape
- ENV4 Green Infrastructure
- ENV5 Biodiversity
- ENV10 Design

#### Neighbourhood Plan (NHP)

5.5. Overstone Neighbourhood Plan 2019 – 2029 – made on 3/12/2021.

### Material Considerations

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

Supplementary Planning Guidance e.g. SPG on house extensions etc.  
 National Policies the National Planning Policy Framework (NPPF)  
 Chapter 2 Achieving sustainable development  
 Chapter 5 Delivering a sufficient supply of homes  
 Chapter 8 Promoting healthy and safe communities  
 Chapter 12 Achieving well-designed places

Technical Housing Standards – Nationally Described Space Standard (NSS, 2015)  
 National Design Guide 2019  
 Northamptonshire Parking Standards 2016  
 Local Highway Authority Standing Advice 2016

### Daventry Supplementary Planning Documents

Biodiversity Supplementary Planning Document (2017)  
 Housing Supplementary Planning Document (2017)  
 Planning Out Crime in Northamptonshire (2004)

## 6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full via the online Planning Register.

Consultee Name	Comment
Moulton Parish Council	<b>No comments</b> to make
Overstone Parish Council	<b>No comments</b> received at time of drafting the report
WNC Local Highway Authority	<b>No objection</b> All matters relating to site have now be resolved and to the satisfaction of the LHA. Travel Plan has been approved
Northants Police	<b>No comments</b> received at time of drafting the report
WNC Ecology	<b>Support</b> Support the application but suggest replacing EM1 with EM10 landscaping mix.
WNC Environmental Health	<b>No comments</b> received at time of drafting the report. An update will be provided as a late item.
WNC Landscape Officer	<b>Support</b> No further comments to make.
WNC Policy Team	<b>Support</b> No further comments to make.

## 7. RESPONSE TO PUBLICITY

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



7.2. No representations have been received in relation to the consultation.

## 8. APPRAISAL

### Principle of Development

8.1. The application site falls within the policy N3 allocation of the WNJCS. Policy N3 states that the development will make provision for:

- In the region of 3,500 dwellings;
- Primary school provision to cater for the needs of the development;
- A total of approximately 10ha of land for local employment opportunities;
- At least one local centre to include local retail facilities of an appropriate scale (including a convenience store), health care services and community facilities;
- A contribution towards the provision of a high quality public transport corridor to Northampton town centre;
- A local multi modal interchange;
- A43 corridor mitigation measures
- An integrated transport network focused on sustainable transport;
- Structural greenspace and wildlife corridors
- Sports and leisure provision;
- Archaeological and ecological assessment of the site and required mitigation; and
- Flood risk management

8.2. The principle of the development on this site was established through the granting of outline planning permission in 2015 (planning application reference DA/2013/0850). Planning permission was granted for;

Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access.

8.3. Planning permission has now been approved (or has a resolution to approve) for residential Zones 1, 2, 3, 8, 9 and 10. An application has been submitted for Zone 4 however this is still to be determined. Planning permission has also been granted for an Aldi convenience store and a care home, both of which are within the southern part of the local centre. A hybrid application (outline and full planning permission) has recently been submitted for a local centre to the north of Sywell Road. This is still to be determined.

8.4. The application is in accordance with policy N3 of the WNJCS.

8.5. Other material considerations will now be discussed below, before all considerations are weighed in the planning balance towards the end of the report.

### Impact on Highway Safety

- 8.6. Policy C1 of the WNJCS states that priority will be given to proposed transport schemes that will contribute towards behavioural change by, inter alia, providing access by walking, cycling and public transport, maximising the use of existing capacity within the transport infrastructure and managing the demand for car based travel within urban area.
- 8.7. Policy C2 of the WNJCS expects new development to achieve modal shift targets set out in the JCS by maximising travel choices from non-car modes.
- 8.8. A Transport Assessment was approved under the outline planning application. This reserved matters application is in accordance with the principles established under the outline consent and approved Transport Assessment.
- 8.9. All highway matters relating to this site were resolved prior to determination of application DA/2020/1178 to the LHA's satisfaction. This resubmission proposes the same layout with a minor change to remove the central flats. WNC Highways have confirmed they have no objection to the application.
- 8.10. WNC Highways approve the submitted Travel Plan and are satisfied that the condition can be discharged.
- 8.11. Given that there are no highway reasons to warrant refusal of the application, the application is considered to be acceptable.

### Impact on the Character of the Development

- 8.12. The design principles for the development were established through the Design and Access Statement submitted with the outline planning application and the discharging of Condition 12 attached to the outline planning permission (ref DA/13/0850). Condition 12 required a Design Code to be submitted and approved prior to any works commencing to the east of the A43.
- 8.13. The Design Code set parameters for the subsequent phases of development, for example, setting out different frontages e.g. A43 Corridor, Primary Streets, General Neighbourhood and Rural Edge. It also established street hierarchy and set out generic design principles. It is considered that the layout is in accordance with the approved Design Code and also follows the principles established with the approved scheme for Phase 1 and 2. A variety of house types are proposed in order to create an interesting residential environment and one which has character. The layout is designed around the spine road which leads off to further phases of the development.
- 8.14. The previous application (DA/2020/1178) was refused by Members at the October Strategic Planning Committee for the following reasons;

*"The proposed development by reason of its high density constitutes an overdevelopment of the site which results in a development which does not blend well within the site and its surroundings. As such, the proposed development fails to accord with policy ENV10 of the Settlements and Countryside Local Plan (Part 2) for Daventry (adopted February 2020). This policy seeks to ensure development that is of a high quality which is achieved by ensuring that the scale, density, massing, height, layout and access of the proposal combine to ensure development blends with the site and with its surroundings".*

8.15. Policy ENV10 states;

- A. Development that is of a high quality and, in particular, the proposals of an exemplary and innovative design that reflect and integrate with the surrounding area and create a strong sense of place, will be supported. High quality design is achieved by;
- i. Promoting or reinforcing local distinctiveness and enhancing its surroundings;
  - ii. Taking account of local building traditions and materials;
  - iii. Ensuring that the scale, density, massing, height, layout and access of the proposal combine to ensure development blends well within the site and with its surroundings;
  - iv. Incorporating crime prevention measures in the site layout and building design;
  - v. Integrating existing landscape features of the site with proposed landscaping and open space;
  - vii. Providing details of suitable comprehensive landscaping scheme;
  - viii. Protecting the amenity of new and existing dwellings and not compromise the function of existing surrounding uses.

8.16. The Design Code set parameters for the subsequent phases of development, for example, setting out different frontages e.g. A43 Corridor, Primary Streets, General Neighbourhood and Rural Edge. It also established street hierarchy and sets out generic design principles. The Design Code Regulating Plan indicates that the application site falls within four character areas, A43 frontage, Primary frontage, General Neighbourhood and Central Area.

#### *A43 Character Area*

8.17. The A43 is characterised by;

- Higher proportion of terraces/semi-detached
- Predominately front gardens
- Small gaps between buildings
- Contemporary design
- Consistent detailing
- Limited materials palette (Primary red/Secondary up to 40% buff – grey/red roof tiles).

8.18. A section of the site fronts the A43. Due to issues of noise and in accordance with the Design Code, the dwellings are positioned close together. Two apartment blocks are proposed along the A43 frontage. Whilst this is not specifically referred to in the Design Code, this is an ideal location and the principle has been approved in Zone 2 to the north. The design of the dwellings and the apartment blocks are contemporary with the use of flat roofed dormers and flat roof porches. Window design are not standard and have grey frames. The dwellings are all red brick with the use of render to the apartments, rather than timber cladding which was previously proposed.

#### *Primary Street Character Area*

8.19. The Primary Street is characterised by;

- Semi-detached/terraces/some large detached
- Symmetry and formality
- Regular set backs
- Boulevard trees with regular spacing
- More contemporary design
- Limited materials palette (Primary red/Secondary up to 20% buff, up to 20% render grey/red roof tiles).

8.20. The Primary Street follows the design approach to the A43 with a more contemporary feel. The dwellings along the Primary Street are predominately semi-detached with detached dwellings on the corner plots. Whilst the majority of dwellings are red brick, the corner units are built in buff bricks with gable ends facing the Primary Street.

#### *General Neighbourhood Character Area*

8.21. The General Neighbourhood is characterised by;

- Detached/semi, limited terraces
- Varied gaps between dwellings
- More informal setback
- Varied parking arrangement
- Traditional design
- Broad materials palette (buff/timber/weatherboard/red/render)

8.22. The General Neighbourhood follows a more traditional approach with pitch roofed dormers with white window frames. A broader palette of materials are proposed with red and buff bricks with also the use of render.

#### *Central Area Character Area*

8.23. The Central Area is characterised by;

- Large detached
- Larger regular gaps between buildings
- Formal arrangement
- Detached garages
- Traditional design
- Limited palette of materials (primary buff, secondary reconstituted stone)

8.24. A limited number of dwellings front the Central Area. The dwellings in this area are all detached with garages set back from the frontage. The dwellings are all set back from the highway as there is a private drive providing access to the properties to prevent direct access from Sywell Road. The dwellings are predominately buff brick with two units being built in reconstituted stone.

8.25. It is considered that the layout of the site is in accordance with the approved Design and as such is in accordance with Policy EMV10 of the Daventry Local Plan (Part 2).

#### Density

8.26. With regards to density, Policy H1 of the West Northamptonshire Joint Core Strategy (WNJCS) requires development with Sustainable Urban Extensions (SUE) to achieve a minimum average density of 35 dwellings per hectare (dph).

8.27. The proposed layout for application DA/2020/1178 achieved 46dph for Zone 5. To address the concerns raised by Members, the revised scheme omits 6 units and now achieves 44 dph. This has been achieved by removing the central block of private apartments which comprises 6 units.

8.28. Given the proximity of the site adjacent to the A43 and local centre, apartments and smaller units are proposed. This is considered to be appropriate for the location of this zone of development within the overall SUE.

8.29. Whilst this application is for Zone 5 only, it is important to consider the development within its wider context of the overall SUE, where character areas are diverse and density varies to create character and a sense of place. For background information, consented applications near the rural edges of the site deliver average densities below 30 dph which drives overall average density of the SUE down. Therefore, if all consented and pending layouts for all zones within the Overstone Leys SUE are considered, the average density of the SUE will achieve 33 dph. This is considerably lower than Policy H1 of the WNJCS which requires an average density of 35 dph.

8.30. The applicants have provided the following breakdown of each Zone;

Approved Zone 1A and 1B	31 dph
Approved Zone 1 and 2	33.5 dph
Approved Zone 3	31 dph
Submitted Zone 4	40 dph (adjacent to A43)
Submitted Zone 5	44 dph (adjacent to A43)
Indicative Zone 6	29 dph (adjacent to rural edge)
Indicative Zone 7	27 dph (adjacent to rural edge)
Approved Zone 8	29 dph (mixture of character areas including rural edge)
Resolution to approve Zone 9	32 dph
Approved Zone 10	34 dph
Overall Site Average	33.05 dph

8.31. Whilst the density within Zone 5 is higher than other Zones within the SUE, this is due to its location adjacent to the A43 and its proximity to the local centre. The higher density within this Zone will create a specific character area and will help to create a sense of place and will aid way finding across the site. Zone 5 for example will be significantly different from Zones 3, 6 and 7 which back on to the rural edge where densities are considerably lower as there is a looser form of development.

8.32. The site should not be viewed in isolation but in conjunction with the whole of the Overstone Ley SUE.

#### Impact on the Character of the Development - Pedestrian footpath

8.33. The site is located adjacent to the northern part of the local centre. The application for Phase 5 was originally submitted without any linkages to the local centre and consequently did not have a positive relationship to the local centre. It should be noted that there are no conditions attached to the outline consent requiring details of connectivity between the two sites.

8.34. Following negotiations with the applicant, a 2m wide footpath to the local centre has been included. Positioning the footpath towards the centre of Zone 5 connects the local centre to the area of incidental open space provided. This assists with the sites legibility and leads pedestrians further north and east to other residential parcels. It is actively overlooked by multiple properties.

8.35. Plot 47 is dual aspect, with a front door facing the footpath. The apartments opposite is 11m from plot 47, and has a ground floor habitable window fronting the footpath. The upper two floors have a tax window in the same position. This avoids direct overlooking between the bedrooms of plots 47 and the apartment block, yet still maintain visibility over the footpath for security purposes.

8.36. The apartment block has been moved east as far as possible. The footpath is visually open as railings are to be installed around the apartment block and parking court to

provide a clear view through. The footpath is straight to ensure the pedestrian crossing is as far from the junction as possible.

- 8.37. Given that there is no condition on the outline permission requiring a link to be provided and given the approved masterplan for the local centre, it is considered that the footpath link proposed is acceptable. The agents for the local centre are aware of the need for this pedestrian link and are aware of the proposals by Barratts. Any scheme for the local centre will need to be designed accordingly. The link will pull pedestrians from the wider site to the local centre and vice versa.

#### Impact on the Character of the Development – Materials

- 8.38. The materials palette across the four character areas within Zone 5 accords with the approved Design Code. The areas are set out below;
- 8.39. A43 corridor – all timber cladding has been removed from the apartment blocks and replaced with monocouche cream render as used elsewhere on the development. The materials palette is limited with the use of red bricks and grey roofs.
- 8.40. Primary Street – again limited palette of materials with predominately red bricks with the introduction of the occasional use of render of the gable element of the Hesketh house type.
- 8.41. Central Area – exclusive use of buff brick with grey roof tiles with the addition of stone to plots 25 and 30. This ensure consistency with Zone 8 and the development fronting Sywell Road.
- 8.42. General Neighbourhood – an extensive materials palette is proposed with the general neighbourhood area.

#### Overall conclusion on Impact on the Character of the Development

- 8.43. To summarise, the following revisions have been made following the refusal of the Barratts scheme for Zone 5;
- Quantum of development reduced from 129 to 123 units – affordable housing remains the same.
  - 6 plots lost by way of removing private central apartment block – overall density reduced from 46 to 44dph – making the average density of the wider site 33dph which is under the Policy requirement of 35dph.
  - Incidental green space retained and increased by additional 10% and broken up frontage parking with increased landscaping.
  - 3x 1 bed affordable flats swapped to 3 x 2 bed flats.
  - Removed timber cladding from all remaining apartment blocks and replaced with cream render.
  - Plots 25 and 30 changed from buff brick to stone.
- 8.44. Given the above amendments and the fact that the overall density for the SUE will be below the policy requirement, it is considered that the scheme accords with the principles set out in the Design Code and as such is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

#### Impact upon Residential Amenity

8.45. There are currently no existing dwellings surrounding the application site due to its location and with it being the fifth phase of development. The layout has been assessed to ensure that distances between habitable windows conform to our guidelines to prevent issues of overlooking.

#### Landscape and Open Space

8.46. This reserved matters application includes landscaping for the site. It is however noted that there are no large expanses of public open space within this phase of the development.

8.47. Policy ENV1 is concerned with ensuring that the proposal maintains the distinctive character and quality of the District's landscapes. ENV4 also aims to protect, enhance and restore the District's green infrastructure network, again relating to the Spinney and ensuring that an appropriate network of green infrastructure leads from the Spinney through the development linking on-site greenspace.

8.48. The approved indicative Masterplan sets out the principles of development and provides an indication of where open space will be located. There is also a plan (Plan 2) attached to the S106 which outlines where open space will be provided.

8.49. Condition 15 of the outline planning consent requires details of proposed areas of open space, including any playing fields, green infrastructure, structural landscaping, play areas and equipment to be submitted prior to development commencing on any phase. The applicant has submitted information to discharge Condition 15 under this application.

8.50. Plan 2 in the S106 does not secure any open space within Zone 5. The applicants have however incorporated an area of open space towards the centre of the site following concerns raised by officers in relation to the original application. This is in line with the outline indicative masterplan which shows an area of incidental open space in this location. This area of indicative open space has increased by 10% in comparison to the Barratt scheme (DA/2020/1178) due to the loss of the central block of apartments.

8.51. Given that the scheme complies with the parameters set in the outline planning approval and additional incidental open space has been provided, it is considered that the level of open space is sufficient for the development.

8.52. It is considered that the landscaping details are acceptable and as such in accordance with ENV1 of the Daventry Local Plan (Part 2).

#### Affordable Housing

8.53. The site falls within West Northampton Joint Core Strategy (WNJCS) policy H2 (Affordable Housing) which states that on all housing development of five or more dwellings in Northampton Related Development Area (NRDA), 35% should be provided as affordable housing.

8.54. The applicants have previously submitted an affordable housing viability assessment stating that the Overstone Leys development will not be financially viable if they are required to provide 35% affordable housing. The Council employed an external consultant to verify the applicant's viability report. The conclusions of the report confirmed that the quantum should be reduced to 15%. Therefore, on a scheme of 130 dwellings we would expect 20 affordable housing units to be provided.

- 8.55. Plan submitted illustrate that 40 units (33%) affordable dwellings within Phase 5. It has been agreed that there should be some flexibility allowed in the zones to allow for more affordable dwellings to be delivered near to the local centre. Zone 5 is over providing affordable dwellings and together with Phase 4 (which will be subject to a future application) will correct the under delivery in Zone 3.
- 8.56. The scheme will provide 33% affordable units which comprise;  
One bed flat x 9units  
Two bed flat x 9units  
Two bed house x 13 units  
Three bed house x 8 units  
Four bed house x 1 unit
- 8.57. The applicants have submitted information to show how the overprovision in Phase 5 will be resolved in other phases (phase 3 for example where there is a lower number of affordable units) to make the numbers overall compliant with the viability case. 33% affordable housing provision is therefore acceptable.
- 8.58. Policy H04 of Daventry's Housing SPD specifies a housing tenure mix of 70% rented and 30% intermediate housing. Viability work undertaken for the outline application was based on this mix. The mix for the whole of the development has been agreed recently. It was agreed to take an overall development approach and to allow flexibility in the phases to allow more affordable to be delivered near the local centre. The tenure split for this zone is not policy compliant as more rented accommodation than required but this being corrected in other Zones and is due to a number of apartments being provided. In terms of clustering, there are two blocks of apartments so although one of the clusters is 21 this is considered to be acceptable.
- 8.59. The Affordable Housing Officer has confirmed acceptance of the approach and mix proposed. It is therefore considered the proposal is in accordance with the principles of Policy H2 of the WNJCS.

#### Housing Mix

- 8.60. As a result of Overstone Parish Council raising concerns with the number of one bed units within the previous application, the market housing mix has been revised. The loss of the central apartment block results in the loss of 3 x 1 bed flats. The applicants have further amended a block of flats adjacent to the A43 by swapping 3 x 1 bed flats with 3 x 2 bed flats. The revised scheme therefore reduces 1 bed provision by 6 in total.

#### Noise

- 8.61. Policy S10 of the WNJCS requires new development to minimise pollution from noise. The NPPF, paragraph 180, states that planning policies and decisions should 'mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life'.
- 8.62. Condition 26 of the outline planning permission require an acoustic assessment to be submitted. It states that "prior to the commencement of development of each phase hereby approved, a scheme to demonstrate that the internal noise levels within the residential units of that phase will conform to the guidelines values for indoor ambient noise levels under background ventilation rates as identified within BS 8233 2014. External living area (gardens) noise levels shall conform to World Health Organisation's 1999 guideline -50-55dB LaeqA. The work specified in the approved scheme shall then



be carried out in accordance with the approved details prior to occupation and be retained thereafter”.

- 8.63. A number of concerns were raised with the original noise report and it highlighted that some of the garden areas did not conform to the approved guidelines. As such, a comprehensive noise report and site remodel has been undertaken to reflect the new layout which has been substantially changed since the original submission.
- 8.64. An options appraisal has also been included within the noise report which details how the western edge of the site was remodelled several times to best achieve the lowest external amenity noise levels. The report concludes how and why the current layout has been reached and displays the relative noise readings across the site.
- 8.65. Re-orientation and mitigation options have been considered and applied to the submitted layout to minimise high noise levels within rear gardens. Noise modelling showed that this had led to a reduction in rear garden noise levels. In accordance with the additional noise modelling, the height of fences and walls have been increased on plots which previously predicted garden noise levels in excess of the guidance. Current noise modelling now shows that all predicted noise levels in gardens meets adopted guidelines.
- 8.66. Glazing and ventilation acoustic performance requirements have been detailed to control internal noise levels in accordance with WHO guidelines.
- 8.67. Overstone Parish Council previously raised concern with noise levels within certain areas of the development. The applicant's noise consultant has worked with colleagues in Environment Health to ensure that noise levels are satisfactory and within recommended guidelines.
- 8.68. WNC Environmental Health Officers have advised that the revised report is now acceptable. Given that previous concerns raised by officers in relation to noise levels in gardens has now been addressed and all noise levels conform to adopted guidelines, it is considered that Condition 26 attached to the outline consent can be discharged in relation to Zone 5.
- 8.69. It is considered that the scheme will accord with Policy BN9 of the WNJCS (Part 1) and the overarching intentions of the NPPF.

#### Other considerations

- 8.70. National Space Standards - Policy H08 part Ciii) requires that all dwellings should meet the national space standards. All of the dwellings meet the minimum national space standards for the minimum number of people for each dwelling type. We are however unable to require the applicant to increase the size of these units to meet maximum occupancy conditions as there were no conditions attached to the outline planning permission requiring the development to adhere to these requirements. The applicants sought legal advice which concluded that there is a plethora of case law and appeal decisions which supports and confirms the position that prescriptive details cannot be imposed as requirements at reserved matters stage unless details were first secured as part of the outline planning permission. The reserved matters can only properly deal with those requirements set out in the Order. Provided the reserved matters application falls within the principle of what was approved as part of an outline planning permission (together with any relevant planning condition detail requirements) there is no ability to seek to impose further restrictive details.

- 8.71. Ecology - The Compensatory Habitat Creation and Management Scheme has been updated to include measures to protect badgers. WNC Ecology have confirmed that the amendments are acceptable and that Condition 43 relating to Compensatory Habitat Creation can be discharged.

#### Designing out Crime

- 8.72. The Designing out Crime Officer originally made a number of comments on the layout. These have been discussed with the applicant and the layout amended accordingly. Ground floor windows have been included in the gable ends of dwellings where side parking is located to enable overlooking from a routinely inhabited room. However, on a handed Chester plot, the internal layout does not provide opportunity to add any side windows in active rooms and therefore a window has been added on the staircase. Given that there is the opportunity for surveillance and this the only example, it is considered to be acceptable. Also in accordance with comments raised, defensible spaces has been added around the blocks of flats.

#### Discharge of Conditions.

The applicants have proposed to discharge a number of conditions attached to the outline consent (DA/2013/0850) with this reserved matters application.

- 8.73. Condition 14 – Finished Floor Levels – A drawing has been submitted to discharge this condition. This part of the development is relatively level and therefore there are no issues with regards to levels within the site. As such the condition can be discharged for this zone.
- 8.74. Condition 15 – Soft Landscaping – Approved by WNC Landscape Officer (Daventry Area)
- 8.75. Condition 18 – Foul Water – Anglian Water have confirmed that the condition can be discharged.
- 8.76. Condition 19 – Surface Water Drainage – Waiting for advice from the Lead Local Flood Authority. An update will be provided as a late item.
- 8.77. Condition 26 – Acoustic Report – Environmental Health Officers have confirmed that the noise report is satisfactory and the condition can be discharged.
- 8.78. Condition 36 – Bus stops – No bus stops are proposed adjacent to this Zone along Sywell Road or the spine road. A plan illustrating bus stops is included within the Travel Plan which has been approved by the LHA.
- 8.79. Condition 37 – Travel Plan – The LHA have confirmed that the Travel Plan is acceptable and the condition can be discharged for this zone of development.
- 8.80. Condition 38 – Public Rights of Way – There are no public rights of way affected by the development.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. CIL payments are not applicable to this site as the outline consent was approved prior to CIL being adopted.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The planning system is actively encouraged to assume a presumption in favour of sustainable development rather than being an impediment to sustainable growth. The site, being located with the Overstone Leys SUE will have a good level of accessibility and be within reasonable walking and cycling to the local centre. Taking the above into account, this development is considered to be acceptable.
- 10.2. The proposal has been designed in accordance with the parameter plans approved at outline stage and the Design Code which was approved via the discharge of Condition 12 attached to the outline approval. It is also considered that the scheme accords with the principles established at outline stage with regards to the levels of open space provided on site. The development must be viewed as part of the whole Sustainable Urban Extension and not in isolation.
- 10.3. It is considered that the applicants have satisfactorily addressed the reason for refusal of planning application DA/2019/1178 by removing a block of apartments within the centre of the development. This is a loss of 6 units and allows the central area to be more traditional in character and also allows more incidental open space to be provided.
- 10.4. On balance, it is considered that the proposal is acceptable in planning terms and hence overall complies with policies SA, S1, S10, H1, H2, N3, C1, C2, BN2 and BN9 of the West Northamptonshire Joint Core Strategy and policies H08, CW1, CW2, ST1, ENV1, ENV4, ENV5 and ENV10 of the Settlements and Countryside Local Plan (Part 2) (February 2020).

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

**DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO:**

- 1. NO OBJECTIONS BEING RECEIVED BY THE LEAD LOCAL FLOOD AUTHORITY IN RELATION TO THE DISCHARGE OF CONDITIONS ATTACHED TO THE OUTLINE CONSENT**
- 2. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS OR ADDITIONAL CONDITIONS AS DEEMED NECESSARY)**

### CONDITIONS

#### **Approved plans**

1. The development shall be carried out strictly in accordance with the following drawings;

OSLBH-MCB-ZZ-ZZ-DR-A-0200-D5-P1-Site Location Plan

OSLBH-MCB-ZZ-ZZ-DR-A-0230-D5-P6-Site Layout

OSLBH-MCB-ZZ-ZZ-DR-A-0231-D5-P6-External materials plan

OSLBH-MCB-ZZ-ZZ-DR-A-0232-D5-P8-External Boundaries

OSLBH-MCB-ZZ-ZZ-DR-A-0233-D5-P5-Affordable tenure plan

OSLBH-MCB-ZZ-ZZ-DR-A-0234-D5-P5-Refuse Management plan

OSLBH-MCB-ZZ-ZZ-DR-A-0235-D5-P5-Parking Strategy plan

OSLBH-MCB-ZZ-ZZ-DR-A-0240-D5-P5-Illustrative Streetscenes

OSLBH-MCB-ZZ-ZZ-DR-A-0241-D5-P5-Illustrative Streetscenes

GL1480 01D Soft Landscape Proposals

GL1480 02D Soft Landscape Proposals

210501 FRA Statement of Compliance - Zone 5  
210501 SW Drainage Design Statement - Zone 5 prepared by Tetra Tech  
Simulation Results Zone 5 211201  
Z5\_TTE\_00\_ZZ\_DR\_C\_Zone 5\_SK01 P01 Drainage Strategy  
Z5\_TTE\_00\_ZZ\_DR\_C\_Zone 5\_SK02 P01 Surface Water Exceedance Routes  
OSLBH-MCB-XX-XX-DA-A-0011-D5-P2- DAS Part 1 – 2  
Overstone Leys Zone 5 - Rev 4 Acoustic Report prepared by Spectrum Acoustic  
Consultants  
Z5-TTE-GEN-ZZ-DR-CH-300 Preliminary FFLs  
Residential Travel Plan prepared by Stantec

#### House Types

OSLBH MCB ZZ ZZ DR A 0105 Chester P3  
OSLBH MCB ZZ ZZ DR A 0109 Hesketh P4  
OSLBH MCB ZZ ZZ DR A 0110 Kenley ET  
OSLBH MCB ZZ ZZ DR A 0112 Kenley Hipped P4  
OSLBH MCB ZZ ZZ DR A 0115 Lutterworth Plan P3  
OSLBH MCB ZZ ZZ DR A 0116 Lutterworth Elevation P4  
OSLBH MCB ZZ ZZ DR A 0117 Maidstone P3  
OSLBH MCB ZZ ZZ DR A 0118 Maidstone Hipped P4  
OSLBH MCB ZZ ZZ DR A 0121 Moresby Semi P3  
OSLBH MCB ZZ ZZ DR A 0122 Radleigh Plans P3  
OSLBH MCB ZZ ZZ DR A 0123 Radleigh Elevations P3  
OSLBH MCB ZZ ZZ DR A 0124 Almouth Plans P3  
OSLBH MCB ZZ ZZ DR A 0125 Almouth Elevations P4  
OSLBH MCB ZZ ZZ DR A 0126 Denby P2  
OSLBH MCB ZZ ZZ DR A 0129 Woodcroft P3  
OSLBH MCB ZZ ZZ DR A 0130 Norbury P3  
OSLBH MCB ZZ ZZ DR A 0131 Hesketh Brick P3  
OSLBH MCB ZZ ZZ DR A 0132 Hesketh Contemporary P3  
OSLBH MCB ZZ ZZ DR A 0133 Kenley ET Contemporary P2  
OSLBH MCB ZZ ZZ DR A 0134 Kenley MT Contemporary P2  
OSLBH MCB ZZ ZZ DR A 0135 Moresby Semi Contemporary P3  
OSLBH MCB ZZ ZZ DR A 0136 Woodcroft Contemporary P3  
OSLBH MCB ZZ ZZ DR A 0137 Norbury Contemporary P3  
OSLBH MCB ZZ ZZ DR A 0138 Norbury Render P1

OSLBH MCB ZZ ZZ DR A 0140 Type 98 GF P4  
OSLBH MCB ZZ ZZ DR A 0141 Type 98 FF P4  
OSLBH MCB ZZ ZZ DR A 0142 Type 98 SF P4  
OSLBH MCB ZZ ZZ DR A 0143 Type 98 Elevations P3  
OSLBH MCB ZZ ZZ DR A 0144 Type 98 Elevations P3  
OSLBH MCB ZZ ZZ DR A 0145 Type 50 ET P3  
OSLBH MCB ZZ ZZ DR A 0146 Type 50 MT P3  
OSLBH MCB ZZ ZZ DR A 0147 Type 50 Hipped P4  
OSLBH MCB ZZ ZZ DR A 0148 Type 52 ET P4  
OSLBH MCB ZZ ZZ DR A 0150 Type 52 Hipped P4  
OSLBH MCB ZZ ZZ DR A 0151 Type 54 P4  
OSLBH MCB ZZ ZZ DR A 0152 Type 55 P4  
OSLBH MCB ZZ ZZ DR A 0155 Type 52 ET Render P3  
OSLBH MCB ZZ ZZ DR A 0156 Type 55 Render P3  
OSLBH MCB ZZ ZZ DR A 0157 Type 50 ET Contemporary P2  
OSLBH MCB ZZ ZZ DR A 0158 Type 50 MT Contemporary P2  
OSLBH MCB ZZ ZZ DR A 0168 Type 9B Special GF P1

OSLBH MCB ZZ ZZ DR A 0169 Type 9B Special FF P1  
OSLBH MCB ZZ ZZ DR A 0170 Type 9B Special SF P1  
OSLBH MCB ZZ ZZ DR A 0171 Type 9B Special Elevation P1  
OSLBH MCB ZZ ZZ DR A 0172 Type 9B Special Elevation P1

OSLBH MCB ZZ ZZ DR A 0159 Bikes and Bins P2  
OSLBH MCB ZZ ZZ DR A 0160 Bikes and Bins P3  
OSLBH MCB ZZ ZZ DR A 0161 Garages P3  
OSLBH MCB ZZ ZZ DR A 0167 Garages P2

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

### **Hard Landscaping**

2. Notwithstanding Drawing OSLBH-MCB-ZZ-ZZ-DR-A-0232-D5-P8-External Boundaries prior to construction of the dwellings above slab/foundation level details of hard landscaping works shall be submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatments (including hedgehog holes), including full details of the proposed boundary walls, fences, railings and gates to be erected, specifying the colour of the railings and gates; footpaths. The hard landscaping works shall thereafter be completed in full accordance with the approved details prior to first occupation of the dwellings to which they relate.

Reason: Drawing OSLBH-MCB-ZZ-ZZ-DR-A-0232-D5-P8-External Boundaries and Surface Finishes Plan is not acceptable in its current form as elements of enclosures are missing.

Reason: In the interest of residential amenity further details are required in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Means of Enclosure**

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no alterations shall be made to any means of enclosure hereby approved that front a highway, footpath or private drive, and no new means of enclosure shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts on to a highway, footpath or private drive, in either case without the prior written consent of the Local Planning Authority. For the avoidance of doubt, 'means of enclosure' shall include fences, gates, railings, walls or hedges. Any gates shall be set back 5.5m from the highway boundary.

Reason: In the interests of the visual amenity of the area and of highway safety and in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Materials**

4. Notwithstanding OSLBH-MCB-ZZ-ZZ-DR-A-0231-D5-P6-External Materials Plan prior to construction of the dwellings above slab/foundation level samples (including

photographs) of the materials to be used for the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

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. In the interests of visual amenity of the area in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

### **Soft Landscaping**

5. Notwithstanding drawings GL1480 01D and GL1480 02D prior to the construction of the dwellings above slab/foundation level landscaping details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plans prior to any dwellings being first occupied/used, or in accordance with a programme submitted to and approved in writing with 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 and in accordance with Policy ENV1 of the Settlements and Countryside Local Plan (Part 2).

### **Approved Plans**

6. The garages, parking spaces 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 garaging/parking of private motor vehicles.

Reason: In the interests of residential amenity and the safety and convenience of users of the adjoining highway in accordance with Policies ENV10 and SP1 of the Settlements and Countryside Local Plan (Part 2).

### **Affordable Housing**

7. The quantum, disposition and type of affordable housing within the site shall as shown on the Affordable Tenure Plan D5-P5 and the tenure and phasing of the affordable housing shall be as set out in the existing Section 106 agreement for the site, in all cases, unless otherwise agreed in writing by the Local Planning Authority, in the context of a viability assessment for the site.

Reason: In the interests of providing an appropriate level and standard of affordable housing.

INFORMATIVES:-

As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies: In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.